

## 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 to 25, inclusive, answered orally.*

*Questions Nos. 26 to 54, inclusive, resubmitted.*

*Questions Nos. 55 to 61, inclusive, answered orally.*

### **Light Rail Projects Status**

62. **Deputy Mary Lou McDonald** asked the Minister for Transport, Tourism and Sport the progress and completion date of the Luas cross-city project; and when it will come into operation. [15619/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Delivery of Luas Cross City is currently on time and within budget with operations scheduled to commence in quarter 4 2017.

The rate at which the project is progressing will be evident to anybody who has been in the city centre in recent weeks and months. This is a major infrastructural project and the scale and complexity of it naturally means that there will be some disruption during the construction period but I believe the public and businesses in the city centre recognise that the completed project will bring significant benefits to the city.

As regards the physical works, the utility works have been completed and the contract for the main infrastructure track-laying works is well advanced. Works to facilitate the Red line tie-in have recently commenced. With effect from 22 May until the last week in July, Red line services will terminate at the Jervis Stop with replacement bus services operating from Jervis to the Point. A very effective communications campaign was launched well in advance of these temporary changes to Red line services to advise passengers of the changes and the alternative transport arrangements that would operate during this period.

Once completed, Luas Cross City will significantly enhance accessibility and integration of public transport in Dublin. The project will provide an interchange between the existing Red and Green Lines in the City Centre and will serve the new Dublin Institute of Technology campus at Grangegorman.

It will also connect Cabra, at Broombridge Rail Station, to the existing Luas at St. Stephen's Green. This will allow for integration of Luas services with rail services from Maynooth & Dunbooyne and the majority of the Quality Bus Corridor schemes which enter or cross Dublin

City Centre.

*Question No. 63 answered orally.*

### **National Transport Authority Data**

64. **Deputy Catherine Connolly** asked the Minister for Transport, Tourism and Sport the report the National Transport Authority carried out in the past 12 months on traffic congestion and possible solutions thereto in Galway city; if he will provide this report; and if he will make a statement on the matter. [15608/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I understand from the National Transport Authority (NTA) that it has been assisting Galway City Council and Galway County Council since 2015 on the development of a transport strategy for the city.

This work recently culminated with the publication a draft Galway Transport Strategy (GTS), which is currently on public display until 1st July and the general public has an opportunity to submit their views and comments by that date. A link to the relevant documents can be found on the Galway City and County Council websites. The proposed Strategy was presented to Galway City Council's Transport Strategic Policy Committee on 19 April.

The draft Galway Transport Strategy outlines emerging proposals for revised traffic and public transport networks to better meet the city's needs. Completion of the proposed Galway outer orbital road will support and complement implementation of the draft Strategy.

I understand that the objective is to secure the incorporation of the agreed Strategy into the draft Galway City Development Plan 2017-2023. This, of course, is a matter for the Council itself.

With regard to funding for public transport for Galway in general, my Department provides funding under the Regional Cities Programme to the NTA for the development of bus lanes, green routes, other bus priority measures and safety measures for pedestrians & cyclists in the regional cities of Cork, Galway, Limerick and Waterford. Overall funding for this programme in 2016 is €13.5m of which Galway has an allocation of €2.14m.

### **Public Transport Provision**

65. **Deputy Mary Lou McDonald** asked the Minister for Transport, Tourism and Sport his plans to improve accessibility for persons with disabilities on public transport services; and the resources he will put in place to provide for these improvements. [15620/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I would refer the Deputy to Priority Question No [15825] regarding plans to improve accessibility on Public Transport for persons with disabilities, which is also for answer today, 14 June 2016.

### **Fáilte Ireland**

66. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport his plans to support the provision of specific Fáilte Ireland offices in tourism hubs which are not in close proximity to the existing office for that region, such as the County Louth coastline, which is

served by an office in Mullingar, County Westmeath. [15617/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** My Department's role in relation to tourism lies primarily in the area of developing national tourism policy, whereas the tourism agencies have operational responsibility for the implementation of this policy. In line with the functions as set out in legislation, the management of the Tourist Information Office network is an operational matter for the Board and Management of Fáilte Ireland.

I am advised by Fáilte Ireland that it currently operates 30 tourist offices in areas of high tourist traffic around Ireland. Furthermore, the agency also supports a network of 40 community-run tourist information offices in locations of lower tourist footfall, which are operated under licence to Fáilte Ireland. In such locations, Fáilte Ireland provides the community tourist information offices with staff training, online information support and tourism promotional literature (such as maps, accommodation guides and tourist information guides). All official tourist information and promotional material is produced centrally and disseminated through Fáilte Ireland's national distribution service to all its supported tourist information offices, including the community-run offices.

With specific regard to County Louth, I understand that Fáilte Ireland currently licences three community tourist information offices in the county - in Carlingford (Cooley Peninsula), Drogheda and Dundalk and does not service the county or its coastline from its Mullingar office. In the case of an area that wishes to expand its information provision to tourists, Fáilte Ireland can provide guidance and advice on the establishment of a community tourist information office.

## EU Membership

67. **Deputy Seán Crowe** asked the Minister for Transport, Tourism and Sport if he met or will meet his counterparts in the Northern Ireland Assembly and in the British Parliament to discuss the fall-out from a British exit from the European Union on cross-Border co-operation and on issues relating to his Department; and if he will make a statement on the matter. [15621/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I have not yet had the opportunity to meet with Minister for Infrastructure Chris Hazzard or any of his Ministerial colleagues in the Northern Assembly since their appointment. I wish them all well in their Ministerial roles and look forward to working constructively with them through the North South Ministerial Council and bi-laterally where appropriate. I have recently met with my counterpart from the UK government informally in Luxembourg.

While the referendum is a matter for UK voters to decide, the Government's preference is for the UK to remain in the EU. Should the electorate instead vote to leave the EU, a period of two years is provided for under Article 50 of the Treaty on European Union during which its exit terms would be negotiated between the UK and the other Member States. The structure of such negotiations is unknown. It is only as they mature that the shape of a future EU-UK relationship would begin to emerge and the full extent of the likely impact on Ireland would be clearer.

As part of wider Government preparations, my Department continues to work with other Government Departments through an inter-departmental committee to identify the strategic and operational risks that may arise from a 'leave' vote and to prepare contingency planning. As matters evolve I will be reviewing any potential impacts on functions relating to my Department, including in particular co-operation with Northern Ireland, and will engage with my

counterparts in the Northern Executive and Westminster as required.

*Question No. 68 answered orally.*

### **National Transport Authority Administration**

69. **Deputy Bríd Smith** asked the Minister for Transport, Tourism and Sport if the tendering process for public bus routes will take account of the record of a company in upholding labour law, in its obligations to its workforce and in conducting negotiations with its workforce on pay and conditions, prior to the awarding of any contracts (details supplied); and if he will ensure that the National Transport Authority or any other agency responsible for awarding these contracts is seen to acknowledge the importance of any company tendering for State contracts upholding labour law and the standards of the State. [15605/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** It is the responsibility of the National Transport Authority (NTA) to conduct the current public procurement process relating to the tendering out of 10% of the PSO bus network. The NTA requires any transport operator who operates public transport services under existing contracts to it to act within the law, including relevant employment legislation. Consistent with this approach, the forthcoming tendering process conducted by the NTA will require any transport operator who is awarded a contract to comply with relevant employment legislation.

*Questions Nos. 70 and 71 answered orally.*

### **Transport Infrastructure Ireland Funding**

72. **Deputy Pearse Doherty** asked the Minister for Transport, Tourism and Sport the status of plans to allocate capital funding for the projects outlined in the capital plan; and when each of these projects will commence. [15618/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The previous Government agreed a Capital Plan for 2016 to 2021 for the Department of Transport, Tourism and Sport of over €10bn. Given the fiscal assumptions at the time, the initial years show incremental increases with much new project investment towards the latter half of the plan.

Our capital envelope this year is €1.075 billion. By 2021, our capital envelope will have increased to €2 billion.

At €720 million, the largest portion of this year's capital envelope is allocated to national, regional and local roads. The planning, design and implementation of individual national road projects is a matter for Transport Infrastructure Ireland and I have referred the Deputy's question to TII for direct reply on such projects.

As regards regional and local roads, implementation is the responsibility of road authorities. My Department is liaising with the relevant authorities to finalise an implementation programme for projects in the Capital Plan. An initial allocation has been made to South Dublin County Council to upgrade roads into Grange Castle Business Park.

This year's Public Transport Investment Programme has a capital budget of €347 million. Most is delivering existing commitments, including LUAS CrossCity. Construction of Metro North will commence around 2021 to be operational around 2026/27. The Plan also provides for further progress in DART expansion.

The Capital Plan also includes:

- €285m for local and national sports facilities;
- €131m for tourism product development,
- €100m for smarter travel and sustainable development including Greenways, and
- €28m for the Regional Airports Programme.

On sport, we expect completion of Phase 1 of the Indoor Arena in November. An allocation of €30m has been ringfenced for Pairc Uí Chaoimh, subject to EU state aid approval. Much of the remaining sports funding relates to demand-led schemes such as the Sports Capital Programme. These grant allocations are published and available. Smarter Travel and Sustainable Development projects are also demand-led and are largely committed in the short term.

For tourism, the Capital Plan includes a 7 year allocation of €131m. The existing Experience Brands, the Wild Atlantic Way, Ireland's Ancient East and Dublin: A Breath of Fresh Air will be developed. In addition, a new Grants Scheme for Large Tourism Projects was launched on 8th June last.

The Capital Plan earmarks €28m towards the Regional Airports Programme and I expect this year's allocation of €3.8m to be spent by year end. This funding supports the four airports in Donegal, Ireland West Airport Knock, Kerry and Waterford in key safety and security enhancements.

*Questions Nos. 73 and 74 answered orally.*

### **Road Projects**

75. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport the status of the A5 and his recent engagement with his Northern Ireland counterparts in relation to it; his funding commitment and that of the Northern Ireland Government to the project; when the project will be completed; the status of the funding allocated under the St. Andrews Agreement; if it is still available for this project; and if he will make a statement on the matter. [15307/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The planning and implementation of the A5 road project, including the project budget, is the responsibility of the Northern Ireland authorities.

As the Deputy is aware, the *Stormont House Agreement and Implementation Plan - A Fresh Start* reaffirmed the Government's commitment to provide funding of £50 million for the A5 project and committed an additional £25 million to ensure that Phase 1 of the project (New-buildings to north of Strabane) can commence as soon as the necessary planning issues have been resolved by the Northern Ireland authorities.

Under the Agreement it is envisaged that construction of Phase 1 of the A5 will start in 2017 with a view to completion in 2019. In keeping with the revised project timeline, the Government funding is to be provided in three tranches of £25 million in the years 2017, 2018 and 2019 respectively. I have no function in relation to funding commitments of the Northern Ireland Executive.

## Light Rail Projects Provision

76. **Deputy Jack Chambers** asked the Minister for Transport, Tourism and Sport to consider the provision of a light rail transport system to serve the west County Dublin; and if he will make a statement on the matter. [15306/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The National Transport Authority (NTA) has statutory responsibility for the development and implementation of public transport infrastructure in the Greater Dublin Area (GDA), including metro and light rail projects.

As funding remains constrained at present, the only new metro or light rail projects that have been allocated funding under the Government's Capital Plan *Building on Recovery: Infrastructure and Capital Investment 2016-2021* are the Luas Cross City and the new Metro North.

In the longer term, proposals for the future development of an east-west Luas line, commencing in the residential areas of Lucan and connecting into Dublin City Centre have been included in the NTA's Transport Strategy for the GDA for the period 2016-2035. This would provide a high capacity radial service from this area to the City Centre, sufficient to cater for the high transport demand along this corridor, and would serve Lucan, Liffey Valley and Ballyfermot along its route.

The Strategy also envisages the development of a Core Bus Network, which would include a range of radial and orbital routes serving Dublin West, and a Bus Rapid Transit scheme linking Blanchardstown with UCD.

## Industrial Relations

77. **Deputy Mick Barry** asked the Minister for Transport, Tourism and Sport his views on the justification of the pay claim of Irish Rail workers, given the industrial norms and the pay freeze they have experienced in recent years. [15626/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I am aware that Irish Rail and the trade unions have been, and are currently engaged, in a number of processes facilitated by the Workplace Relations Commission and the Labour Court with a view to reaching agreement on different issues including pay. Those processes will I am sure take cognisance of the particular circumstances of each individual case.

In the case of Irish Rail it is important to realise that the Company had incurred accumulated losses of €135m at end 2014 and that any negotiation on pay claims has to take into account what is affordable and sustainable for the company's future. The issues can only be resolved through open, constructive and realistic engagement between the Company and its employees.

Of course the State can assist where needed through the WRC and Labour Court and I am glad that both Irish Rail and trade unions are currently availing of the services of those bodies with a view to reaching agreement.

## Harbours and Piers

78. **Deputy Richard Boyd Barrett** asked the Minister for Transport, Tourism and Sport if he will meet a delegation of different interest groups from the greater Dún Laoghaire area to

discuss plans for the future governance of Dún Laoghaire Harbour; and if he will make a statement on the matter. [15610/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Harbours Act 2015 provides the legislative basis for one of the key recommendations in the National Ports Policy, namely that governance of the five Ports of Regional Significance should vest in more appropriate local authority led governance structures. The process of transferring governance, and the future governance and operational structures of the port, are primarily matters for agreement between the local authority and the port company. The Act provides that the two entities should work together in driving the process of transfer, including the necessary due diligence. In the case of Dún Laoghaire, I understand that this process is now well advanced.

As ports operate as commercial companies, I am not involved in day to day operational issues. Nor is it appropriate for me to meet directly with local authorities or local interest groups on these issues. However, I can confirm that a widespread public consultation process was undertaken by my officials from 2010 onwards, prior to the publication of the National Ports Policy 2013, and again during the legislative process leading up to the enactment of the Harbours Act 2015. Other public consultation processes were undertaken by the port company on a range of issues and provided an opportunity for all stakeholders and interested parties to give their views on the future of the harbour.

Since 2013, when the transfer process commenced, senior officials from my Department have met with Dún Laoghaire Harbour Company, and the CE and senior officials of Dún Laoghaire Rathdown County Council, on a number of occasions, to clarify issues raised and to advise on the transfer process. My Department has also been kept apprised of developments as part of the regular communications that take place between the company and shareholder.

## **Public Transport**

79. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport his plans to invest further in public transport through the State subvention to Córas Iompar Éireann and other means in order to improve standards, increase accessibility and encourage more persons to use public transport. [15613/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** This year's PSO subvention is €236 million, an increase of €27 million on 2015, directed at the provision of enhanced public transport services. It is the statutory responsibility of the National Transport Authority (NTA) to allocate funding to the PSO operators, including the CIÉ companies.

The increased funding secured for 2016 will assist with the delivery of new and additional services, as well as variations and improvements to existing services. All PSO services are provided in accordance with public service contracts concluded between the NTA and the relevant operator. These contracts specify the service and quality standards expected of the operators and their performance is monitored closely by the NTA with quarterly reports published and available to view on their website.

As regards encouraging an increased use of public transport, the NTA is fully committed to continually improving the quality and attractiveness of public transport services and is also engaged in the development and deployment of technologies to make it easier to use public transport. The NTA has delivered a number of significant cross-operator initiatives such as real time information at bus stops, on Apps and online, the National Journey Planner, the Leap Card, investment in the bus fleet and on-board Wi-Fi, improved public transport maps and the

reconfiguration of regional city bus services that to date includes Cork, Limerick, Galway and Waterford. Accessibility has also been greatly improved through the addition of on-board displays and announcements of the next bus stop.

In addition, over the next 7 years, the Capital Plan provides for a range of improvement measures including new and replacement buses, completion of the Luas Cross City project and the reopening of the Phoenix Park tunnel, all of which will enhance the attractiveness of the public transport offering.

### **State Airports**

80. **Deputy Louise O'Reilly** asked the Minister for Transport, Tourism and Sport if he is aware that the environmental impact study which was carried out for plans for an additional runway at Dublin Airport is completely outdated; if he will request that a new study is carried out; and if he will make a statement on the matter. [15616/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The DAA has a statutory responsibility to manage, operate and develop Dublin Airport including the North Runway project. DAA received planning permission for this project in 2007.

Planning is a matter for the relevant local authority (Fingal County Council in the case of Dublin Airport) or An Bórd Pleanála, as appropriate.

I understand that DAA is in the process of examining the scope of a further Environmental Impact Statement for the purpose of seeking a review of the operating restrictions foreseen for Dublin Airport under the existing planning permission for the North Runway. They intend going to public consultation shortly on the matter.

### **Industrial Disputes**

81. **Deputy Mick Barry** asked the Minister for Transport, Tourism and Sport his views on the settlement of the Luas dispute; and if he will make a statement on the matter. [15627/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I am obviously delighted that the disruption and inconvenience caused to hundreds of thousands of commuters and taxpayers over the last few months has now ceased. It was regrettable that this disruption and inconvenience was imposed upon people in the first place.

As I have previously stated in the House, my focus at all times was to protect the interests of the taxpayer and the travelling public, and to encourage the parties to work to resolve their differences. I am glad that eventually a mutually acceptable agreement was reached between the parties.

As the Deputy is aware, I have no function in relation to either the employment of Transdev employees or their terms and conditions of employment. They are employees of Transdev, which is a private company and the settlement arrived at is a matter for that company and its employees. Each such dispute as this has its own unique characteristics and it is important to realise that agreements reached reflect those unique characteristics.

I am also pleased that the State's industrial relations institutions were able to assist the parties in coming to an agreement. There had been calls throughout this dispute for some sort of Ministerial intervention but I have consistently maintained that any intervention by me, or



indeed others without a legal function or role in the dispute, would not have been helpful. The matter was ultimately resolved with the assistance of the Labour Court following discussions involving the relevant parties – the employer and the employees.

### **Public Transport Provision**

82. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if he can continue to facilitate efficient commuter transport by the use of co-ordination between the road and rail network in such a way as to provide the highest possible degree of transport cost effectiveness and efficiency for commuters located conveniently to such services; and if he will make a statement on the matter. [15624/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Deputy has raised two important issues in terms of our public transport network, namely the need for an integrated whole of system approach and also the need to ensure value for money in the provision of public transport services.

The Deputy will no doubt be aware of the considerable work undertaken by the National Transport Authority in striving toward a better integrated public transport system across not just the Greater Dublin Area, but within our regional cities, and indeed across the State generally. This work finds tangible form in the development of new commuter friendly initiatives such as the National Journey Planner, Real Time Passenger Information and of course the Leap Card, all of which provide for better integrated public transport services and aid accessibility for the commuter. There has also been considerable investment in public transport infrastructure improvements aimed at promoting better integration between different modes, such as the development of Park & Ride facilities. Funding is also being provided toward integrated bus and rail stations, such as on-going works to improve linkage between Kent Station and Cork City Centre and the completion of a Rail/Bus Plaza area at Colbert Station.

The NTA's recently published Transport Strategy for the GDA seeks to provide for the efficient, effective and sustainable movement of people and goods and includes a wide range of measures which will further improve integration between public transport modes. As required under the Dublin Transport Authority Act 2008 the NTA is now preparing an implementation plan for the first six year period of the Strategy and I expect the Deputy will have some useful observations to make when the NTA commences its consultation period on that plan.

In terms of the value for money achieved in the delivery of our public transport services, there are now public service contracts in place between the NTA and all public transport operators providing PSO services. These contracts specify the service and quality standards expected of the operators and their performance is monitored closely by the NTA with quarterly reports published and available to view on their website.

### **Air Services Provision**

83. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the steps the Irish regulatory authorities will take to control and oversee an airline's (detailed supplied) operations particularly in regard to work practices, in the event that the airline commences services from Cork city to the United States of America. [15508/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Norwegian Air International (NAI) was licensed as an Irish airline by the Irish Aviation Authority (IAA) and the

Commission for Aviation Regulation (CAR) in February 2014. As such it is subject to the same aviation oversight regime administered by these aviation regulators as any other Irish airline.

NAI operates out of several European bases and has several hundred people working for it, including approximately 80 people working at its head office at Dublin airport. The airline has publicly stated that it always follows the rules and regulations in all the markets in which it operates and offers employees competitive wages and conditions.

It has been well publicised that NAI would like to fly routes to the United States from Ireland and other European countries and it had hoped to start flying from the airline's base in Barcelona to Cork and onwards to Boston in May this year. However, it has been unable to commence this service pending the necessary permission from the US authorities. I support this proposed route which would benefit the Cork region and hope that NAI will be in a position to operate the route as soon as possible.

The Cork services would not involve aircraft or crew based in Ireland and I am not aware that the company has any plans to establish such a base in Ireland for the present. In terms of the oversight of the airline's work practices the new services would be no different to the other new routes that NAI operates on a routine basis around Europe.

### **Legislative Programme**

84. **Deputy Paul Murphy** asked the Taoiseach the Bills relevant to his Department he intends to re-initiate from the previous Dáil Éireann; the Bills his Department is anticipating to introduce in the coming sessions; to provide a previous timescale for each Bill; and if he will make a statement on the matter. [15311/16]

**The Taoiseach:** A motion restoring a number of Bills from the last Dáil to the Order Paper of the current Dáil was passed on 1 June last. My Department had no Bills before the last Dáil.

The first Government Legislation Programme of the new Partnership Government was published on Wednesday, 8 June last. This list includes titles of the Bills that the Government will seek to publish over the next few months to start to fulfil the commitments made in the "Programme for a Partnership Government".

The only proposed legislation for my Department at present is the National Economic and Social Council (NESC) Bill, which is on the list of Bills the Government plans to introduce in the longer term. When drafted, the Bill will provide for the dissolution of the NESDO and the placing of the NESC on a statutory footing.

### **Straitéis 20 Bliain don Ghaeilge**

85. D'fhiafraigh **Deputy Éamon Ó Cuív** den Taoiseach cé na dátaí a chas an fochoiste ar an Straitéis 20 Bliain don Ghaeilge 2010 – 2030 le chéile le bliain anuas. [15332/16]

**The Taoiseach:** Bhí an cruinniú deireanach an Choiste Rialtais ar an nGaeilge agus ar an nGaeltacht ar 30 Márta 2015.

### **Departmental Expenditure**

86. **Deputy Clare Daly** asked the Taoiseach the amount of money his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15423/16]

**The Taoiseach:** My Department had no spend on the Public Sector Times Magazine in 2015.

### **Departmental Expenditure**

87. **Deputy Clare Daly** asked the Taoiseach the amount of money spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15439/16]

**The Taoiseach:** My Department spent €72,827.21 on print newspapers (including daily, Sunday and weekly papers) in 2015. This compares to a spend of €109,330.76 in 2008 when my Department undertook a review of its expenditure on print media. On foot of this review, my Department rationalised its subscriptions and availed of a number of online subscriptions which resulted in expenditure savings.

My Department liaises closely with the Office of Government Procurement on all matters related to public procurement and monitors all areas of expenditure, including on print media, on an ongoing basis to ensure that value for money is being achieved.

### **Departmental Staff Data**

88. **Deputy Clare Daly** asked the Taoiseach the number of staff working in his Department's human resources section. [15455/16]

90. **Deputy Clare Daly** asked the Taoiseach the changes in the numbers employed in his Department's human resources section following the introduction of PeoplePoint. [15487/16]

**The Taoiseach:** I propose to take Questions Nos. 88 and 90 together.

In 2011, when my Department began engaging with the Department of Public Expenditure and Reform on the PeoplePoint Project, there were 11.58 whole time equivalent staff members working in Human Resources (HR) in my Department. My Department moved to streamline and optimise its HR function ahead of the transfer of responsibility for its transactional HR activities to PeoplePoint and there are now 7.85 whole time equivalent staff members working in HR. HR staff members who were formerly engaged in transactional HR have also shifted their focus to more strategic activities such as induction, probation, absence and performance management.

### **Ministerial Staff**

89. **Deputy Clare Daly** asked the Taoiseach the number of staff who work exclusively on constituency matters for him. [15471/16]

**The Taoiseach:** There are six staff members working in my Constituency Office.

*Question No. 90 answered with Question No. 88.*

## **EU Membership**

91. **Deputy Seán Haughey** asked the Taoiseach the preparations he is making to deal with a British exit from the European Union; the issues he needs to address; and if he will make a statement on the matter. [15646/16]

**The Taoiseach:** Our Government's position on the EU-UK question is clear: We want the UK, as our friend, closest neighbour and partner, to remain a member of a reformed EU.

Our relationship with the UK is closer than with any other Member State. We believe Ireland has a unique perspective and interest in the outcome of the referendum: as a neighbour sharing a land border; as a partner with the UK in transforming British-Irish relations in recent years; and as a facilitator and co-guarantor, with the UK, of successive agreements aimed at securing peace and prosperity in Northern Ireland.

However, Ireland will have a clear plan in place to deal with the implications of a UK vote to Leave.

A framework has been developed on a whole of government basis to identify contingencies that may arise in the days, weeks and months that follow.

This will be the framework within which each Minister, Department and agency will manage the policy, operational and programmatic implications that could arise from a UK leave vote. It will be capable of adapting to changing circumstances, depending on developments in the context of ongoing negotiations on new arrangements between the EU and the UK and bilateral discussions between the UK and Irish Governments.

The plan will clearly identify the Government's priorities and set out a detailed plan of action for communications and diplomatic contact. It will also take account of how the EU landscape might change in the event of a UK departure and the consequent loss of a key ally with which we share so many priorities including in relation to jobs, growth and investment. It will consider the possible re-balancing of relationships and priorities within the EU in this context.

A detailed plan of action for communications and diplomatic contact has also been prepared in the event of a leave result on 24 June.

Work in this area is being progressed by all Departments in conjunction with key agencies and will cover all areas of Government business. Dialogue with wider stakeholders including business groups, trade unions and NGOs across all relevant sectors will continue. Official and diplomatic contact with the UK, other EU Member States and the EU Institutions will be intensified in the event of a leave vote.

The key priority for Government will be to protect and promote Ireland's key interests in the event that the UK votes to leave.

Government Departments have scoped the range of risks and opportunities that would fall to be addressed in the two year period following a Leave vote. This analysis will continue to be deepened in advance of the referendum.

## **Departmental Agencies Staff Data**

92. **Deputy Noel Rock** asked the Taoiseach the number of chief executive officers in semi-State companies under the aegis of his Department who are employed or not employed on a

Hay contract. [15679/16]

**The Taoiseach:** There are no Semi-State companies under the aegis of my Department.

### **Visa Applications**

93. **Deputy Peter Burke** asked the Tánaiste and Minister for Justice and Equality to expedite a short-term visa for persons (details supplied). [15401/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Immigration and Naturalisation Service (INIS) of my Department that the visa applications referred to by the Deputy were received in the Visa Office, Dublin, on 04/04/2016. The applications are currently awaiting examination.

As you will appreciate, in order to be fair to all applicants, applications are processed in order by date received in this office. While every effort is made to process them within a reasonable time frame, processing times will vary having regard to the volume of applications, their complexity and resources available.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been 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.

In addition, applicants may themselves e-mail queries directly to the INIS Visa Office ([visamail@justice.ie](mailto:visamail@justice.ie)).

### **Proposed Legislation**

94. **Deputy Danny Healy-Rae** asked the Tánaiste and Minister for Justice and Equality when she will progress the family leave Bill, given that young parents are anxious that the two weeks paid paternity leave will be introduced as promised in budget 2016; and if she will make a statement on the matter. [15523/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** In Budget 2016, the outgoing Government approved the introduction of 2 weeks paternity leave and the associated social welfare paternity benefit as from September 2016. It was originally intended that these provisions would be progressed as part of the Family Leave Bill but they are now being progressed as a stand alone Bill to ensure that the leave is in place as from 30 September. I will publish the Paternity Leave and Benefit Bill 2016 shortly.

The Family Leave Bill, the aim of which is consolidate all family leave legislation (maternity, paternal, adoptive and carer's leave) in one Act, will continue to be progressed as a longer-term project.

### **Parental Leave**

95. **Deputy James Lawless** asked the Tánaiste and Minister for Justice and Equality if she

will award extra days under the parental leave scheme to parents with children who have special needs given the many hospital and other appointments to which they need to accompany their children; and if she will make a statement on the matter. [15571/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Parental Leave Act, 1988 entitles a relevant parent to take parental leave until the child concerned attains the age of 8 years. Section 2(2)(c) of the Parental Leave (Amendment) Act 2006 increased the age limit to 16 years in the case of a child with a disability. The proposed Family Leave Bill, which Government has approved and is currently being drafted, will address all existing family leave legislation such as parental leave, carer's leave, maternity leave, and adoptive leave and consolidate this legislation into one Act.

### **Prisoner Health**

96. **Deputy Jonathan O'Brien** asked the Tánaiste and Minister for Justice and Equality her plans to conduct a review of health care in prisons; and if she will make a statement on the matter. [15711/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The position has not changed since my reply to you in Parliamentary Question No.144 of 31 May 2016:

“The Irish Prison Service has advised that discussions have taken place with HIQA regarding the possibility of them conducting a review of Healthcare service delivery in prisons. HIQA has indicated that it is not in a position to conduct such a review at the present time. My Department is currently in communication with the Department of Health in relation to a fundamental review of healthcare in prisons and the provision of healthcare services in prisons generally.”

### **Insolvency Service of Ireland**

97. **Deputy Éamon Ó Cuív** asked the Tánaiste and Minister for Justice and Equality if she makes any provision for home rent costs in a bankruptcy process. [15882/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Official Assignee in Bankruptcy in the Insolvency Service of Ireland that provision for rent or mortgage costs are allowed for as part of Reasonable Living Expenses under Housing costs. These costs are reviewed by the Bankruptcy Division on a case by case basis to ensure they are reasonable for the individual family circumstances.

Reasonable Living Expenses Guidelines are published by the ISI in accordance with Section 23 of the Personal Insolvency Act 2012.

### **Drugs Crime**

98. **Deputy Jack Chambers** asked the Tánaiste and Minister for Justice and Equality if there has been an increase of 25% in the number of drugs supply detention cases in 2016 based on 2008 figures, as targeted in the national drugs strategy; and if she will make a statement on the matter. [16064/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I have requested a report from the Garda authorities in relation to the matter raised and will be in further

contact with the Deputy when that report is to hand.

### **Drugs Crime**

99. **Deputy Jack Chambers** asked the Tánaiste and Minister for Justice and Equality if there has been a 25% increase in 2016 in the volume of drugs seized that are considered to be intended for the Irish market, based on 2008 figures, as targeted in the national drugs strategy; and if she will make a statement on the matter. [16065/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I have requested a report from the Garda authorities in relation to the matter raised and will be in further contact with the Deputy when that report is to hand.

### **National Drugs Strategy Implementation**

100. **Deputy Jack Chambers** asked the Tánaiste and Minister for Justice and Equality if 20 local policing fora have been established and are in operation, as targeted in the national drugs strategy; and if she will make a statement on the matter. [16066/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I can inform the Deputy that Action 2 of the National Drug Strategy provides a commitment to the establishment of local policing fora in all local drug task force areas.

Further to that commitment an audit of local policing fora was undertaken by my Department in conjunction with local drug task forces in April 2012. This exercise identified 24 local policing fora operating at that time across the 14 local drug task force areas.

As the Deputy may be aware, such fora are locally established structures which provide a mechanism through which the community, An Garda Síochána, the Local Authority and other local stakeholders can come together to improve communication, share appropriate information and identify issues of concern in relation to policing, anti-social behaviour and estate management.

While such fora do not formally report to my Department, I have requested that officials in my Department liaise with relevant agencies to provide a further update to the Deputy.

### **Legal Services Regulation**

101. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality if it will be necessary to produce statutory instruments prior to commencement with respect to legal services regulation; when she will complete this; if she is being lobbied on matters related to commencing the reform; and the budget she requires for 2017. [15334/16]

102. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the steps she has taken to develop a robust protected disclosure process to underpin the new legal services regulation oversight system; and if she will make a statement on the matter. [15335/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 101 and 102 together.

As previously conveyed to the House, preparations for the phased commencement of the

Legal Services Regulation Act 2015 are already underway. In keeping with normal procedures this will be formalised in a series of Statutory Instruments. A necessary first step in preparation for these commencements is the appointment of the Legal Services Regulatory Authority after which the Authority will appoint its own Chief Executive. I can confirm that nominations to the new Legal Services Regulatory Authority have been received from the relevant nominating bodies as set out in the Legal Services Regulation Act. The appointment by Government of the relevant nominees under the various criteria set out in the Act will then be subject to approval by resolution of both Houses of the Oireachtas. The Government will appoint one of the lay members of the Authority to be Chairperson. At the same time, preparations are also being made in support of the public recruitment, by the new Regulatory Authority, of its Chief Executive whose terms and functions are similarly set out in the 2015 Act. A start-up support team is being established and a suitable premises is being identified from which the new Authority can commence its operations.

These are the initial steps that will enable the members and Chief Executive of the new Regulatory Authority to spear-head the coming into operation of the new legal services regulatory regime. This stage will also include the phased commencement, under the appropriate Statutory Instruments, of the Parts of the Act such as those dealing with legal costs, the new Office of the Legal Costs Adjudicator, the Roll of Practising Barristers and Pre-Action Protocols. Under section 7 of the 2015 Act, I will also, by order, appoint a day to be the establishment day for the purposes of the Act.

Following establishment of the Authority and appointment of a Chief Executive the key provisions centred around Part 6 of the Act dealing with the new public complaints and professional conduct and disciplinary procedures, and the appointment of the new Legal Practitioners Disciplinary Tribunal, will be commenced. The managed commencement of these functions is planned for the Autumn in order to allow adequate time and preparation to ensure their effectiveness and success as crucial components of the new regulatory framework. It should be noted that, under the relevant transitional provisions contained in the 2015 Act, complaints already made to the Law Society under the Solicitors Acts will be brought to completion under that framework and existing law.

In support of the planned and managed commencement of the relevant Parts of the 2015 Act proposed, as I have outlined, between now and the end of this year, an allocation of €1 million has been made under the Justice Vote for 2016 as set-up support for the new Regulatory Authority. This will be provided on a recoupable basis. As an independent corporate body under statute the new Authority will have the power to manage the conduct of its affairs and its finances. The annual running cost of the new Legal Services Regulatory Authority, including the new complaints regime and Legal Practitioners Disciplinary Tribunal which will deal with both solicitors and barristers, is estimated at a figure of €4.5 million. Once in operation, the new regulatory regime will be self-funding by means of a levy on the regulated legal professions under the terms set out in the 2015 Act.

As far as any lobbying may be concerned, there is broad public interest being expressed in general correspondence with my Department in support of the early implementation of the Legal Services Regulation Act 2015 and its package of structural reforms. This has been conveyed positively with the emphasis to date being on the roll-out of the new legal costs transparency measures, the coming into operation of the new public complaints framework and the commencement of the process for the introduction of pre-action protocols in medical negligence cases.

In relation to protected disclosure, I very much share the concern of the Deputy that the new legal services regulatory regime be bolstered by robust protected disclosure safeguards. The



Deputy will be aware that the legal services sector-specific measures on protected disclosure, which were in the original Legal Services Regulation Bill as published in 2011, were overtaken by the enactment of the Protected Disclosures Act in 2014, which now provides a comprehensive suite of employment and other protections to whistle-blowers who are penalised by their employer or suffer a detriment from a third party on account of raising concerns regarding possible wrongdoing in their workplace. This is a key public interest issue on which there has been detailed consultation between officials of my Department and those of the Department of Public Expenditure and Reform, which leads on policy in this area. The protection being afforded by the Protected Disclosures Act 2014 to persons making disclosures under the the new Legal Services Regulation Act will be kept under active review by both Departments to ensure that the Acts are mutually reinforcing. The underlying objective is, therefore, to provide and to maintain a coherent protected disclosure regime for all concerned under the over-arching Protected Disclosures Act 2014 and to keep it under regular review.

### Garda Operations

103. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Justice and Equality further to Parliamentary Questions Nos. 68 and 69 of 24 May 2016 on permits and checks for heavy goods vehicles, the number of the 3,763 checkpoints which An Garda Síochána conducted that identified invalid permits, and the penalties imposed, in each of the years 2014 to 19 May 2016; and if she will make a statement on the matter. [15355/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by the Garda authorities that while the number of checkpoints are recorded on the PULSE system, the numbers of invalid permits identified at such checkpoints and the penalties imposed are not recorded in such a manner as to be in a position to readily provide the Deputy with the specific information requested.

### Garda Vetting Applications Data

104. **Deputy Lisa Chambers** asked the Tánaiste and Minister for Justice and Equality the number of Garda Síochána clearance applications received in each of the years 2014 to 31 May 2016, by number received from registered organisations, by average time for completion or return of Garda clearance, by percentage completed within six weeks, by percentage completed within six to 12 weeks, by percentage completed within 12-24 weeks and by percentage taking longer than 24 weeks. [15386/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The number of vetting applications received for the requested time periods is set out in the following table. However, the more detailed information requested by the Deputy is not readily available and its compilation would necessitate a disproportionate amount of staff time and effort.

Year	Applications received	Turnaround times
2014	315,138	4 weeks for 80% of applications received
2015	335,427	4 weeks for 80% of applications received
2016 (31 May 2016)	129,651	4 weeks for 80% of applications received

I am informed by the Garda authorities that the current average processing time for vetting applications is four weeks. However, in some individual cases additional enquiries may be necessary which may involve authorities other than An Garda Síochána and this may result in processing times in excess of the average. Any vetting process will take a certain minimum amount of time to complete and, taking into account the importance of measures to protect children and vulnerable adults while providing an effective and efficient service, the current period is not unreasonable.

The Deputy may also wish to know that An Garda Síochána launched an 'e-vetting' system on 29 April 2016 which will facilitate the processing of applications in an on-line format, thus removing the current time-consuming process of manual applications. E-vetting will further streamline the vetting process and contribute to sustaining reduced processing times for vetting applications. The e-vetting system is designed to be compatible with the requirements of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 and, in this regard, was launched in tandem with the commencement of the Acts.

### **Departmental Expenditure**

105. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the amount of money her Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if she will make a statement on the matter. [15420/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** My Department did not incur any expenditure in relation to the purchasing of the Public Sector Times in 2015.

### **Departmental Expenditure**

106. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the amount of money spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if she will make a statement on the matter. [15436/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** My Department incurred expenditure totalling €14,411.85 on daily newspapers in 2015. In addition the Irish Prison Service (IPS) incurred expenditure totalling €37,798 in 2015 for newspapers and other publications. The IPS amount covers all publications including newspapers and it is not possible to provide a breakdown for daily newspapers only.

At present this expenditure is considered appropriate. It is not always possible to access relevant articles on-line. Also newspapers are shared between multiple staff members and also between Divisions, something that would not be possible with on-line subscriptions.

However, my Department regularly reviews all expenditure made in order to get the best value for money.

### **Departmental Staff Data**

107. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the number of staff working in her human resources section. [15452/16]

109. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the changes in the numbers employed in her human resources section following the introduction of PeoplePoint. [15484/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 107 and 109 together.

I am advised that the baseline number of staff in the Human Resources Division of my Department prior to the introduction of PeoplePoint was 33. There are currently 17.3 full time equivalent staff members in the Human Resources Division who are responsible for servicing approximately 2,000 staff in my Department.

In line with the planned scope of the PeoplePoint project, Human Resources Division retains responsibility for resource management, appointments, training and development, work-force planning and employee management and relations.

### **Ministerial Staff**

108. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the number of staff who work exclusively on constituency matters for her. [15468/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** On the commencement of each Dáil, the Department of Public Expenditure and Reform (DPER) issues guidelines setting out the arrangements for the staffing of Ministerial Offices including the permitted staffing levels in the private and constituency offices of Ministers and Ministers of State. These guidelines are expected to be approved by Government shortly.

There are currently 3.5 staff members working on constituency matters.

*Question No. 109 answered with Question No. 107.*

### **Company Law**

110. **Deputy Michael McGrath** asked the Tánaiste and Minister for Justice and Equality the rules that apply to the charging of fees by receivers appointed under land and conveyancing legislation; the qualifications that are necessary for a person to act as a receiver; the circumstances in which receivers are appointed and regulated; the information the borrower is entitled to; and if she will make a statement on the matter. [15509/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The position is that the Companies Act 2014, which entered into force on 1 June 2015, has updated and codified company law in this jurisdiction. The Act continues to provide a range of possible remedies for debenture holders and lending institutions in the event of a borrower encountering financial difficulties. These include an examinership process, appointment of a receiver and liquidation in those cases in which a company is beyond rescue. The Act includes detailed provisions which regulate the appointment and the powers of examiners, receivers and liquidators respectively. However, the 2014 Act does not specify any regulatory standards for the appointment of a receiver.

The Company Law Review Group is a statutory body which advises the Minister for Jobs, Enterprise and Innovation on the review and development of company law in this jurisdiction. As part of its Work Programme 2014 – 2016, the Review Group is examining whether it

is desirable or necessary to further amend the law in light of developments in case law or any submissions received on matters which have not been addressed in the 2014 Act.

As regard to the appointment of a receiver to property, the position is that such an appointment may arise under company law or land and conveyancing law: relevant provisions in the Land and Conveyancing Law Reform Act 2009 for mortgages created after 1 December 2009, and broadly similar provisions in the Conveyancing Act 1881 for mortgages created prior to that date. Apart from the statutory powers enshrined in the 2009 and 1881 Acts, instruments creating a mortgage usually contains broader contractual terms between the parties in relation to appointment of a receiver and any additional powers which he or she may exercise on appointment.

Section 108(7) of the 2009 Act, which is based on a broadly similar provision in the 1881 Act, provides that a receiver may retain out of any money received, for remuneration and in satisfaction of all costs incurred as receiver, a commission at the prescribed rate. The Land and Conveyancing Law Reform Act 2009 (Section 108) Regulations 2009 - S.I. No. 655 of 2010 - provides that the rate of commission may not exceed five per cent of the gross amount of any money received. This applies in particular in the case of housing loan mortgages. The Companies Act 2014 Act contains provisions concerning the information which must be given on the appointment of a receiver and the manner in which the remuneration of a receiver may be fixed by the Court.

### **Data Protection**

111. **Deputy Michael McGrath** asked the Tánaiste and Minister for Justice and Equality further to Parliamentary Questions Nos. 138 and 140 of 2 June 2016, if a borrower is entitled to a copy of the original loan documentation and the full loan file in the case of personal borrowings and commercial loans under data protection law; and if she will make a statement on the matter. [15540/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The position is that statutory responsibility for the interpretation and application of data protection law in this jurisdiction is vested in the Data Protection Commissioner under the Data Protection Acts 1988 and 2003. The Commissioner enjoys statutory independence in the performance of her tasks and exercise of her powers under this legislation and it would not be appropriate for me to intervene in relation to such matters in my capacity as Minister for Justice and Equality.

Having said that and in order to be of assistance to the Deputy, I should add that sections 30 and 43 of the Consumer Credit Act 1995 specify the documentation which must be given to a consumer where a credit agreement is entered into (section 30) or where a consumer makes a written request for a copy of the credit agreement or a statement of the monies paid under that agreement (section 43). In addition, section 130 of the Consumer Credit Act 1995 provides that, in respect of housing loans, a mortgage provider is required to issue to the borrower, at the time the loan is made or as soon as practicable after that date, a copy of the mortgage deed. The section also provides that, on a yearly basis, the mortgage provider must issue to the borrower a statement of the total amount outstanding on the loan.

### **Garda Operations**

112. **Deputy Pat Buckley** asked the Tánaiste and Minister for Justice and Equality if she is aware of the plans by a group (details supplied) to organise a meeting in Limerick in June 2016;

and her plans to counteract such hate groups and to stop persons from travelling here in order to incite hatred. [15550/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Garda Authorities that they are aware of proposals for such an event and that the appropriate liaison has taken place in this regard. The persons concerned have been requested to notify An Garda Síochána if the event is scheduled to proceed in order to ensure that an assessment can be made of any policing requirements and that the necessary policing arrangements can be planned and put in place. The Garda Authorities will continue to monitor the situation. The Deputy will appreciate that as with all such events the arrangements for policing are operational matters for An Garda Síochána. The purpose of Garda arrangements is to ensure that lawful meetings, demonstrations or protests can take place, that peaceful and lawful activities can be carried out and that, in such circumstances, general public safety and order can be supported.

### **Garda Síochána Ombudsman Commission**

113. **Deputy Richard Boyd Barrett** asked the Tánaiste and Minister for Justice and Equality the advice she will provide in the circumstances of a case (details supplied); and if she will make a statement on the matter. [15555/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** Should the Deputy wish to provide specific information on the case referred to, I can assure him I will seek an urgent report from the Garda authorities on the serious matters referred to by him. In so far as the role of the Garda Síochána Ombudsman Commission (GSOC) is concerned, the Deputy will be aware that GSOC was established to independently examine complaints which may be made in relation to members of An Garda Síochána and it is not open to me to intervene in relation to the processing of complaints to GSOC.

### **Visa Applications**

114. **Deputy Peter Fitzpatrick** asked the Tánaiste and Minister for Justice and Equality the status of an application by a person (details supplied) under the de facto visa scheme; and if she will make a statement on the matter. [15566/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I have been informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned has been issued with a letter on 2 June 2016 requesting further documentation in support of her application.

Queries in relation to the status of individual immigration cases may be made directly to INIS by email 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 email service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Garda Deployment**

115. **Deputy Peter Burke** asked the Tánaiste and Minister for Justice and Equality to con-

sider increasing Garda Síochána numbers at Edgeworthstown Garda station, County Longford (details supplied). [15587/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will appreciate, it is the Garda Commissioner who is responsible for the distribution of resources, including personnel, among the various Garda Divisions and I, as Minister, have no direct role in the matter. I am assured by the Garda Commissioner that the allocation of Gardaí is continually monitored and reviewed taking into account all relevant factors including crime trends, demographics, and security assessments relating to the area in question so as to ensure optimal use is made of Garda human resources.

The area mentioned by the Deputy is patrolled by members assigned to the Roscommon/Longford Division. I have been informed that the number of Gardaí assigned to the Division on the 30 April 2016, the latest date for which figures are readily available, was 298. Of these, 42 members were assigned to Granard District and 11 in Edgeworthstown Station. The Deputy may wish to note that the number of members assigned to the Division when the strength of An Garda Síochána was at its highest in September 2009 was 299, with 42 members assigned to Granard District and 6 in Edgeworthstown Station.

This Government is committed to ensuring a strong and visible police presence throughout the country in order to maintain and strengthen community engagement, provide reassurance to citizens and deter crime. Since the reopening of the Garda College in September 2014, a total of 700 Garda trainees have been recruited with a further 450 planned to be recruited during the remainder of this year. So far 463 of the new Garda trainees have attested as members of An Garda Síochána and have been assigned to mainstream uniform duties nationwide. Another 76 will attest on the 7 July with 150 more to attest in November. I am assured by the Commissioner that the needs of all Garda Divisions are fully considered when determining the allocation of newly attested Gardaí and that 5 newly attested Gardaí have been assigned to the Roscommon/Longford Division to date.

The Programme for Government, “A Programme for a Partnership Government” commits to continuing the ongoing accelerated Garda recruitment programme with a view to increasing Garda numbers to 15,000. Taking account of projected retirements, the current rate of recruitment will bring Garda numbers to around the 13,000 mark this year. We must, I believe, endeavour to make more rapid progress than this to reach our target of 15,000 and I am engaging with my colleague, the Minister for Public Expenditure and Reform, in relation to increasing the planned annual intake this year and in coming years.

### **Garda Confidential Recipient**

116. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the number of confidential reports made under the Garda Síochána (Corruption or Malpractice) Regulations 2007 in each of the years 2010 to 2016 to date. [15666/16]

117. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the number of cases dealt with and concluded by a person (details supplied) in the role of confidential recipient under the Garda Síochána (Corruption or Malpractice) Regulations 2007; the number that were referred to other bodies for investigation; and the status and location of the relevant files. [15667/16]

118. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality further to Parliamentary Question No. 667 of 27 May 2014, the basis of the Garda Commissioner’s asser-

tion that there were no outstanding matters under investigation or otherwise; and from where she received that information. [15668/16]

119. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the location of the files held by previous confidential recipients under the Garda Síochána (Corruption or Malpractice) Regulations 2007. [15669/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 116 to 119, inclusive, together.

It has not been possible, within the time available, to compile the information necessary to answer the questions but I will convey the information to the Deputy when it becomes available.

### **Policing Authority**

120. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality to instruct the Garda Síochána to cease promotions until she enables the relevant sections of the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015. [15671/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The sections of the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 which remain to be commenced contain provisions essentially enabling the Policing Authority to appoint and remove persons from positions in An Garda Síochána.

Sections 10, 11 and 13 contain provisions governing the removal of the Garda Commissioner, Deputy Garda Commissioners, Assistant Garda Commissioners, chief superintendents and superintendents, including the procedures to be followed before such removal. Section 12 deals with the appointment by the Authority of persons to the ranks of Assistant Garda Commissioner, chief superintendent and superintendent. Sections 39 to 42 deal with appointments and secondments between the PSNI and An Garda Síochána and the procedures to deal with disciplinary matters in relation to persons comprehended by those sections.

The commencement of these sections is dependent on the regulations governing promotion and discipline in An Garda Síochána being amended to reflect the envisaged role for the Authority. In accordance with the Garda Síochána Act 2005, the Garda Commissioner and the Authority must be consulted on any proposed changes to these regulations. In addition, the Garda representative bodies must be consulted. Work on the preparation of the proposed regulation changes is being expedited in my Department with a view to the appointment function being transferred as quickly as possible and I would hope that this work will be completed in July. In relation to the role envisaged for the Authority in the removal process, I hope that the necessary preparatory work can be completed this year.

Pending the commencement of section 12 the appointment of persons to the ranks of Assistant Garda Commissioner, chief superintendent and superintendent remains a matter for Government.

The Deputy may wish to be aware that the establishment of the Policing Authority has no bearing on promotions to the ranks of sergeant and inspector. These continue to be matter for the Garda Commissioner in accordance with section 14 of the Garda Síochána Act 2005 and the Garda Síochána (Promotion) Regulations 2006.

## **Naturalisation Applications**

121. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality if she will return the original birth certificates submitted by a person (details supplied) along with applications for naturalisation status as they require such documentation to update their passports; and if she will make a statement on the matter. [15704/16]

**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 no original birth certificates accompanied the applications for naturalisation made on behalf of the persons referred to by the Deputy. There are certified copies of birth certificates for both individuals on file and copies of these can be supplied if required.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been 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.

## **Overseas Students Data**

122. **Deputy Darragh O'Brien** asked the Tánaiste and Minister for Justice and Equality if she has received correspondence (details supplied) highlighting difficulties for non-European Union and European Economic Area students complying with residence requirements; and if she will make a statement on the matter. [15716/16]

123. **Deputy Darragh O'Brien** asked the Tánaiste and Minister for Justice and Equality if she will amend her guidelines for non-European Union and European Economic Area students to facilitate them in opening accounts in credit unions; and if she will make a statement on the matter. [15717/16]

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

I am aware of the correspondence referred to by the Deputy. In May 2015, the Government announced a series of reforms to the student immigration system for international education. These reforms are now being implemented and my Department maintains ongoing contact with relevant stakeholders with a view to ensuring that the new standards and safeguards introduced are achieving their desired objectives, namely to support the continued growth of a high-quality international education sector and to protect genuine students, legitimate operators and Ireland's reputation, while preventing abuse of our immigration system.

Within this context, I am aware that concerns have recently been raised by some stakeholders around the issue of compliance by non-EU/EEA students with residence requirements and guidelines concerning proof of funds. My officials are currently examining this issue and will make a recommendation to me in the near future.

## **Immigration Policy**

124. **Deputy Jonathan O'Brien** asked the Tánaiste and Minister for Justice and Equality



the options available to a business permission holder who wishes to start a new business in place of the one for which permission was granted, given the moratorium on applications for new business permission. [15729/16]

**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 arising from an ongoing review of Business, Entrepreneur and Investor related migration schemes currently being undertaken by the Irish Naturalisation and Immigration Service (INIS), it was decided to suspend the 'Business Permission Scheme' with effect from 16th March 2016 until further notice.

The suspension does not affect applications received before that date or the status of persons already holding permission under the scheme. Therefore, it is open to the person the subject of the Deputy's question to write to Residence Unit 3, INIS, Burgh Quay, Dublin 2, seeking a renewal of their existing business permission. All applications are dealt with on a case by case basis, looking at the individual merits of each case.

If the application is not for renewal of business permission but the person seeks permission to remain on the basis of a different business proposal then it is open to the person to make an application for permission to remain in the State under the Entrepreneur scheme.

Queries in relation to the status of individual immigration cases may be made directly to INIS by email 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 email service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Criminal Records Data**

125. **Deputy Jim O'Callaghan** asked the Tánaiste and Minister for Justice and Equality the number of criminal convictions, custodial sentences and suspended sentences, by court, in each of the years 2011 to 2015. [15749/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will be aware, under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service and I have no role in the matter. Section 4(3) of the 1998 Act provides that the Courts Service is independent in the performance of its functions, which includes the provision of information on the courts system.

However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that it does not record statistics in the format requested by the Deputy but, in order to be helpful to the Deputy, the Courts Service is compiling the data sought. Therefore I shall arrange for the information requested to be forwarded to the Deputy in due course.

### **Coroners Service**

126. **Deputy Jonathan O'Brien** asked the Tánaiste and Minister for Justice and Equality the number of inquests which Ministers have ordered under section 23 of the Coroners Act 1962 since the introduction of that legislation; and the jurisdictions these inquests were held in.

[15874/16]

135. **Deputy Jonathan O'Brien** asked the Tánaiste and Minister for Justice and Equality the number of inquests that have been held into the deaths of persons whose bodies were not recovered, since the enactment of the Coroners Act 1962; and the time which elapsed between the person being reported missing and the inquest being held, by case. [16018/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 126 and 135 together.

The data which is immediately to hand dates back to 1999 and is tabulated as follows. It relates to the number of inquests directed by the Minister for Justice and Equality under the provisions of Section 23 of the Coroners Act, 1962. The data requested by the Deputy for the years 1962 to 1998 is not readily available. Nonetheless, my officials will seek to collate this information and provide to you in due course.

Year	Total Number of Section 23 Directions	Coronial District
1999	6	Donegal North East Limerick West Cork South Cork West Wexford South Kerry West
2000	3	Cork West
2001	4	Mayo South ClareDonegal North East Cork South
2002	5	Dublin County Galway West (2) Limerick West Cork West
2003	2	Donegal North West Wicklow East
2004	0	---
2005	2	Cork West Wicklow East
2006	0	---
2007	8	Waterford West (3) Wexford South (3) Wicklow East Kerry South East
2008	2	Clare Donegal South West
2009	4	Dublin City (3) Kerry North
2010	9	Clare (4) Cork West (3) Cork City Mayo North

Year	Total Number of Section 23 Directions	Coronial District
2011	4	Clare Wexford North Cork South Dublin
2012	4	Clare Cork South Wicklow East Dublin
2013	7	Dublin (4) Clare Cork South Mayo North
2014	4	Clare Wexford (2) Cork South
2015	2	Waterford East Kerry South East
2016 (to 14 June 2016)	2	Limerick Clare

As the Deputy is aware, the legislation governing Coroners is the Coroners Act, 1962. Under this legislation a Coroner is a statutory officer exercising quasi-judicial functions, in relation to which he or she is independent. You will appreciate that neither I nor my Department has any role in the scheduling of individual inquests. The retention of Coroners' records is a matter for each individual Coroner and the County Registrar for the Coroner's local authority district under Section 29 of the Coroners Act 1962.

### Garda Resources

127. **Deputy John Lahart** asked the Tánaiste and Minister for Justice and Equality if she will allocate additional manpower, vehicles and resources to Tallaght Garda Síochána station; when she will begin the long promised redevelopment of the station given the major population and high rate of crime in the area; and if she will make a statement on the matter. [15894/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will appreciate, it is the Garda Commissioner who is responsible for the distribution of resources, including personnel and vehicles, among the various Garda Divisions and I, as Minister, have no direct role in the matter. I am assured by the Garda Commissioner that the allocation of Gardaí is continually monitored and reviewed taking into account all relevant factors including crime trends, demographics, and security assessments relating to the area in question so as to ensure optimal use is made of Garda human resources.

The area mentioned by the Deputy is patrolled by members assigned to the Dublin Metropolitan Region (DMR) South Division. I have been informed that the number of Gardaí assigned to the Division on the 30 April 2016, the latest date for which figures are readily available, was 542. Of these, 175 members were assigned to Tallaght Garda Station. The station is also supported by 8 Garda Reserves and 11 civilian staff.

This Government is committed to ensuring a strong and visible police presence throughout the country in order to maintain and strengthen community engagement, provide reassurance to citizens and deter crime. Key to achieving this goal is the commitment in the Programme for Government, “A Programme for a Partnership Government” to continue the ongoing accelerated Garda recruitment programme with a view to increasing Garda numbers to 15,000. Taking account of projected retirements, the current rate of recruitment will bring Garda numbers to around the 13,000 mark this year. We must, I believe, endeavour to make more rapid progress than this to reach our target of 15,000 and I am engaging with my colleague, the Minister for Public Expenditure and Reform, in relation to increasing the planned annual intake this year and in coming years.

As the Deputy will be aware, when the financial crisis hit, the Government of the time introduced a moratorium on recruitment and the four year National Recovery Plan, published in 2010, envisaged a steady reduction in Garda numbers. Thankfully, in a recovering economy, we were able to reopen the Garda College in September 2014, and a total of 700 Garda trainees have been recruited with a further 450 planned to be recruited during the remainder of this year. So far 463 of the new Garda trainees have attested as members of An Garda Síochána and have been assigned to mainstream uniform duties nationwide. Another 76 will attest on the 7 July with 150 more to attest in November. I am assured by the Commissioner that the needs of all Garda Divisions are fully considered when determining the allocation of newly attested Gardaí and that 35 newly attested Gardaí have been assigned to the DMR South Division to date.

In relation to the Garda vehicles, since 2012, some €34 million has been invested in the Garda fleet, with over 720 new vehicles coming on stream since the start of 2015. This significant investment provides the Gardaí with additional high-powered vehicles, marked and unmarked patrol cars, and motorcycles for high-visibility road policing. Investment in a modern, effective and fit-for-purpose Garda fleet will continue under the Government’s Capital Plan 2016-2021 which provides €46 million for new Garda vehicles, ensuring that Gardaí can be mobile, visible and responsive on the roads and in the community to prevent and tackle crime.

I am informed by the Garda Authorities that the allocation of Garda vehicles is monitored and reviewed on a continual basis and vehicles are allocated between districts as required by operational circumstances. In this context, I am advised that the number of vehicles assigned to the Tallaght Garda District is set out in the following table.

I am further advised by the Commissioner that there are no plans to provide a new station or for major refurbishment works to Tallaght Garda Station at this time.

**Garda vehicles assigned to Tallaght Garda District to 10 June 2016**

CARS	CARS	VANS	MOTOR-CYCLES	4X4	OTHER	TOTAL
MARKED	UN-MARKED					
12	15	5	0	1	3	36

**Northern Ireland**

128. **Deputy John Brassil** asked the Tánaiste and Minister for Justice and Equality if she has conducted a cost-benefit analysis of re-establishing Border security if the United Kingdom exits the European Union and if so, the estimated cost; and if she will make a statement on the matter. [15925/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** At this stage, it is not clear what the implications of a withdrawal would be for the Common Travel Area and for the land border between Ireland and Northern Ireland. In such a scenario the land border will become an external border of the European Union, and the European Union or the United Kingdom could decide that they wished to restore border controls.

In the event of a vote to leave the Union there will be a period of negotiations to agree the terms of the withdrawal. It is impossible to predict the outcome of these negotiations should they arise including any arrangements and their cost implications that may arise to be put in place for the Common Travel Area. It would be our intention to try and maintain the existing arrangements regarding the Common Travel Area but this will be dependent on the positions adopted by the UK and the other 26 EU member states.

### **Residency Permits**

129. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the procedure a person (details supplied) must follow to update residency status; and if she will make a statement on the matter. [15944/16]

**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 already been granted permission to remain in the State for the period to 4th November, 2018. This decision was conveyed in writing to the person concerned by letter date 27th October, 2015. This position is consistent with the permission to remain granted to the mother of the person concerned.

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.

### **Direct Provision System**

130. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the status of the implementation of the recommendations of the working group on improvement to the protection process including the direct provision scheme and support to asylum seekers. [15956/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Report of the Working Group on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers, has implications for a number of Government Departments and services.

The 173 recommendations in the Report were taken forward by the Cabinet Committee on Social Policy and Public Service Reform. To date, some 90 of the recommendations have been fully implemented and more than 30 others are in the process of being implemented. Work on implementing a further number of the recommendations is continuing. The International Protection Act 2015 responds to 26 of the Report's recommendations. The Act provides for the introduction of a single application procedure for international protection which is a key recom-

mentation of the Report. The single procedure is specifically aimed at addressing the length of time persons spend in the protection process. The new procedure will significantly streamline and speed up the processing of protection applications and will reduce the length of time that persons spend in the Direct Provision system. Preparations for commencement of the single procedure are progressing.

My Department continues to actively co-ordinate implementation of the Working Group's Report and has also recently engaged with relevant stakeholders to provide a progress update for the 173 recommendations in the Report.

### Garda Transport Data

131. **Deputy James Lawless** asked the Tánaiste and Minister for Justice and Equality the number of new vehicles supplied to Garda Síochána stations in the Naas divisional district in the past 24 months; if and when she will supply public order unit vehicles to the Leixlip district in County Kildare; and if she will make a statement on the matter. [15958/16]

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

Since 2012, some €34 million has been invested in the Garda fleet, with over 720 new vehicles coming on stream since the start of 2015. This significant investment provides the Gardaí with additional high-powered vehicles, marked and unmarked patrol cars, and motorcycles for high-visibility road policing. Investment in a modern, effective and fit-for-purpose Garda fleet will continue under the Government's Capital Plan 2016-2021 which provides €46 million for new Garda vehicles, ensuring that Gardaí can be mobile, visible and responsive on the roads and in the community to prevent and tackle crime.

I am advised by the Garda Authorities that the number of new vehicles assigned to the Kildare Division over the past 24 months is set out as follows:

#### VEHICLES ALLOCATED TO THE KILDARE DIVISION FROM 1/1/2014 to 10-6-2016

	CARS	CARS	VANS	MOTOR-CYCLES	4 x 4	Total
	MARKED	UN-MARKED				
KILDARE DISTRICT	9	4	1	0	2	16
LEIXLIP DISTRICT	2	3	0	0	0	5
NAAS DISTRICT	5	2	1	1	0	9
TOTAL	16	9	2	1	2	30

I am also informed by the Garda Authorities that the allocation of Garda vehicles is monitored and reviewed on a continual basis and vehicles are allocated between districts as required by operational circumstances. In that context, I am advised that a purchase order has been placed for Public Order Vans for the Eastern Region in which the areas the Deputy referred to are located.

## **Equality Legislation**

132. **Deputy Jonathan O'Brien** asked the Tánaiste and Minister for Justice and Equality why discrimination cases arising from provisions of social protection legislation are excluded from the remit of the cases that may be investigated by the equality authority; and if she will make a statement on the matter. [15971/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** On 1 November 2014, the Equality Authority was merged with the Irish Human Rights Commission to form the Irish Human Rights and Equality Commission (IHREC). IHREC has a very wide mandate from which issues in relation to social welfare legislation are not excluded. However, it may be that the Deputy's Question relates to restrictions on the circumstances in which cases can be taken to the Workplace Relations Commission (which incorporates the former Equality Tribunal). The essential point is that any action mandated or required by legislation is not deemed to be discriminatory. I would refer the Deputy to Section 14(a)(i) of the Equal Status Act 2000 in that regard. As the Deputy will be aware, there is an independent Appeals Office within the Social Protection system which adjudicates on appeals taken in relation to social welfare issues.

## **Garda Recruitment**

133. **Deputy John Brady** asked the Tánaiste and Minister for Justice and Equality the number of recruits to An Garda Síochána and the number of recruits who dropped out, by district and by station, in 2015 and in 2016 to date. [15972/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will be aware the Garda College reopened in September 2014 with the first intake of new recruits since the introduction of the moratorium in 2009. To date there have been seven intakes of Garda trainees, giving a total intake of 700, broken down as follows, 200 in 2014, 350 in 2015 and 150 so far this year. Three further in-takes are scheduled for the remainder of this year including later this month, and in September and November. This will bring the number of new recruits to 1,150 by the end of 2016. So far 463 of the new Garda trainees have attested as members of An Garda Síochána and have been assigned to mainstream uniform duties nationwide. Another 76 will attest on the 7 July with 150 more to attest in November. I have requested the specific information sought by the Deputy from the Garda Commissioner concerning the number of new recruits who have left An Garda Síochána and I will write directly to the Deputy when it is to hand.

This Government is committed to ensuring a strong and visible police presence throughout the country in order to maintain and strengthen community engagement, provide reassurance to citizens and deter crime. Key to achieving this goal is the commitment in the Programme for Government, "A Programme for a Partnership Government" to continue the ongoing accelerated Garda recruitment programme with a view to increasing Garda numbers to 15,000. Taking account of projected retirements, the current rate of recruitment will bring Garda numbers to around the 13,000 mark this year. We must, I believe, endeavour to make more rapid progress than this to reach our target of 15,000 and I am engaging with my colleague, the Minister for Public Expenditure and Reform, in relation to increasing the planned annual intake this year and in coming years.

## **Garda Resources**

134. **Deputy Niamh Smyth** asked the Tánaiste and Minister for Justice and Equality when she will fill the post of inspector in Bailieborough Garda Síochána station in County Cavan following the relocation of a senior inspector to another neighbouring division (details supplied). [15982/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will appreciate, it is the Garda Commissioner who is responsible for the distribution of resources, including personnel, among the various Garda Divisions and I, as Minister, have no direct role in the matter. I am assured by the Garda Commissioner that the allocation of Gardaí is continually monitored and reviewed taking into account all relevant factors including crime trends, demographics, and security assessments relating to the area in question so as to ensure optimal use is made of Garda human resources.

Appointments to the rank inspector are a matter for the Commissioner under section 14 of the Garda Síochána Act 2005. I am further informed that a competition in accordance with the Garda Síochána (Promotion) Regulations 2006 Regulations for the selection of persons for appointment to the rank of inspector is to be concluded shortly and that the needs of all Garda Divisions will be considered when assigning the successful candidates.

The area mentioned by the Deputy is in the Cavan/Monaghan Division. I am informed by the Commissioner that, on the 30 April 2016, the latest date for which figures are readily available, there were 314 members assigned the Division, of which 62 members were assigned to the Bailieboro Garda District. The following table sets out in detail the rank and location of these members.

The O'Higgins report identified a number of weaknesses in the conduct of Garda investigations in the Cavan Monaghan District of the Garda Síochána in the period 2007/8. I am advised by the Garda Commissioner that under new supervisory arrangements daily Performance Accountability and Learning Framework (PALF) meetings take place at which incidents which have occurred in the previous 24 hours are discussed by the District Superintendent with Gardaí and supervisors. Directions and instructions are provided on matters under investigation. In a further recent development (PULSE Release 6.8) a nominated supervisor is allocated to all matters under investigation. Required actions are marked on associated PULSE incidents under investigation and must be attended to by investigating Gardaí. All incidents are reviewed by managers to ensure all actions and investigations are progressed. The Commissioner has assured me that the new supervisory arrangements in place should ensure that, as far as possible, there is no recurrence of the types of incidents which feature in the O'Higgins report.

**CAVAN/MONAGHAN Garda Division 30 April 2016**

District	Station	GD	SG	IN	SU	CS	AC	Total
	BAILIEBORO	29	8		1			38
	BALLYJAMES-DUFF	3	1					4
	COOTEHILL	6						6
	KINGSCOURT	1	1					2
	MULLAGH	1						1
	SHERCOCK	1						1
	VIRGINIA	9	1					10
BAILIEBORO	TOTAL	50	11		1			62
	BALLYBAY	3	1					4
	CARRICK-MACROSS	30	9	1	1			41



District	Station	GD	SG	IN	SU	CS	AC	Total
	CASTLE-BLANEY	23	5					28
	ROCKCORRY	1	1					2
CARRICK-MACROSS	TOTAL	57	16	1	1			75
	ARVA	2	1					3
	BALLINAGH	1						1
	BALLYCONNELL	14	2					16
	BELTURBET	5	1					6
	BLACKLION	2	1					3
	CAVAN	52	6	1	1			60
	DOWRA	1						1
	KILLESHANDRA	1						1
	KILNALECK	2	1					3
	SWANLINBAR	1						1
CAVAN	TOTAL	81	12	1	1			95
	CLONES	3	1					4
	EMYVALE	2	1					3
	MONAGHAN	56	13	2	2			73
	SCOTSTOWN	1	1					2
MONAGHAN	TOTAL	62	16	2	2			82
	DIVISIONAL TOTAL	250	55	4	5			314

*Question No. 135 answered with Question No. 126.*

### **Garda Resources**

136. **Deputy James Lawless** asked the Tánaiste and Minister for Justice and Equality the number of community gardaí in each of the districts of the Naas division in County Kildare; if she will increase the number of community gardaí in these districts; and if she will make a statement on the matter. [16044/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will appreciate, it is the Garda Commissioner who is responsible for the distribution of resources, including Community Gardaí, among the various Garda Divisions and I, as Minister, have no direct role in the matter. I am assured by the Garda Commissioner that the allocation of Gardaí is continually monitored and reviewed taking into account all relevant factors including crime trends, demographics, and security assessments relating to the area in question so as to ensure optimal use is made of Garda human resources.

I have been informed by the Garda Commissioner that, as of the 30 April 2016, the latest date for which figures are readily available, there were 311 members assigned to the Kildare Division. Of these 114 are assigned to the Naas District and, while there are currently no Community Gardaí attached to the Naas District, the Commissioner has advised that it is, of course, the case that all Gardaí have a role to play in addressing community policing issues as and when the need arises. In that sense, community policing involves far more than a single unit within An Garda Síochána, a point highlighted by the Garda Inspectorate in their third report entitled

“Policing in Ireland—Looking Forward” in which they stated that community policing is a fundamental policing philosophy and that there is a strong foundation for it in Ireland.

The Programme for a Partnership Government recognises that community policing is the embodiment of An Garda Síochána, providing a means of recognising that every community – both urban and rural – has its own concerns and expectations. It commits the Government to ensuring a strong and visible police presence throughout the country in order to maintain and strengthen community engagement, provide reassurance to citizens and deter crime. Key to achieving this goal is the commitment in the Programme to continue the ongoing accelerated Garda recruitment programme with a view to increasing Garda numbers to 15,000 as well as doubling the Garda Reserve and increasing the number of civilian staff so as to free-up Gardaí for front-line policing.

The Garda Commissioner’s Modernisation and Renewal Programme 2016-2021, published on 9 June 2016, places a strong emphasis on developing and supporting the community policing ethos of the organisation and enhancing the current delivery model so that Gardaí spend more time in the community, gaining public confidence and trust and providing a greater sense of security. I welcome in particular, the proposal to establish local Community Policing Teams (CPTs) headed by an inspector and made up of Gardaí from across a range of areas to work with the community to prevent and detect crime. The CPTs will take proactive measures to prevent crime from happening in the area. This will entail a combination of crime prevention advice, targeting and disrupting criminals through operations and patrols, and where possible diverting people from committing crime. I also welcome the proposal to establish Community Safety Fora in every District comprising local Gardaí, local communities and key stakeholders. The implementation of these initiatives has started and will be rolled out nationwide.

### **Garda Youth Diversion Projects**

137. **Deputy Jonathan O’Brien** asked the Tánaiste and Minister for Justice and Equality when the Garda Commissioner’s group will conclude a review of the youth diversion programme; the group’s members and terms of reference; and when the review will be published. [16053/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by the Garda Commissioner that the review will be completed in the fourth quarter of the year. The Review Group is chaired by retired Judge Gillian Hussey and consists of representatives from the Office of the Director of Public Prosecutions, the Probation Service, the Irish Youth Justice Service, University College Cork and An Garda Síochána.

The terms of reference of the Review Group are to:

- (i) examine the application and administration of the Diversion Programme;
- (ii) examine relevant legislation;
- (iii) research international best practice on juvenile diversion; and
- (iv) make recommendations.

### **Garda Youth Diversion Projects**

138. **Deputy Jonathan O’Brien** asked the Tánaiste and Minister for Justice and Equality

further to Parliamentary Questions Nos. 127 and 171 of 31 May 2016, the manner in which the Irish Youth Justice Service is engaged with An Garda Síochána in relation to the experience of the diversion programme for persons under 18 years of age. [16054/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As indicated in my reply on 31 May 2016, the Irish Youth Justice Service (IYJS) is currently engaged with An Garda Síochána in relation to the recommendation of the Penal Policy Review Group. The National Director of the IYJS has written to the Garda Commissioner asking that consideration be given to the recommendation having regard to the experience of the existing Diversion Programme, including before it was placed on a statutory footing. The Commissioner was also asked to consider the issues arising from An Garda Síochána's perspective and how the recommendation might best be progressed, having regard to the fact that the existing Diversion Programme for young people under eighteen years of age was already the subject of an ongoing review by a group established by the Commissioner. I have provided the Deputy with details of the membership of that group and its terms of reference in my reply to Question No. 137 of today's date. The Deputy will note that the IYJS is represented on the group.

Pending completion of the review of the existing Diversion Programme, the outcome of which will assist with the consideration of the Penal Policy Review Group's recommendation, the IYJS and An Garda Síochána will continue to consider the detailed implications of implementing the recommendation, including for An Garda Síochána and for diversionary projects and programmes that may be required to support the operation of a new Diversion Programme. In this latter regard, the Deputy will be aware that the Programme for Government states that the Government will support the expansion of Local Drug Taskforce projects and Garda Youth Diversion Programmes for young people promoting restorative justice, and other voluntary organisations that contribute to our young people's future direction.

### **Traveller Projects Funding**

139. **Deputy Jonathan O'Brien** asked the Tánaiste and Minister for Justice and Equality further to Parliamentary Question No. 109 of 31 May 2016, the officials within her Department tasked with undertaking a review of the funding in relation to Traveller and Roma initiatives for 2017; if she will guarantee that there will be no loss in funding to the sector; when she will complete the review; and if she will make a statement on the matter. [16056/16]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton) :** As mentioned in the response to the previous Parliamentary Question, the total funding available to my Department in respect of Traveller and Roma initiatives for 2016 is €2,205,000, of which €1,350,000, in respect of funding for Traveller community groups and national-level NGOs, transferred to my Department from the Department of Environment, Community and Local Government on 1 January 2016. This was in addition to a sum of €550,000 which transferred to my Department from the Department of Social Protection (for the Special Initiative for Travellers) on 1 January 2015.

The officials in the Equality Division of my Department will be responsible for the review referred to, which will be completed in time for consideration in the context of the 2017 Estimates process. Details of any adjustments to the current allocation for Traveller and Roma initiatives will be announced in due course in the normal way as part of the 2017 Estimates. As the Deputy will be aware, I am not in a position to pre-empt the 2017 Budget at this stage, but I can say that the new National Traveller and Roma Inclusion Strategy is intended to make a substantial difference to how issues of concern to the Traveller community are addressed, including ensuring a sustained effort to tackle key issues in partnership with Travellers and the

organisations that represent them.

### Departmental Reviews

140. **Deputy Jonathan O'Brien** asked the Tánaiste and Minister for Justice and Equality the number of review groups and working groups operating in her Department; the number of reviews they are engaged in and the subjects of these reviews, in tabular form. [16057/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I wish to inform the Deputy that it has not been possible to provide the information required in the time available. The information will be forwarded to the Deputy as soon as it is to hand.

### Departmental Reviews

141. **Deputy Jonathan O'Brien** asked the Tánaiste and Minister for Justice and Equality the number and details of reports and reviews she is waiting for from statutory bodies; and when she will receive these reports [16058/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I can inform the Deputy that I am currently awaiting a number of reports from statutory bodies, the details of which are given in the following table:

-	Details:
1	The Office of the Inspector of Prisons is a statutory independent office established under the Prisons Act, 2007. Since 1 January, 2012, the death of any prisoner in custody or on temporary release is the subject of an independent investigation by the Inspector of Prisons. I understand that there are ongoing investigations into a number of deaths in custody. Once received these reports will be published on my Department's website.
2	Pursuant to section 31 of the Prisons Act, 2007 I asked the Inspector of Prisons to carry out an independent investigation into all the circumstances surrounding the recording of telephone conversations between prisoners and their solicitors. I understand that the Inspector's report is nearing completion and will be published when received.
3	I have granted a further extension of time to the MacLochlainn Commission of Investigation, which was established to investigate the circumstances surrounding the fatal shooting of Mr Ronan MacLochlainn by An Garda Síochána in Co. Wicklow in May 1998. On foot of a previous extension, the Commission was due to submit its final report to me by 31 May 2016. However, an application has been made to the High Court by a person who is named in the Commission's final report, and the Commission must await the conclusion of those court proceedings before presenting its final report to me. The Commission is now required to report to me within one month of the perfection of the final order arising from the High Court proceedings.

-	Details:
4	Following publication of the O’Higgins Report, I have requested the Policing Authority, pursuant to Section 62O(6), to prepare a report on the arrangements in relation to protected disclosures in An Garda Síochána.
5	In line with Section 36 of the Charities Act 2009, the Charities Regulator is currently preparing a report for me on the topic of Charitable Fund-raising. A Consultative Panel on Fund-raising has been established by the Authority to look into this issue and it is envisaged that this report will be finalised and submitted to me later in the year.

### Irish Prison Service

142. **Deputy Jonathan O’Brien** asked the Tánaiste and Minister for Justice and Equality further to Parliamentary Question No. 156 of 31 May 2016, for further details on the ongoing consideration of the governance arrangements and relationship between her Department and the Irish Prison Service; if she is considering this; if she has examined a proposal to establish the Irish Prison Service as an independent prisons authority on a statutory basis; and if she will make a statement on the matter. [16059/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The position has not changed since my reply to you in Parliamentary Question No.156 of 31 May 2016: “The question of the governance arrangements and relationship between my Department and the Irish Prison Service remains under consideration.”

### Garda Resources

143. **Deputy Jonathan O’Brien** asked the Tánaiste and Minister for Justice and Equality the resources allocated to the money laundering investigation unit of the Garda Síochána Bureau of Fraud Investigation; and the number and rank of gardaí and of civilian staff allocated to this unit. [16060/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will appreciate, it is the Garda Commissioner who is responsible for the distribution of resources, including personnel, among the various Garda Divisions and Units and I, as Minister, have no direct role in the matter. I am assured by the Garda Commissioner that the allocation of Gardaí is continually monitored and reviewed taking into account all relevant factors including crime trends, demographics, and security assessments relating to the area in question so as to ensure optimal use is made of Garda human resources.

I have been informed by the Garda Commissioner that as of the 30 April 2016, the latest date for which figures are readily available, there were 51 members assigned to the Garda Bureau of Fraud Investigation Division. I have requested from the Commissioner the specific information sought by the Deputy and when this is to hand I will write directly to the Deputy.

### Road Traffic Offences Data

144. **Deputy Jack Chambers** asked the Tánaiste and Minister for Justice and Equality the

number of road traffic offences related to alcohol, by Garda Síochána division, in tabular form; and if she will make a statement on the matter. [16075/16]

145. **Deputy Jack Chambers** asked the Tánaiste and Minister for Justice and Equality the number of road traffic deaths related to alcohol, by Garda Síochána division, in tabular form; and if she will make a statement on the matter. [16076/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 144 and 145 together.

I have requested a report from the Garda authorities in relation to the matters referred to by the Deputy and will contact the Deputy directly as soon as the report is to hand.

### **Garda Resources**

146. **Deputy Jack Chambers** asked the Tánaiste and Minister for Justice and Equality the number of personnel attached to the Garda Síochána national drugs unit at national, regional and divisional levels; and if she will make a statement on the matter. [16077/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will appreciate, it is the Garda Commissioner who is responsible for the distribution of resources, including personnel, among the various Garda Divisions and Units and I, as Minister, have no direct role in the matter. I am assured by the Garda Commissioner that the allocation of Gardaí is continually monitored and reviewed taking into account all relevant factors including crime trends, demographics, and security assessments relating to the area in question so as to ensure optimal use is made of Garda human resources.

I have been informed by the Garda Commissioner that, as of the 30 April 2016, the latest date for which figures are readily available there were 244 members assigned to the various Drugs Units throughout the State. The following table gives a breakdown of the number of Garda members assigned to each unit.

It is important to note that all Gardaí have a responsibility in the prevention and detection of criminal activity whether it be in the area of drug offences or otherwise. I can assure the Deputy that An Garda Síochána continues to pro-actively and resolutely tackle all forms of drug crime in this jurisdiction. The Garda National Drugs Unit works closely with dedicated Divisional and District Drug Units and other national units, including the Organised Crime Unit, as well as the Criminal Assets Bureau (CAB) in targeting persons involved in the illicit sale and supply of drugs.

As the Deputy will be aware, when the financial crisis hit, the Government of the time introduced a moratorium on recruitment and the four year National Recovery Plan, published in 2010, envisaged a steady reduction in Garda numbers. Thankfully, in a recovering economy, we were able to reopen the Garda College in September 2014, and a total of 700 Garda trainees have been recruited with a further 450 planned to be recruited during the remainder of this year. So far 463 of the new Garda trainees have attested as members of An Garda Síochána and have been assigned to mainstream uniform duties nationwide. Another 76 will attest on the 7 July with 150 more to attest in November.

This Government is committed to ensuring a strong and visible police presence throughout the country in order to maintain and strengthen community engagement, provide reassurance to citizens and deter crime. Key to achieving this goal is the commitment in the Programme for Government, “A Programme for a Partnership Government” to continue the ongoing acceler-

ated Garda recruitment programme with a view to increasing Garda numbers to 15,000. Taking account of projected retirements, the current rate of recruitment will bring Garda numbers to around the 13,000 mark this year. We must, I believe, endeavour to make more rapid progress than this to reach our target of 15,000 and I am engaging with my colleague, the Minister for Public Expenditure and Reform, in relation to increasing the planned annual intake this year and in coming years.

Drugs Unit Personnel at 30/04/2016

Division	Total
Dublin Metropolitan Region (DMR) Sth. Central	16
D.M.R. Nth Central	19
D.M.R. North	24
D.M.R. East	9
D.M.R. South	17
D.M.R. West	24
DMR Region	109
Waterford	5
Wexford	6
Kilkenny/Carlow	5
Tipperary	8
South Eastern Region	24
Cork City	16
Cork North	5
Cork West	4
Kerry	5
Limerick	11
Southern Region	41
Donegal	7
Cavan/Monaghan	0
Sligo/Leitrim	6
Louth	6
Northern Region	19
Clare	6
Mayo	5
Galway	11
Roscommon/Longford	6
Western Region	28
Westmeath	7
Meath	4
Kildare	8
Laois/Offaly	0
Wicklow	4
Eastern Region	23
Total	244

### Garda Resources

147. **Deputy Jack Chambers** asked the Tánaiste and Minister for Justice and Equality the funding provided to the Criminal Assets Bureau in each of the years 2006 to 2016 to date; and if she will make a statement on the matter. [16078/16]

148. **Deputy Jack Chambers** asked the Tánaiste and Minister for Justice and Equality the personnel numbers allocated to the Criminal Assets Bureau in each of the years 2006 to 2016 to date; and if she will make a statement on the matter. [16079/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 147 and 148 together.

I can inform the Deputy that in accordance with section 21 of the Criminal Assets Bureau Act 1996, an annual report on the activities of the Criminal Assets Bureau is prepared and laid before the Houses of the Oireachtas. This report sets out matters relating to resources allocated to the Bureau and sets out in detail the activities of the Criminal Assets Bureau during the period.

The Annual Report for 2015 is currently being finalised and will be made available in due course.

For the Deputy's information, the following table sets out funding and personnel numbers allocated to the Criminal Asset Bureau from 2006 to 2016.

Year	Funding	Staff levels
2016*	€7,042,000	71
2015*	€7,073,000	71
2014	€6,654,000	71
2013	€6,455,000	71
2012	€6,410,000	70
2011	€6,673,000	70
2010	€6,531,000	69
2009	€6,877,000	69
2008	€7,509,000	68
2007	€5,108,000	59
2006	€5,205,000	55

\* Budget allocation figures only pending publication of final expenditure figures.

### Garda Resources

149. **Deputy Jack Chambers** asked the Tánaiste and Minister for Justice and Equality the funding provided and personnel allocated to the Garda Síochána divisional profiles unit in each of the years 2006 to 2016 to date; and if she will make a statement on the matter. [16080/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will appreciate, the Garda Commissioner has responsibility for the distribution of resources, including personnel and budgets, and I, as Minister, have no direct role in the matter.

I am advised by the Garda authorities that the information requested by the Deputy regarding the resources available to the Criminal Assets Bureau in terms of manpower, including



Divisional Profilers and budgets, are published in the Annual Reports of the Bureau which are publicly available online, for each of the years since the establishment of the Bureau.

I understand that to achieve nationwide coverage, the Criminal Assets Bureau has for some considerable time maintained a presence in each of the Garda Divisions through the operation of the Divisional Assets Profiler Programme.

Under this Programme asset profilers are providing a criminal asset profiling service across the Garda Divisions in relation to persons or suspects operating within the area, with particular reference to those involved in serious and organised crime. The Bureau utilises the local knowledge supplied to it by the asset profilers which allows the Bureau to target the proceeds of crime in local communities. They also assist the Bureau with preparatory groundwork in advance of a full investigation and have recourse to the expertise and advice of the Bureau.

In this context, I am informed by the Garda authorities that, as at end April 2016, the most recent date for which figures are available, the number of trained Garda Asset Profilers is 200 as well as 15 Revenue Customs and 3 Social Protection trained asset profilers making a total of 218 operating throughout the country.

### **Prison Security**

150. **Deputy Jack Chambers** asked the Tánaiste and Minister for Justice and Equality the status of security screening in prisons; and if she will make a statement on the matter. [16081/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Prison Service that a wide range of security measures, including security screening, are operational across the Prison estate.

The Operational Support Group (OSG) oversees the Security Screening Unit, the Canine Unit and the Operational Support Unit, and has responsibility for screening all persons entering the prison, using scanning equipment such as airport style walk through detectors. X-ray scanners are also provided in each closed prison and all hand bags, briefcases, packages, coats etc. are subject to screening. Stricter searching is carried out on all persons committed to custody and prisoners returning from court, temporary release, after visits or on receipt of intelligence.

Other security measures include the installation of nets over exercise yards to prevent access to contraband items, including mobile phones and drugs. The use of phone detectors and blocking technology, the introduction of hand held metal detectors and the introduction of Body Office Security Scanner (BOSS) Chairs are also used to prevent access to contraband in prisons. The introduction of booked visits, greater use of screened visits, greater vigilance in examining mail by prison censors and searching of other items entering the prison also contribute to preventing the entry of contraband into prisons.

On 6 July 2015 the Irish Prison Service launched the Irish Prison Service Confidential anti-trafficking telephone line. The telephone line was introduced to provide Staff, members of the general public and prisoners with a means to call the Prison Service with information about any matter relating to smuggling or attempts at smuggling of prohibited articles such as drugs, weapon and mobile phones.

### **VAT Rebates**

151. **Deputy Brendan Griffin** asked the Minister for Finance when a person (details sup-

plied) will receive a value-added tax rebate in respect of a work van; and if he will make a statement on the matter. [15331/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised by Revenue that the person in question submitted a VAT repayment claim amounting to €4,085 on 11 June 2016.

A portion of the repayment was offset against outstanding Income Tax liabilities in accordance with Section 960H(2) of the Taxes Consolidation Act 1997. The balance is available for repayment but can not be processed until the person submits an outstanding tax return.

Revenue has written to the person on three occasions requesting him to file the outstanding return but to date he has failed to do so. I am assured that the repayment will be processed as soon as the return is received.

### **Financial Services Regulation**

152. **Deputy Michael D’Arcy** asked the Minister for Finance the protection available for persons who have loans with non-banking financial companies based outside Ireland; and if he will make a statement on the matter. [15377/16]

**Minister for Finance (Deputy Michael Noonan):** I assume that the Deputy is referring to the protections in place for persons whose loans have been sold to non-bank entities based outside Ireland and will answer accordingly.

The Consumer Protection (Regulation of Credit Servicing Firms) Act 2015 was enacted in July 2015 and is designed to protect consumers whose loan portfolios are sold onto unregulated entities.

The Act introduces a regulatory regime for a new type of entity called a ‘credit servicing firm’. These are firms that manage or administer credit agreements such as mortgages or other loans on behalf of unregulated entities. 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.

The Central Bank is now the competent authority for the authorisation and supervision of credit servicing firms. Credit servicing firms must comply with all relevant requirements of financial services legislation, 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 Consumer Protection (Regulation of Credit Servicing Firms) Act also includes a statutory obligation on an authorised credit servicing firm not to perform any action that a regulated lender would not be allowed to do. This additional protection seeks to ensure that relevant borrowers, whose loans are sold to third parties, maintain the same regulatory protections they had prior to the sale.

In addition to compliance with Central Bank codes of conduct, the Central Bank have confirmed that credit servicing firms will have to demonstrate to the 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.

### **Pension Provisions**

153. **Deputy Michael D’Arcy** asked the Minister for Finance if a person (details supplied) can transfer funds from an approved minimum retirement fund to an approved retirement fund; and if he will make a statement on the matter. [15380/16]

**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. These requirements have been in place since the introduction of the flexible options at retirement regime and are therefore of long standing.

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 €12,700. If the owner does this he or she will then have access to the rest of the funds, as their AMRF can then be converted 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 (on conversion to an ARF) 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.

### **Motor Insurance**

154. **Deputy Pearse Doherty** asked the Minister for Finance if the Central Bank is examining how it presents insurance statistics and data related to the insurance sector and in particular to the motor insurance sector; if it will publish these statistics in a more contemporaneous way and in greater detail; and if he will make a statement on the matter. [15389/16]

**Minister for Finance (Deputy Michael Noonan):** The availability of relevant and timely data is necessary to facilitate an assessment of the insurance market in Ireland.

Since the Solvency II regulatory regime became effective from 1st January 2016 there are increased disclosure requirements on both insurance undertakings and supervisors. These requirements have been put in place to foster a uniform level of transparency and accountability and to ensure that the information is easily accessible and comparable. One of the requirements on the Central Bank of Ireland is the publication of aggregate statistical data relating to the insurance undertakings it supervises, including those companies providing motor insurance.

The Central Bank has informed me that the first year for publication of aggregate statistical data is 2017 and will relate to the calendar year ending in 2016. This publication will replace the annual statistical review carried out the Central Bank and the 2015 Statistical Review (due for publication in Sept 2016) will be the final one published by the Central Bank.

The Central Bank also publishes thematic reviews on elements of the insurance sector on an ad-hoc basis, which provides additional data. For example, in 2015 it published the Bodily Injury Thematic Review.

The work on the review of policy in the insurance sector, currently being conducted by my officials will include the issue of data availability and will identify any shortfalls. The requirement for relevant insurance data to be provided on a timely basis and in a suitable format has been raised by my officials with the Central Bank in the context of the review.

### **Insurance Costs**

155. **Deputy Pearse Doherty** asked the Minister for Finance when the working group examining the framework for insurance policy will report; if he will publish its report without delay; and if he will make a statement on the matter. [15390/16]

**Minister for Finance (Deputy Michael Noonan):** My Department's review of policy in the insurance sector is being conducted in consultation with the Central Bank of Ireland and other Departments and Agencies. The objective of the Review is to recommend measures to improve the functioning of the insurance sector. The Review includes an examination of the factors contributing to the cost of insurance.

The first phase of the Review is examining the current motor insurance compensation framework in Ireland. This work is being conducted jointly with the Department of Transport, Tourism and Sport. The joint group is working closely with the Central Bank of Ireland and has met with other stakeholders including the European Commission, Insurance Ireland, the Irish Brokers Association, the State Claims Agency and the Accountant of the Courts of Justice.

The Joint Working Group will report to myself and the Minister of Transport, Tourism and Sport in the coming days with final recommendations for our consideration.

The outcome of this work will feed into the wider review of policy in the insurance sector which I have outlined above. This work will continue over the coming months and a final report will be presented to me in due course.

These reports will be presented to Government in due course and any decision to publish these reports will be a matter for Government.

### **Departmental Expenditure**

156. **Deputy Clare Daly** asked the Minister for Finance the amount of money his Depart-

ment spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15416/16]

**Minister for Finance (Deputy Michael Noonan):** My Department makes no payment in respect of copies of Public Sector Times Magazine supplied to my Department.

### **Departmental Expenditure**

157. **Deputy Clare Daly** asked the Minister for Finance the amount of money spent on daily newspapers in 2015; if this is appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15432/16]

**Minister for Finance (Deputy Michael Noonan):** My Department spent €13,917 on daily and weekend newspapers in 2015. It has online subscriptions to the Irish Times and the Financial Times which are provided for use by staff. A mixed model involving the purchase of physical copies and online subscription to specific newspapers is considered to be an appropriate use of resources.

### **Departmental Staff Data**

158. **Deputy Clare Daly** asked the Minister for Finance the number of staff working in his human resources section. [15448/16]

**Minister for Finance (Deputy Michael Noonan):** I wish to inform the Deputy that there are eight staff working in the Human Resources Division in my Department's Office in Dublin. There are also five staff in my Department's Office in Tullamore, Co. Offaly who provide a HR transactional service to both the Department of Finance and the Department of Public Expenditure and Reform (including the National Shared Services Office and Office of Government Procurement). The Tullamore Unit is also responsible for the Facilities Management function for the Tullamore building.

### **Ministerial Staff**

159. **Deputy Clare Daly** asked the Minister for Finance the number of staff who work exclusively on constituency matters for him. [15464/16]

**Minister for Finance (Deputy Michael Noonan):** I wish to inform the Deputy that I have 3 staff who work exclusively on constituency matters for me.

### **Departmental Staff Data**

160. **Deputy Clare Daly** asked the Minister for Finance the changes in the numbers employed in his human resources section following the introduction of PeoplePoint. [15480/16]

**Minister for Finance (Deputy Michael Noonan):** I wish to inform the Deputy that prior to the transition of my Department to PeoplePoint on 15th April, 2013 there were 19 staff employed in the Human Resources Division, 11 in the Dublin Office and 8 in the Tullamore Office. Currently there are 8 staff working in the Dublin Office and 5 in Tullamore. My Department's HR unit in Tullamore provide a HR transactional service to both the Department of Finance and

the Department of Public Expenditure and Reform (including the National Shared Services Office and the Office of Government Procurement). The Unit is also responsible for the Facilities Management function for the Tullamore building.

Since the establishment of PeoplePoint staffing in the Tullamore Office decreased to 3 but has recently increased to 5 to take account of the expansion of services provided to the Department of Public Expenditure and Reform including the National Shared Services Office and the Office of Government Procurement.

### **Motor Insurance**

161. **Deputy Tony McLoughlin** asked the Minister for Finance the measures he is considering to tackle the spiralling costs of car insurance; and if he will make a statement on the matter. [15514/16]

**Minister for Finance (Deputy Michael Noonan):** As Minister for Finance, I am responsible for the development of the legal framework governing financial regulation. Neither I, nor the Central Bank of Ireland, can interfere in the provision or pricing of insurance products. The EU framework for insurance expressly prohibits Member States from adopting rules which require insurance companies to obtain prior approval of the pricing or terms and conditions of insurance products. The provision of insurance cover and the price at which it is offered is a commercial matter for insurance companies and is based on an assessment of the risks they are willing to accept and adequate provisioning to meet those risks.

The question of the cost of insurance is a complex one involving a number of Government Departments, State Bodies and private sector organisations and while the provision and the pricing of insurance policies is a commercial matter for insurance companies, this does not preclude the Government from introducing measures that may, in the longer term, lead to a better claims environment that could facilitate a reduction in claims costs.

My Department has embarked on a review of policy in the insurance sector which is being undertaken in consultation with the Central Bank and other Departments and Agencies. The objective of the Review is to recommend measures to improve the functioning and regulation of the insurance sector.

The first phase of the Review is focussed on the motor insurance compensation framework and this work is nearing completion. The next phase of the Review involves examining the factors contributing to the increasing cost of insurance and identifying what short-term measures can be introduced to help reduce the cost of insurance for consumers and businesses. Work on the Review of Policy in the Insurance sector will continue over the coming months.

Finally, Insurance Ireland operates a free Insurance Information Service for those who have queries, complaints or difficulties in relation to obtaining insurance. In the event that a person is unable to obtain a quotation for motor insurance or feels that the premium proposed or the terms are so excessive that it amounts to a refusal to give them motor insurance, they should contact Insurance Ireland, 5 Harbourmaster Place, IFSC, Dublin 1, Telephone +353 1 6761820, quoting the Declined Cases Agreement.

### **VAT Rebates**

162. **Deputy Mattie McGrath** asked the Minister for Finance the amount of Value Added

Tax refunds over €3,000 still outstanding in the Thurles tax district in County Tipperary; why it is taking so long to refund value added tax of over €3,000 in the Thurles tax district; and if he will make a statement on the matter. [15547/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised by Revenue that there are currently 163 Value Added Tax repayment claims, covering 132 separate taxpayers/businesses, for amounts over €3,000 under consideration by Tipperary Revenue District.

Of the 163 claims under consideration by Revenue 108 are the subject of specific enquiry with the taxpayer/business concerned. The balance are under review by Revenue, 87% of which have been received within the last month.

I am assured by Revenue that in general there is no undue delay in considering VAT repayment claims by the Tipperary Revenue District. Enquiries on a specific case can be directed by the taxpayer/business concerned to the Tipperary Revenue District.

### **Financial Services Regulation**

163. **Deputy Michael McGrath** asked the Minister for Finance if a person or organisation buying a commercial loan must be a regulated entity; and if he will make a statement on the matter. [15549/16]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Central Bank that there is no requirement for the purchaser of a commercial loan from a bank to be a regulated entity.

However, as the Deputy will be aware, 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 including the Consumer Protection Code, the Code of Conduct on Mortgage Arrears and the Code of Conduct for Business Lending to Small and Medium Enterprises and the Minimum Competency Code which is being replaced by 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. Furthermore, it is important to highlight that the transfer of a loan from one entity to another does not change the terms of the contract or the borrower’s rights and obligations under the original contract.

### **Tax Avoidance**

164. **Deputy Pearse Doherty** asked the Minister for Finance the number of annual prosecutions and corresponding tax, interest and penalties levied as a result of the general anti-avoidance rule since it was introduced in the Finance Act 2014, in tabular form; his views on the effectiveness of the rule; and if he will make a statement on the matter. [15558/16]

**Minister for Finance (Deputy Michael Noonan):** I am informed by Revenue that section 87 of the Finance Act 2014 inserted sections 811C and 811D into the Taxes Consolidation Act 1997. These sections are replacements for the existing general anti-avoidance rule contained in sections 811 and 811A of the Taxes Consolidation Act 1997. The new provisions reformed and simplified the arrangements Revenue have to follow in order to challenge a transaction as a tax avoidance transaction. The general principles as to what constituted a tax avoidance transaction remain, broadly, the same under both sets of provisions.

Sections 811C and 811D apply to transactions commenced after 23 October 2014. The provisions of sections 811 and 811A continue to apply to transactions commenced before that date.

At this stage, the provisions of sections 811C and 811D have not been applied by Revenue. The reason for this is that tax returns based on avoidance transactions covered by the new provisions will only start to be filed on or after 31 October 2016. There is, theoretically, a very small possibility of a transaction started and finished in the period 23 October 2014 to 31 December 2014 being reflected in a tax return filed on or after 31 October 2015 but the likelihood of this is small.

In any event, the filing of a tax return that reflects an underlying tax avoidance transaction (the tax avoidance transaction itself is not described in the return) is only the start of a process of challenging such a transaction. Once an underlying transaction is identified, it must be thoroughly investigated and all relevant facts (commercial, legal and contractual) relating to the transaction established. Once these facts are established the transaction in its entirety needs to be analysed to establish the precise tax provisions that are being abused or misused. Only at this stage, a process which can take some time, would Revenue be in a position to challenge the transactions under the new rules by issuing tax avoidance assessments under section 811C.

While tax and interest must be paid once a transaction is found to be a tax avoidance transaction under the general anti-avoidance rule, civil tax penalties, as such, do not apply. Instead, a tax avoidance surcharge of 30 per cent of the tax avoided applies in avoidance cases. This surcharge may be reduced if a taxpayer agrees a settlement at an early stage of the process. Tax, interest and the tax avoidance surcharge applies under both the new and old anti-avoidance provisions, but it should be noted that in the case of transactions commenced before February 2006 only the tax avoided is payable where a transaction is found to be a tax avoidance transaction.

I am advised by Revenue that there are no criminal tax offences involving tax avoidance that can be subject to criminal prosecutions.

It should be noted that 452 cases under the general anti-avoidance legislation covering a potential of €168 million in tax are being actively managed currently.

### **Motor Insurance**

165. **Deputy Pearse Doherty** asked the Minister for Finance the extent to which motor insurance companies use telematics in determining premiums; if his review of the cost of insurance is examining how telematics could influence prices; and if he will make a statement on the matter. [15583/16]

169. **Deputy Pearse Doherty** asked the Minister for Finance if he is aware of and his plans to examine issues causing difficulties for returning emigrants in accessing car insurance, including for commercial purposes; and if he will make a statement on the matter. [15738/16]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 165



and 169 together.

As Minister for Finance, I am responsible for the development of the legal framework governing financial regulation but am prohibited from interfering in the provision or pricing of insurance products. The EU framework for insurance expressly prohibits Member States from adopting rules which require insurance companies to obtain prior approval of the pricing, or terms and conditions of an insurance product.

The provision of insurance cover and the price at which it is offered is a commercial matter for insurance companies and is based on an assessment of the risks they are willing to accept and adequate provisioning to meet those risks. These are considered by insurance companies on a case by case basis. Variations in the costs and risks of providing motor insurance cover can vary between different countries.

With regard to the situation of returning immigrants, Insurance Ireland, which represents the insurance industry in Ireland, has informed me that, in general terms, where there has been no motor insurance in an individual's name and there is a gap of cover of two years or more since their last insurance, the no claims discount is deemed invalid. However, Insurance Ireland has further stated that if the individual can produce confirmation that they were continually insured and are claims free in their own name while they were away, this would be taken into consideration.

Insurance Ireland has also informed me that motor insurers in deciding on whether to offer cover and what terms to apply to cover use a combination of rating factors, such as the age of the driver, the type of car, claims record, driving experience, number of drivers, how the car is used, etc. Insurers do not all use the same combination of rating factors, prices vary across the market, and consumers are free to choose. Furthermore, Insurance Ireland has informed me that some insurance companies provide for the use of telematics for customers.

As the Deputy is aware, my Department is currently conducting a review of policy in the insurance sector. The current phase of this review is an examination of the factors which have led to the significant increase in the cost of motor insurance. This work will also aim to identify what short-term measures can be introduced to help reduce the cost for consumers and businesses, which may include telematics. The availability of motor insurance for returning emigrants will also be considered as part of this work.

Insurance Ireland operates a free Insurance Information Service for those who have queries, complaints or difficulties in relation to obtaining insurance. In the event that a person is unable to obtain a quotation for motor insurance or feels that the premium proposed or the terms are so excessive that it amounts to a refusal to give them motor insurance, they should contact Insurance Ireland, 5 Harbourmaster Place, IFSC, Dublin 1, Telephone +353 1 6761820 quoting the Declined Cases Agreement.

### **Universal Social Charge Data**

166. **Deputy Pearse Doherty** asked the Minister for Finance the cost of abolishing the universal social charge on all income up to €80,000 per year and applying it only to the amount above that. [15625/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised by Revenue that the first and full year costs to the Exchequer of abolishing Universal Social Charge (USC) on all incomes up to €80,000 per year and applying USC to the amount above €80,000 where income exceeds €80,000 are estimated to be in the order of €1,988 million and €2,747 million respec-

tively.

These figures are estimates from the Revenue tax forecasting model using latest actual data for the year 2013, adjusted as necessary for income, self-employment and employment trends in the interim. They are estimated by reference to 2016 incomes and are provisional and may be revised.

### **Financial Services Regulation**

167. **Deputy Noel Rock** asked the Minister for Finance his plans to recommend to the Central Bank a change in mortgage rules, specifically in relation to the ratio of 3.5:1 that is set between borrowing and income. [15688/16]

**Minister for Finance (Deputy Michael Noonan):** The existing Central Bank macro prudential measures for residential mortgage lending provides, inter alia, for a principal dwelling mortgage loan limit of 3.5 times gross annual income. It should, however, also be noted that this is a proportionate limit and that lenders have a discretionary flexibility, subject also to compliance with the provisions of the Consumer Protection Code and other relevant regulations including now the provisions of the Mortgage Credit Directive regarding the obligation to assess the creditworthiness of a consumer borrower, to exceed that loan to income threshold by up to 20 per cent of the euro value of all new lending on an annual basis for principal dwelling homes purposes.

As the Deputy is aware, the new Programme for a Partnership Government (PfPG) provides for a range of measures which seeks to improve the supply of housing and to protect and promote home ownership. It also states that the Government will work with the Central Bank in the context of its up-coming review of its mortgage lending limits. The Central Bank will commence this process tomorrow, June 15, and my Department will engage with the Central Bank on this. In addition, as Minister for Finance, I will also need to be consulted in due course on any new revised macro prudential regulations that the Central Bank may decide to be put in place arising from this review. However, in this process it should also be recognised that the Central Bank has a mandate to promote and protect financial stability and that it has an independence in the formulation of macro prudential measures towards the achievement of that objective.

### **Irish Fiscal Advisory Council Reports**

168. **Deputy Pearse Doherty** asked the Minister for Finance his plans to develop additional models for estimating medium-term potential growth to ensure signs of overheating are detected, as per the fiscal council's suggestion; and if he will make a statement on the matter. [15737/16]

**Minister for Finance (Deputy Michael Noonan):** My Department is in the process of developing alternative models for estimating potential output. Considerable work has been done on this front, and is now nearing completion. An outline of this work is set out in Box 1, page 24, of the 2016 Stability Programme Update, published in April. The intention is to publish the technical work in the short-term. However, I would stress that for the purposes of assessing the cyclical position of the economy, the European Commission's harmonised methodology is still the relevant metric.

*Question No. 169 answered with Question No. 165.*

## **Irish Fiscal Advisory Council**

170. **Deputy Micheál Martin** asked the Minister for Finance his involvement and interaction with the fiscal council. [15602/16]

**Minister for Finance (Deputy Michael Noonan):** The Fiscal Council was established under the Fiscal Responsibility Act 2012, and it has a very specific mandate as a watchdog for budgetary planning and execution. While it is under the aegis of my Department, it is a fully independent voice that assesses the fiscal stance and assesses compliance with fiscal rules that Ireland signed up to under both the Stability and Growth Pact and the Fiscal Compact. In accordance with the “two-pack” EU regulations, an amendment to the Fiscal Responsibility Act 2012 in the Ministers and Secretaries (Amendment) Act 2013 assigned the function of endorsing, as it considers appropriate, the macroeconomic forecasts produced by my Department to the Fiscal Council.

The Council publishes two Fiscal Assessment Reports each year, following the Budget in the Autumn and the Stability Programme Update in the Spring. The reports assess the Government’s macroeconomic and budgetary forecasts, the appropriateness of the fiscal stance, compliance with the budgetary rule, as well as detailing the Council’s endorsement function. Following consideration of these reports by my officials and the Department of Public Expenditure and Reform, I respond publically to each Fiscal Assessment Report. While it is the case that I do not always share the Council’s analysis in the Fiscal Assessment Reports, I very much value their expertise and their input as an independent voice in helping the Government to adhere to its own fiscal targets.

There are five members of the Council, including the Chair, and I have a role in appointing the members. In accordance with the “Guidelines for appointments to state boards” published by the Government in November 2014, the Public Appointments Service (PAS) manages an open selection process when a vacancy exists on the Board. Part of the open selection process involves a PAS-appointed advisory panel recommending candidates for appointment that are deemed to meet the published selection criteria. A list of these candidates is then submitted by the PAS for my consideration, following which I make an appointment to the Fiscal Council in accordance with the legislation.

Under the Fiscal Responsibility Act 2012, I approve the numbers of staff and their terms and conditions after consulting with the Minister for Public Expenditure and Reform. My Department facilitates the funding of the Council from the Central Fund in accordance with the Act. The Fiscal Council is required to give a copy of their annual accounts and their annual report to me each year and I am required under the Act to lay these before the Houses of the Oireachtas. I also have the power to appoint a person to examine the accounts of the Fiscal Council but this has not been needed to date.

I value the Fiscal Council’s important role as an independent watchdog and, as indicated above, my interaction with the Council is only as required by its legislatively mandated role.

## **Financial Services Regulation**

171. **Deputy Robert Troy** asked the Minister for Finance the changes to legislation surrounding approved minimum retirement fund investments in each of the years 2013 and 2014; his plans to alter the legislation; and if he will make a statement on the matter. [15892/16]

**Minister for Finance (Deputy Michael Noonan):** Firstly, I should explain by way of back-

ground, that under the flexible options at retirement arrangements (the so-called “ARF option”), where an individual in a Defined Contribution pension savings arrangement is under age 75 at the time of exercising the option and does not meet the guaranteed pension income requirement of €12,700 per annum, that individual must place a maximum “set aside” amount of €63,500 (or the remainder of the pension funds if less than €63,500 after taking the retirement lump sum) in an Approved Minimum Retirement Fund (AMRF) or purchase an annuity with those funds.

Any amount of remaining pension funds in excess of €63,500 can be invested in an Approved Retirement Fund (ARF) with access to those funds at the owner’s discretion (subject to tax, at the marginal rate and having regard to the imputed distribution requirements).

Finance Act 2011 increased the guaranteed pension income requirement from €12,700 per annum to an amount equal to 1.5 times the State Pension (Contributory) which at that time would have amounted to €18,000 per annum. That Act also increased the maximum “set-aside” amount required to be placed in an AMRF from €63,500 to an amount equivalent to 10 times the State Pension (Contributory) which at that time would have amounted to €118,900. In Finance Act 2013, I decided to rescind those increases and to return the pension income requirement and the “set-aside” requirement to their original levels (€12,700 and €63,500, respectively). Finance Act 2013 also included provisions to ensure that individuals impacted by the higher limits introduced by Finance Act 2011 were not disadvantaged.

In Finance Act 2014, I introduced changes to allow owners of AMRFs to draw-down up to 4% of the value of the assets in such funds on one occasion in each year instead of the facility to draw-down the accrued income and gains of such funds, as had applied prior to the changes.

The purpose of the AMRF is to ensure that an individual without the minimum guaranteed pension income for life has a pension “nest-egg” to provide for the latter years of his/her retirement. Up to Finance Act 2014, the capital invested in an AMRF could not be accessed until the AMRF owner reached age 75 (or met the guaranteed pension income requirement before then) at which point the AMRF becomes an ARF with unrestricted access to the funds, subject to taxation. While the capital sum in an AMRF could not be accessed, as set out, any income, profits or gains accrued from the investment of the capital could, up to the Finance Act 2014 changes, be withdrawn by the AMRF owner, subject to tax at the marginal rate.

Under the previous access arrangements for AMRFs, the extent of any income, profit or gains would depend on the performance of the investment options taken and could, therefore, be highly volatile with the possibility of little or no gains accruing in certain years. In addition, the scale of the capital allowed for in an AMRF, at €63,500, would not always permit for investment returns of any significant scale to be made using a prudent investment policy.

I decided to change the arrangements for AMRFs so as to allow AMRF owners voluntary, tax-liable access to a maximum of 4% of their AMRF assets each year up to the point at which the AMRF becomes an ARF. This change provides AMRF owners with access to a definitive and certain level of income from their AMRF rather than the uncertain level of income which access to the accrued income, profits and gains in the AMRF provided.

The change allowing access to a specified percentage of the capital in an AMRF is primarily aimed at those individuals whose AMRF constitutes a significant part of their retirement funds and who, while not wishing to purchase a pension annuity with those funds, may require access to a portion of these funds to provide a more certain form of supplementary income prior to reaching age 75. This facility also ensures that an individual will have some remaining funds in the AMRF at age 75 to provide for their remaining years, assuming the individual has not purchased a pension annuity in the meantime.

Individuals whose AMRF represents a less significant part of their retirement funds and whose circumstances would allow for greater investment risk and, therefore, potentially greater investment returns will be limited to the 4% level of asset draw down. However, this draw down will also be available to them for periods when their AMRF investments make losses or returns of less than 4% of the value of their AMRF assets and where, under the previous arrangement, they would not have been able to make a draw down or a drawdown of a lesser value than will now be permitted.

I have no plans at this time for further changes to the legislation dealing with AMRFs.

### **Eurozone Issues**

172. **Deputy Pearse Doherty** asked the Minister for Finance when the European Union Commission will issue a decision on a case (details supplied); and if he will make a statement on the matter. [15902/16]

**Minister for Finance (Deputy Michael Noonan):** In June 2014, the Competition Directorate of the European Commission announced its intention to open formal state aid investigations into tax rulings provided to a number of companies in various Member States of the European Union.

This announcement is part of a much wider review of tax ruling practice that is currently being undertaken by the European Commission covering all 28 Member States.

Since October 2015, investigations in three other Member States have concluded. In each of these cases the Commission found that the Member States granted an illegal State Aid to the companies in question.

I would like to emphasise that, while the Commission has opened a formal investigation in relation to one particular case involving Ireland, it has not made a final determination in the matter. There is no formal timeline for when the final decision will be made in our case.

This is a priority matter and Ireland has co-operated fully with the process to date and will continue to do so. Detailed and comprehensive responses have been provided to the Commission demonstrating that the appropriate amount of Irish tax was charged in accordance with the relevant legislation, that no selective advantage was given and that there was no State Aid.

I remain of the view that there was no breach of State Aid rules in this case and that the legislative provisions were correctly applied. In the event that the Commission forms the view that there was state aid, Ireland is entitled to challenge this decision in the European Courts. As the Government has already indicated, we will take that course of action, if necessary, to continue to vigorously defend the Irish position.

### **Defined Benefit Pension Schemes**

173. **Deputy Clare Daly** asked the Minister for Finance if he is concerned that the administration, consultancy and actuarial services to the Central Remedial Clinic pension plan were all provided by the same organisation (details supplied) and that this organisation also owned the trustee of the plan, given the abrupt wind-up of a plan that the actuary had said in 2014 was on track to meet the minimum funding standard by 31 December 2017; and if he will make a statement on the matter. [15967/16]

**Minister for Finance (Deputy Michael Noonan):** The governance and regulation of funded pension schemes are a matter for my colleague, the Minister for Social Protection, Deputy Leo Varadkar. The specific issues raised in relation to the administration, consultancy and actuarial services to the Central Remedial Clinic Plan may be more appropriate for my colleague, the Minister for Health, Deputy Simon Harris, given that the Central Remedial Clinic (CRC) is funded by the Health Service Executive under Section 38 of the Health Act 2004. I have no role in relation to the CRC.

### **VAT Exemptions**

174. **Deputy Michael McGrath** asked the Minister for Finance if he will respond to a matter raised in correspondence (details supplied) and his plans to introduce legislation concerning this. [15999/16]

**Minister for Finance (Deputy Michael Noonan):** The legislative provisions for the charging of VAT and the entitlement to deduct VAT in respect of property transactions are provided for in the VAT Consolidation Act 2010 as amended.

These provisions are completely independent of any Income Tax or Corporation Tax reliefs provided for in the Taxes Consolidation Act 1997 as amended, including those reliefs relating to accelerated capital allowances for the construction of property in a “qualifying resort area”.

The information provided by Deputy McGrath is not sufficient to enable me to comment on the application of VAT in this specific situation. I am further advised that the person referred to in this correspondence should contact his local Revenue office directly and they will provide an analysis of the VAT implications of the property transactions.

### **Banking Sector**

175. **Deputy Seamus Healy** asked the Minister for Finance if he will insist that a bank and its subsidiary (details supplied) which are in majority State ownership desist from seeking repossession of family homes through the courts and withdraw all such existing applications before the courts; and in the event of the bank and its subsidiary refusing to comply, if he will call a special general meeting of shareholders and use his majority shareholding to dismiss and replace the directors who refuse to comply with his instruction. [16000/16]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware, I have no role in the day-to-day running of the banks in which the State is a shareholder. These institutions are run on an independent and commercial basis and the details of the formal relationship between my Department and these institutions are set out in the respective Relationship Framework Agreements, which can be found via the following links.

AIB: <http://finance.gov.ie/sites/default/files/Allied-Irish-Banks1.pdf>

PTSB: <http://finance.gov.ie/sites/default/files/Relationship%20Frameworks%20for%20the%20Irish%20Banks%20Irish%20Life%20and%20Permanent.pdf>

In relation to the individual institutions referred to in “details supplied” Permanent TSB, Allied Irish Banks and its subsidiary EBS:

AIB and Permanent TSB have informed me that they prioritise keeping customers in their homes. Repossession is a last resort. Repossessions of Home Loans are not frequent amounting

to 183 and 118 for AIB and Permanent TSB respectively in 2015. In comparison AIB and Permanent tsb have entered formal forbearance measures in respect of 29,514 and 28,532 Home Loans respectively at December 2015.

While there are some differences between the banks referred to, their processes are similar.

In cases where customers do not meaningfully engage or do not engage at all with the bank, reject the offer of a sustainable mortgage restructuring solution or do not prioritise their mortgage payment, both banks are likely to pursue enforcement through the court process.

It is important to note that the initiation of legal proceedings does not necessarily result in repossession and both banks seek to engage constructively with borrowers at all times. Both banks offer a wide range of solutions and operate multiple engagement channels that facilitate the maximum possible levels of engagement with customers in difficulty.

Within the Programme for Government there are several policy proposals detailed which are being worked on at present. The objective of these proposals is to accelerate the restructuring of mortgage arrears cases and keep families in their homes in so far as possible.

### **Mortgage Interest Relief Extension**

176. **Deputy James Lawless** asked the Minister for Finance if he plans to end or change the tax relief scheme for mortgage interest paid on a home loan; and if he will make a statement on the matter. [16041/16]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be aware that Section 244 of the Taxes Consolidation Act 1997 provides for tax relief in respect of interest paid on qualifying home loans taken out on or after 1 January 2004 and on or before 31 December 2012, with relief being available until 31 December 2017. Mortgage interest relief has been abolished for homes purchased since 1 January 2013.

On foot of a change I introduced in Budget 2012, first-time buyers who bought at the height of the property boom between 2004 and 2008 receive a rate of mortgage interest relief of 30%. This 30% rate is scheduled to apply to these first-time buyers for the remaining years that mortgage interest relief continues to be available. In the absence of this change the mortgage interest relief available would have gradually reduced to a rate of 15%.

Single individuals, married couples and civil partners that are first-time buyers, qualify for mortgage interest relief for the first seven years of their mortgage up to a maximum interest ceiling of €10,000 and €20,000 respectively. Thereafter relief is restricted to ceilings of €3,000 and €6,000 respectively.

The system of mortgage interest relief is designed and targeted in such a way that the relief is of greater value in the early years of a qualifying loan where the interest represents a greater proportion of the repayment. Mortgage interest relief is of lesser value to individuals for whom repayments against principal make up a growing proportion of the overall repayment, as would generally be the case for those who move in to the eighth and subsequent years of their loans. It is worth noting that the application of the ceilings already work to reduce the relief available in a gradual manner. In addition, as the amount of interest payable reduces as a mortgage is paid down, the level of mortgage interest relief also reduces in tandem.

In the Programme for a Partnership Government there is a commitment to retain mortgage interest relief beyond the current end date of December 2017 on a tapered basis. The Deputy

will note that the current end date is December 2017 and I will consider options for such tapering in due course.

### **Special Educational Needs**

177. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the status of services provided by a group (details supplied) which include services for persons with special needs and counselling services for adults; and the action he will take to ensure this service is allowed to continue in Dublin 13 as the providers of the service have been requested to vacate the local school in whose premises the service is currently located. [15374/16]

178. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the status of services provided by a group (details supplied) which include services for persons with special needs and counselling services for adults; and the action he will take to ensure this service is allowed to continue in Dublin 13 as the providers of the service have been requested to vacate the local school in whose premises the service is currently located. [15375/16]

191. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the action he will take to ensure a service (details supplied) is allowed to continue in Dublin 13 given that the service providers have been requested to vacate the local school where they are located. [15531/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 177, 178 and 191 together.

City of Dublin Education and Training Board (CDETb) provides funding for some of the services provided by the group in question. I am aware of the difficulties that have arisen in relation to accommodation and last week I requested CDETb to make contact with representatives of the group to discuss possible options.

### **School Accommodation**

179. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills to intervene in the decision to terminate the licence of a local development and community group to operate from a school (details supplied), given the vital and broad-based range of services this outstanding local development and community centre provides to thousands of homes in Donaghmede parish in Dublin 13; to provide alternative and appropriate accommodation for this service in the event of such an intervention not being possible; and if he will make a statement on the matter. [16021/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Board of Management is responsible for the direct governance of a school and for the use of school resources and facilities subject to the approval of the Patron. The giving of consent to the use of classrooms in a school is a matter for the Patron of the school.

My Department does not have a role relating to the agreement between the school and the group in question.

The City of Dublin Education and Training Board has been working with TARGET for a long time and has been providing further education and training in Donaghmede for more than 20 years. It was located in St. Kevin's school, Newbrook Road, Donaghmede, and it provides a wide range of courses. They include services that include counselling, child care and many



community services. They also are supported in respect of adult education provision by the CDETB.

I am aware of the pressure of school enrolments on St. Kevin's junior school because it has experienced a 57% increase in the period between 2011 and 2015 and that trend is continuing. In that context, the school submitted an application in June 2015 to provide for the refurbishment of existing spaces to create two classroom-sized spaces to create a mainstream classroom and a resource room for special education. My Department examined and approved that application and the funding was provided.

I am aware of the difficulties that have arisen in relation to accommodation for the group and last week I requested CDETB to make contact with representatives of the group to discuss possible options.

### **School Transport**

180. **Deputy Bobby Aylward** asked the Minister for Education and Skills to introduce legislation to provide appropriate funding in order to have alarms fitted on all school buses that will notify the driver when a passenger is not wearing their seat belt; and if he will make a statement on the matter. [16051/16]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** I can assure the Deputy that the safety of children travelling on the school transport service is of paramount importance to my Department and to Bus Éireann, which operates the school transport scheme.

The Deputy will be aware that all dedicated school transport buses are now equipped with safety belts and children are required by law to wear these belts.

In contrast to the position where car drivers are concerned, bus drivers are not legally responsible for ensuring that passengers wear the seatbelt provided at all times, recognising the different operating circumstances and practicalities involved.

### **Apprenticeship Programmes**

181. **Deputy Maurice Quinlivan** asked the Minister for Education and Skills his plans to specifically target young persons in any new national apprenticeship scheme; and if he will make a statement on the matter. [16034/16]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy may be aware a comprehensive review of the Irish apprenticeship system was undertaken by an independent review group that reported in December 2013. The review group confirmed that a central feature of apprenticeship should continue to be that there is a requirement participants to be employed with an approved employer prior to registration as an apprentice.

The Apprenticeship Council is overseeing the expansion of the apprenticeship system into a range of new areas, following a call for proposals from employers and education and training providers. 25 proposals have been prioritised by the Council for development, with employers on a number of these new apprenticeships planning to recruit in 2016. Some of these apprenticeships will be suitable for young people entering the labour market for the first time and the Council is working with partners to ensure that information on these opportunities is made available as widely as possible.

### **Cóiríocht Scoile**

182. D'fhiafraigh **Deputy Pearse Doherty** den Aire Oideachais agus Scileanna an bhfuil sé ar an eolas faoin drochstaid ina bhfuil foirgneamh scoile i gcontae Dhún na nGall (sonraí curtha ar fáil) agus an easpa lóistín chuí atá ar áitreabh na scoile; an gcuirfidh sé maoiniú breise ar fáil ionas go bhféadfaidh an scoil na fadhbanna seo a shárú. [15329/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Táim in ann a dheimhniú gur chuir an scoil dá dtagraíonn an Teachta iarratas isteach ar chóiríocht bhreise.

Tá an t-iarratas á measúnú faoi láthair agus cuirfear an cinneadh in iúl don údarás scoile a luaithe a bheidh an próiseas seo tugtha chun críche.

### **School Accommodation**

183. **Deputy Brendan Griffin** asked the Minister for Education and Skills if he will grant additional accommodation to a school (details supplied); and if he will make a statement on the matter. [15364/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The school to which the Deputy refers was approved grant aid for 3 standalone classrooms and a WC for assisted users. This grant aid was subsequently increased in line with the Department's recently revised basic building costs.

The Department reviewed the case again recently in light of planning conditions and unforeseen site conditions. I am pleased to be able to tell the Deputy that further grant aid is being made available to the school to meet these costs. The school has been notified accordingly.

The school recently applied for further additional accommodation and this is under consideration. A response will issue to the school in this matter as quickly as possible.

### **School Accommodation**

184. **Deputy Brendan Griffin** asked the Minister for Education and Skills his views on a matter (details supplied) regarding the opening of a preschool; and if he will make a statement on the matter. [15365/16]

202. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the status of an application by a school (details supplied) which has applied to open a preschool on its premises; and if he will make a statement on the matter. [15659/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 184 and 202 together.

I wish to advise the Deputy that, in general, school authorities have a considerable degree of autonomy in relation to how their premises are managed and utilised at local level. It should be noted that the vast majority of primary school buildings in the country are in private ownership, including the school referred to by the Deputy.

The Department has a general policy of encouraging the use of school facilities by community and other groups where this is possible. However, any proposal for the use of school facilities must be approved by the Patron/owner. I understand that the Patron/owner has not

granted approval for the operation of a pre-school on the premises in question.

In 2005, the Department issued a circular to Trustees, Boards of Management and Principals of Primary and Voluntary Secondary Schools (Circular Letter Prim 16/05) to encourage Trustees and Boards of Management to make their facilities available where possible for community, education and recreation purposes. This circular recognises that the decision ultimately lies with the relevant Board or Trustees and that the first priority at all times should be the interest of the school, its teachers and pupils.

### **School Patronage**

185. **Deputy Maureen O’Sullivan** asked the Minister for Education and Skills the cost of taking over the patronage of the primary school system, based on the cost per pupil of running the model schools. [15383/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department does not directly fund school patrons. Changing the patronage of primary schools should not therefore impact on the day to day running costs of schools or their method of funding.

Primary schools are funded on a capitation based system. There is a standard capitation rate for all primary schools of €170 per pupil subject to a minimum payment of €10,200 for small schools of less than 60 pupils.

There are 9 model schools that vary in size. The cost of running the 9 model schools are dealt with on the basis of vouched expenditure under a budget based system. These costs can vary from school to school and from year to year depending on the needs of the school at that time. It would therefore be difficult to make an accurate comparison between the vouched expenditure and budget based system in the 9 model schools and the capitation based system in operation for all other primary schools.

### **Departmental Expenditure**

186. **Deputy Clare Daly** asked the Minister for Education and Skills the amount of money his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15414/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department did not spend any money purchasing copies of the *Public Sector Times* magazine in 2015.

### **Departmental Expenditure**

187. **Deputy Clare Daly** asked the Minister for Education and Skills the amount of money spent on daily newspapers in 2015; if this is appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15430/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Information in respect of payments made from by my Department’s administrative expenditure for the purchase of newspapers or magazines has been extracted from the Department’s Financial Management System (FMS). The Deputy should note that it is not possible to identify the costs of daily newspapers separately.

*Questions - Written Answers*

Total expenditure in 2015 was € 8,959.58. A list of the publications purchased has been attached for the Deputy's information.

The expenditure on newspapers and magazines is kept to a minimum.

**LIST OF CURRENT PUBLICATIONS**

DAILY	WEEKLY	BI WEEKLY
IRISH TIMES X 5	ECONOMIST X 7	PHOENIX X 2
IRISH INDEPENDENT X 4	TIMES ED SUPPLEMENT X 3	
IRISH EXAMINER X 4		
DAILY STAR X 1		
SUN X 1		
DAILY MIRROR X 1		
DAILY MAIL X 1		
HERALD X 1		

**Departmental Staff Data**

188. **Deputy Clare Daly** asked the Minister for Education and Skills the number of staff working in his human resources section. [15446/16]

190. **Deputy Clare Daly** asked the Minister for Education and Skills the changes in the numbers employed in his human resources section following the introduction of PeoplePoint. [15478/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 188 and 190 together.

There are currently 17.33 whole time equivalent (wte) staff employed in the Human Resources (HR) Unit of my Department across three locations, namely Athlone, Dublin and Tullamore. Of these, there are currently 3 wte staff on maternity/long-term sick leave.

**Ministerial Staff**

189. **Deputy Clare Daly** asked the Minister for Education and Skills the number of staff who work exclusively on constituency matters for him. [15462/16]

Under the terms of the Guidelines for the staffing of Ministerial Offices as published in July 2014 the number of staff at a Minister's Constituency office may not exceed 4. Presently, there are 3.6 staff assigned to the Minister's constituency office.

*Question No. 190 answered with Question No. 188.*

*Question No. 191 answered with Question No. 177.*

**School Funding**

192. **Deputy Mattie McGrath** asked the Minister for Education and Skills the grant and funding schemes available to assist the board of management of a school (details supplied) to

purchase adjoining land for the purposes of a car park and school pitch; and if he will make a statement on the matter. [15537/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I can confirm that an application has recently been received from the school referred to by the Deputy for financial assistance towards the cost of purchasing additional land, in order to extend the school site. This matter is being considered and my Department will be in contact with the school authorities in this regard shortly.

### **School Funding**

193. **Deputy Darragh O'Brien** asked the Minister for Education and Skills if he is aware that students in a school (details supplied) are unable to use the physical education hall due to the dangerous state of the floor, and that his Department has twice refused emergency grant applications to replace it; and if he will make a statement on the matter. [15552/16]

194. **Deputy Darragh O'Brien** asked the Minister for Education and Skills to approve emergency grant funding to replace the floor in the physical education hall at a school (details supplied) as a matter of urgency to facilitate much needed works being carried out over the summer 2016 school break; and if he will make a statement on the matter. [15553/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 193 and 194 together.

The application from the school to which the Deputy refers is currently being re-considered. The Planning and Building unit of my Department will be in contact with the school directly when a decision has been taken in this matter.

### **Summer Works Scheme**

195. **Deputy Darragh O'Brien** asked the Minister for Education and Skills why window replacement in schools is afforded low priority for funding as set down in the criteria under the summer works grant scheme; and if he will make a statement on the matter. [15554/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The purpose of the Summer Works Scheme (SWS) is to devolve funding to individual school authorities to undertake small and medium scale improvement works that will upgrade existing school facilities, which can be carried out during the summer months or at other times that avoid disrupting the operation of the school. The scheme is designed to address necessary and immediate works within the funding available.

Window replacement is recognised by the application of priority category 7 to such projects (in practice such projects are considered as category 6 as special needs projects which are identified as category 4 under SWS are now dealt with under the heading of the Emergency Works Scheme).

Valid SWS applications from schools in respect of Categories 3 to 10 that were not reached under round one approvals announced on 28th April last, will, subject to the overall availability of funding, qualify to be assessed under future rounds of the Scheme. 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.

## **Public Sector Pay**

196. **Deputy James Lawless** asked the Minister for Education and Skills when he will examine and end the pay inequality for teachers who qualified after 2011, given that it is now five years since these measures came into effect and that the Government has proposed establishing a public service pay commission; and if he will make a statement on the matter. [15561/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government has committed to establishing a Public Service Pay Commission to examine pay levels across the Public Service, including entry pay levels. The terms of reference and timescale for the Commission's work are a matter for my colleague, the Minister for Public Expenditure and Reform.

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

## **School Staff**

197. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills if he will review the refusal by the primary staffing appeals board for an additional teacher outside the allocation for a school (details supplied). [15562/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The criteria used for the allocation of teaching posts for the 2016/2017 school year is set out in Circular 0007/2016. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the 30 September 2015.

The staffing process includes an appeals mechanism for schools to submit an appeal under certain criteria to an independent Primary Staffing Appeals Board. The school referred to by the Deputy submitted an application for consideration by the Appeals Board at its May meeting

which was refused. The Appeal Board operates independently of the Department and its decision is final.

Based on its enrolment on 30th September 2015, the school will have a mainstream staffing of Administrative Principal and 6 classroom teachers for the 2016/17 school year, the same as the current year's staffing. The staffing schedule allows for a pupil teacher ratio of 22:1 for DEIS Urban Band 1 schools with classes from infants through to 6th class, such as the school referred to by the Deputy. In its appeal, the school projected an enrolment of 125 for September 2016 which will mean the pupil teacher ratio in the school will be less than 21 students to every mainstream classroom teacher.

The configuration of classes and the deployment of classroom teachers are done at local school level. My Department's guidance to schools is that the number of pupils in any class is kept as low as possible taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment etc.).

### **School Enrolments**

198. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills his views on the case of a person (details supplied) in relation to a secondary school placement; and if he will make a statement on the matter. [15570/16]

**Minister for Education and Skills (Deputy Richard Bruton):** It is the responsibility of the managerial authorities of all schools to implement an enrolment policy in accordance with the Education Act, 1998.

This Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in the area.

Parents can choose which school to apply to and where the school has places available the pupil should be admitted. However, in schools where there are more applicants than places available a selection process may be necessary. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. However, this may result in some pupils not obtaining a place in the school of their first choice. It is important to note however that only 20% of schools are oversubscribed.

Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department, or in the case of an Educational Training Board (ETB) school to the ETB in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school, expels a student or suspends a student for 20 or more days in any school year. Further information on the Section 29 appeals process is available on the Department's website [www.education.ie](http://www.education.ie).

The Educational Welfare Service of the Child and Family Agency (EWS) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The EWS can be contacted at 01-7718500.

### **Cúrsaí Gaeilge**

199. D'fhiafraigh **Deputy Peadar Tóibín** den Aire Oideachais agus Scileanna cé mhéid cúrsaí trí Ghaeilge atá ann san earnáil oideachais tríú leibhéal; cé mhéid foirgnimh a tógadh do Ghaelscoileanna agus an bhfuil an ráta céanna tógála foirgneamh ann do Ghaelscoileanna is atá

ann do scoileanna i gcoitinne. [15582/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Tá méadú tagtha ar líon iomlán na nGaelscoileanna ó 224 in 2000 go dtí 247 in 2016.

Ó 2011 i leith, ní gnách scoileanna nua a thógáil ach amháin i gceantair ina bhfuil méadú ag teacht ar an daonra. Baineann mo Roinnse leas as Córas Faisnéise Geografaí chun na ceantair is mó atá faoi bhrú déimeagrafach ar fud na tíre a aithint. Faoin gcóras seo úsáidtear sonraí ón bPríomh-Oifig Staidrimh, ó Shuirbhéireacht Ordanáis na hÉireann, agus ón Roinn Coimirce Sóisialaí mar aon le heolas as bunachair sonraí mo Roinne féin. Leis an eolas seo ar fad, cuirtear bearta déimeagrafacha i gcrích ar fud na tíre lena fháil amach cén áit a bhfuil gá le cóiríocht bhreise scoile ag an mbunleibhéal agus an iarbhunleibhéal araon.

Áit a bhfuil cinneadh déanta go bhfuil gá le scoil nua chun freastal ar riachtanais dhéimeagrafacha i gceantar réachtálann mo Roinn próiseas pátrúnachta ar leith chun a chinneadh cé a bheidh mar phátrún ar an scoil. Tá cead ag gach pátrún agus pátrún ionchasach iarratas a chur isteach ar bheith mar phátrún ar an scoil faoin bpróiseas seo agus bíonn céadroghanna na dtuismitheoirí i leith gach aon phátrúin thar a bheith tábhachtach le haghaidh na gcinntí maidir le toradh an phróisis.

Tá an Roinn ag cur le chéile an t-eolas eile atá á lorg ag an Teachta agus cuirfear ar aghaidh chuig an Teachta é a luaithe is féidir.

### **Teaching Council of Ireland**

200. **Deputy Clare Daly** asked the Minister for Education and Skills when he will implement Part 5 of the Teaching Council (Amendment) Act 2015. [15648/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Under the Teaching Council Act 2001, the Teaching Council is, since 2006, the body with statutory authority and responsibility for the regulation of the teaching profession.

The Teaching Council Act has been commenced on a phased basis and the next step in the commencement schedule is Part 5 (Fitness to Teach), the provisions for which were amended in the Teaching Council (Amendment) Act 2015. Part 5 provides, inter alia, for grounds of complaint to the Council concerning a registered teacher, how the Council will deal with such complaints, a range of potential sanctions and appeals of decisions.

Officials of my Department are liaising closely with the Teaching Council in relation to the arrangements for Part 5, and I intend to commence that part shortly, along with other sections of the amended Act.

### **Schools Building Projects Status**

201. **Deputy Michael Ring** asked the Minister for Education and Skills the status of an extension of a school (details supplied); when he will provide funding for this to proceed, given that it is included in the major school building project list to proceed to construction in 2016; when he will progress the project through the tender process with a view to starting on site; and if he will make a statement on the matter. [15657/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The school building project referred to by the Deputy is at an advanced stage of architectural planning. All statutory ap-



provals have been obtained and the Stage 2b submission has been approved by my Department.

However, on 1st January 2016 there were 66 major projects under construction. Since the start of this year 14 more major projects have been progressed to construction and there are currently 36 projects authorised to progress through the tender process with a view to starting on site in the coming months. That represents a total of 116 major projects either under construction or progressing to commence construction in 2016. The existing contractual commitments for 2016 now fully account for the funding allocation available in 2016.

My officials will continue to closely monitor expenditure on existing contractual commitments over the coming months and, as funding allows, other projects, including the project for Sancta Maria College will be considered for progression through the tender process with a view to starting on site as soon as possible.

My officials in the Planning and Building Unit will keep the school informed as they continue to monitor expenditure levels across the coming months.

*Question No. 202 answered with Question No. 184.*

### **School Patronage**

203. **Deputy Clare Daly** asked the Minister for Education and Skills his plans to proceed with divesting primary schools and giving due regard to the problems associated with religious patronage. [15699/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government is committed to progressing the patronage divesting process to provide greater choice to parents in areas of stable population, as well as ensuring that parental preferences are key to patronage decisions on new schools established in areas of demographic growth. Since 2011, the arrangements for the establishment of new schools in areas of growing population have resulted in the majority of these having a multi-denominational ethos. In this regard, 39 of the 42 new schools (24 primary schools and 18 post-primary schools) have a multi-denominational ethos.

The Programme for a Partnership Government reflects the Government's objective of strengthening parental choice and further expanding diversity in our school system, specifically by increasing the number of non-denominational and multi-denominational schools with a view to reaching 400 by 2030.

In addition to the phased transfer of Catholic schools to new patrons already under way, this will require considering new ideas and new approaches to substantially accelerate the changes in school provision in order to achieve greater diversity. The Government is committed to working with all stakeholders to facilitate this process and I will be progressing these matters as a priority.

### **Arts in Education Charter**

204. **Deputy Seán Haughey** asked the Minister for Education and Skills the measures he is taking to promote arts education in schools; if he will implement the arts in education charter; and if he will make a statement on the matter. [15701/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Arts in Education Charter, launched in 2013, has been a landmark development in relation to the promotion of

arts education and arts in education in Ireland. The Charter is an initiative of the Department of Education and Skills, the then Department of Arts, Heritage and the Gaeltacht, working in association with the Arts Council. I am delighted to report progress on the Charter objectives as follows.

A Charter Implementation group under the chairmanship of Professor John Coolahan was appointed oversee the implementation of the Charter objectives and report on its progress.

The Arts in Education Portal: Ireland's first Arts in Education Portal, the key national digital resource for arts in education in Ireland, was launched in May 2015. Since its launch up to the end of March, there have been 18,145 visitors (per session) with 43,295 page views, an average of nearly 4,000 page views per month. A celebration and demonstration of the success of the Portal formed part of the National Arts in Education Day, held at The Irish Museum of Modern Art (IMMA) on 23rd April 2016.

Teacher – Artist Partnership as a model for Continuing Professional Development (CPD) initiative: A major new development is the more focused attention to helping artists and teachers to develop together their understanding, expertise and creative pitch for arts in education work for children at different age levels. A significant initiative in this regard was the initiation, in 2014, by the Charter Group of a pioneering programme of joint teacher - artist collaboration in continuing professional development. The scheme, "Exploring Teacher Artist Partnership as a Model of Continuing Professional Development (CPD) for Supporting and Enhancing Arts Education" commenced in the summer of 2014 will be launched shortly. It is intended that each of the 21 Education Centres will have the capacity to implement this model locally and regionally into the future through strategic planning involving collaboration and co-operation with the various Local Authority Arts Offices, art organisations, educational institutions and school communities.

Artists in Residencies in Higher Education Institutions: Significant developments regarding arts in education for initial teacher education have also been taking place. Higher education institutions, particularly colleges of education, have been extending their offerings of arts in education courses and experience for student teachers. The provision of a set of 'artists in residency' bursaries by the Arts Council, for such institutions has been a major boost to this work.

Artists-Schools Guidelines: The Artists-Schools Guidelines, were originally published in 2006. A number of changes have occurred in the arts in education landscape in Ireland since the Guidelines were first published. A significant change arising from the Charter is the launch of a national digital resource for the arts in education: [www.artsineducation.ie](http://www.artsineducation.ie). Given this changing landscape, the Arts Council, on behalf of the Implementation Group of the Arts in Education Charter, is currently reviewing the Artists-Schools Guidelines to examine whether and how they should be updated to continue to act as a useful resource.

Nationwide Mapping of Arts Provision, Relevant to Education: Planning is underway to incorporate a mapping of organisations, events, artists and locations at regional and local level throughout the country, which could be drawn upon for arts-in-education purposes. This will be incorporated in the Arts-In-Education Portal on an incremental basis. This could be a major resource for schools, and also help to highlight areas of limited or poor provision, with a view to its remediation.

ARIS – Arts Rich Schools: The Arts in Education Charter charges the Arts Council, in co-operation with the Department of Arts, Heritage and Gaeltacht, and the Department of Education and Skills, with the promotion of Arts Rich Schools (ARIS). According to the Charter – "ARIS will incentivise and recognise those schools (primary and post-primary) which in a range of ways make the arts a key part of school life and place the arts centrally within the life

of the school community affecting pupils primarily but also teachers, parents, other staff and community.” A working group has been established and is assisting with the development of Arís. The working group is working to develop a feasible implementation plan for a first phase of Arts over three years (2017-2019).

**Research in Arts in Education:** The Arts in Education Charter refers to the need for access to research that builds on existing good practice and explores new models of arts and school practice to create a source of knowledge and experience for policy makers and practitioners to draw on. The Implementation Group has had communications with the Higher Education Authority, higher education institutions and associated bodies on how best a repository of such research can be established as an on-going source of such provision. Discussions are still underway with the aim that such a National Digital Research Repository for Arts in Education would be established over the next 18 months.

**Music Generation:** The Music Generation initiative is co-ordinated and managed by Music Generation Ltd. through its National Development Office. Between 2010 and 2015, 11 Music Generation Music Education Partnerships (MEPs) were established as part of Phase 1 of the initiative, with the aim to provide non-mainstream vocal and instrumental music tuition for young people. In 2015, Music Generation Ltd. announced Phase 2 of the initiative during which up to 9 additional new MEPs will be established over the period from 2016 up to 2020. 50% of the initial funding for Phase 1 of this initiative came from philanthropic sources and the remaining 50% funding was from MEPs. After 3 years, the Exchequer took up 50% funding as the philanthropic funding were phased out. Phase 2 will similarly be funded.

**Non-mainstream Music Education Bursary Scheme 2016:** The Department of Education and Skills also established the new Non-mainstream Music Education Bursary Scheme in February 2016 worth €50,000. The Purpose of the scheme is to provide support by way a cash grant, to established, smaller-scale, non-mainstream music education/community music initiatives with limited or no access to other forms of public funding.

**Local Arts Education Partnership (LAEPs):** An objective of the Arts in Education Charter which will make a major contribution to rooting arts in education at local and regional level as normative provision, is the Local Arts Education Partnerships (LAEPs). The impact of co-operative efforts by the statutory agencies, the local authorities and the ETBs, in conjunction with the regional Teacher Education Centres and other agencies, have potential to re-shape the landscape of arts in education provision in Ireland to the great benefit of young people throughout the country.

**School Policies:** The Charter envisages that schools, in their school policies and plans, shall incorporate arts in education opportunities as an important aspect of enriching the curriculum and the wider life of the school. Schools will be assisted by my Department in this aspect of their school planning and self-evaluation. Making provision for arts in education practice will also be reflected in the design and equipping of school buildings. The National Council for Curriculum and Assessment has also established reciprocal partnership with the Arts Council in the promotion of the arts in schools, as set out in the Charter.

### **School Transport Administration**

205. **Deputy Clare Daly** asked the Minister for Education and Skills if paragraph 11.5 of the 1975 agreed accounting arrangements for school transport means that either he or Bus Éireann can terminate the agreement on 12 months’ notice, or earlier by mutual consent, and that he can vary the agreement by mutual consent; and if he will make a statement on the matter.

[15740/16]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** Under section 11.5 of the Summary of Accounting Arrangements relating to the Transport Scheme for Primary and Post-Primary School Children dated 1 January 1975, it is stated that “the basic charging arrangements for schools transport to continue in force subject to the right of either party to terminate them by giving not less than 12 months notice in writing to this effect. Specific procedural aspects of the accounting arrangements may be varied or discontinued by mutual consent during the currency of the present accounting agreement.”

A legal action was taken to seek an Order from the High Court to set aside the existing arrangements for the provision of national school transport services. The High Court Judgement was given in October 2012. The Court found decisively in favour of the Department; detail of this Judgement is available on the Courts Service website.

A motion appealing the High Court decision was submitted to the Supreme Court on 22nd November 2012 and was subsequently remitted to the Court of Appeal. In the Judgment delivered by the Court of Appeal in the case on 27th May 2016, the court again found decisively in favour of the Department and dismissed the Appellant’s appeal.

The effect of that Judgement is that the existing arrangements including section 11.5 remain in place.

### **Capitation Grants**

206. **Deputy Pat The Cope Gallagher** asked the Minister for Education and Skills his plans to increase the rate per pupil under the capitation grant scheme for primary level in the short term; and if he will make a statement on the matter. [15745/16]

**Minister for Education and Skills (Deputy Richard Bruton):** 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 recently published Programme for a Partnership Government is committed to investing an extra €500 million in education by 2021 through various staffing and grant based measures including annual increases in primary and secondary capitation rates.

It also 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.

### **School Transport Eligibility**

207. **Deputy Michael Ring** asked the Minister for Education and Skills why he has not replied to persons (details supplied) regarding a query sent to his Department on 5 April 2016; and if he will make a statement on the matter. [15750/16]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):**

Given the increase in the School Transport Section workload, regrettably, it was not feasible to deal with the increased volume of representations in a more timely manner.

In relation to the Deputy's query I can advise that Bus Éireann has confirmed that the two children, referred to by the Deputy, are eligible for school transport under the 'Closed School Rule'. While eligibility under this rule ceased from the commencement of the 2012 school year, children who had an eligibility under this rule retain this eligibility for the duration of their education at the school provided there is no change in their circumstances.

The families, in question, should ensure that their payment details are submitted to Bus Éireann before the 29th July 2016 if they wish to avail of school transport for the 2016/17 school year.

### **School Transport Data**

208. **Deputy Gerry Adams** asked the Minister for Education and Skills the number of eligible and concessionary pupils in County Louth availing of school bus transport. [15872/16]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** Bus Éireann has advised that they issued 2,420 tickets to eligible children and 496 tickets to children travelling on a concessionary basis in County Louth for the 2015/16 school year.

### **School Closures**

209. **Deputy Sean Fleming** asked the Minister for Education and Skills the status of an examination into the closure of a school (details supplied); and if he will make a statement on the matter. [15884/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I am aware that the Patron of the school in question set up a Task Force to consider options for the future of the school. I understand that the Task Force Report was adopted by the Patron at its recent meeting and that work on the recommendations to increase enrolments will now commence with the school community. I understand also that the report has been presented to all the stakeholder groups.

### **Schools Building Projects Expenditure**

210. **Deputy John Brassil** asked the Minister for Education and Skills why he has not funded the extension to a school (details supplied) despite instruction from a previous Minister for Education and Skills that funding should be furnished; to expedite the payment; and if he will make a statement on the matter. [15908/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department's Planning and Building Unit has no record of any agreement to pay additional grant aid to the school in question.

In 2004 the school authority was allocated a devolved grant of €100,000 to enable it to provide a one classroom special needs unit at the school. This grant was subsequently increased to €281,000 to enable a second classroom to be provided and to cover extra costs associated with the delivery of the project.

The final payment in respect of this grant was made in October 2005.

### **Education and Training Boards**

211. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills his plans and timescale for a senior college on Eblana Avenue in Dún Laoghaire; if these plans are contingent on funding from his Department; if the Dublin and Dún Laoghaire Education and Training Board made an application for such funding if it is opposed to entering into an arrangement with St. Nicholas Montessori College Ireland; and if he will make a statement on the matter. [15933/16]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** Senior College on Eblana Avenue in Dun Laoghaire is in the ownership of Dublin and Dun Laoghaire Education and Training Board (DDLETB). The future use of the building is a matter for the ETB, subject to the approval of my Department. My Department has not received any proposals or requests for funding from the ETB in respect of this premises and enquiries regarding the use of the building should be directed to Dublin and Dun Laoghaire ETB in the first instance.

### **School Patronage**

212. **Deputy Joan Collins** asked the Minister for Education and Skills his views that national schools of all patronages, when seeking State recognition and thereby State funding, legally commit themselves to be bona fide open to children of all religious denominations and none and that the commitment to not discriminate on religious grounds on entry to all of these schools remains the first part of the ethos of all national State-funded schools. [15947/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Schools are not permitted to discriminate against an applicant for admission on any of the grounds set out in the Equal Status Act, 2000. However, Section 7 (3)(c) of the Equal Status Act 2000 provides that an educational establishment does not discriminate where the establishment is a school providing primary or post-primary education to students and the objective of the school is to provide education in an environment which promotes certain religious values, it admits persons of a particular religious denomination in preference to others or it refuses to admit as a student a person who is not of that denomination and, in the case of a refusal, it is proved that the refusal is essential to maintain the ethos of the school. Schools that comply with the requirements of the equality legislation do not therefore discriminate on religious grounds.

It is my view that the desire of parents for diversity in education choice can be provided effectively by focussing on the delivery of the ambition to treble the number of multi-denominational and non-denominational schools as set out in the Programme for Government. This commitment is to deliver a total of 400 non-denominational and multi-denominational schools by 2030.

The Programme for Government also contains a commitment to publish new School Admissions legislation taking account of current draft proposals and addressing issues including publication of school enrolment policies, an end to waiting lists, introduction of annual enrolment structures, and transparency and fairness in admissions for pupils and their parents.

The Education (Admission to Schools) Bill which was published in April 2015 did not progress through the Houses of the Oireachtas and was not reinstated for the current Dáil ses-

sion. However, I have commenced a process of consultation with opposition parties to discuss my proposals to introduce a new Admissions Bill to make the process of enrolling children in school easier for parents.

Following these consultations, it is my intention to publish a new Admissions Bill during the current Dáil session.

It is important to note that 80% of schools are not oversubscribed. The new Bill will oblige all schools to admit pupils where there are available places.

### **School Enrolments**

213. **Deputy Clare Daly** asked the Minister for Education and Skills his views on national schools in receipt of public funds discriminating on religious grounds in their admission policies, in some instances requiring parents and children to adopt a religion or to change their religion, attend religious celebrations and get their children baptised, solely to be allowed to attend their local national school. [15948/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Article 42.1 of the Constitution acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the right of parents in this regard. It is important to be clear that it is a parent who decides the religious denomination of their child. It is not a decision of a school. Parents can choose which school to apply to and where the school has places available the pupil should be admitted.

It is important to note that 80% of schools are not oversubscribed. However, in schools where there are more applicants than places available a selection process may be necessary. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. However, this may result in some pupils not obtaining a place in the school of their first choice.

Schools are not permitted to discriminate against an applicant for admission on any of the grounds set out in the Equal Status Act, 2000. However, Section 7 (3)(c) of the Equal Status Act 2000 provides that an educational establishment does not discriminate where the establishment is a school providing primary or post-primary education to students and the objective of the school is to provide education in an environment which promotes certain religious values, it admits persons of a particular religious denomination in preference to others or it refuses to admit as a student a person who is not of that denomination and, in the case of a refusal, it is proved that the refusal is essential to maintain the ethos of the school. Schools that comply with the requirements of the equality legislation do not therefore discriminate on religious grounds.

It is my view that the desire of parents for diversity in education choice can be provided effectively by focussing on the delivery of the ambition to treble the number of multi-denominational and non-denominational schools as set out in the Programme for Government. This commitment is to deliver a total of 400 non-denominational and multi-denominational schools by 2030.

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Following these consultations, it is my intention to publish a new Admissions Bill during the current Dáil session.

It is important to note that the new Bill will oblige all schools to admit pupils where there are available places.

### **School Patronage**

214. **Deputy Ruth Coppinger** asked the Minister for Education and Skills if he will continue the practice of his recent predecessors in not signing deeds of variation for national schools; and if he will make a statement on the matter. [15952/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The agreement to put in place Deeds of Variation for Charging Leases or Declarations of Trust dates back to the 1990's. At that time there were negotiations on the reconstitution of Boards of Management of primary schools. It was agreed that patrons would no longer nominate a majority of the members of a Board of Management. In return, it was agreed that Deeds of Variation would be put in place to vary the Charging Leases/Declarations of Trust. The objective of this Deed of Variation is to provide security for the denominational ethos of a school in cases where a patron or trustee owns the property. Discussions have taken place with the relevant patron bodies over the years to obtain a mutually acceptable solution which meets this objective and these discussions are ongoing.

The commitment given by the school patrons in 1997 to cede majority representation on Boards of Management was implemented. Hence the engagement by officials in the Department in the interim in relation to agreeing a form of words for the Deeds of Variation represents a recognition of the original commitment given to the school patrons at that time.

### **School Accommodation Provision**

215. **Deputy Niall Collins** asked the Minister for Education and Skills if he has received complete documentation allowing him to make a decision on an application by a school (details supplied) under the supplementary grant scheme; when he will issue a decision; and if he will make a statement on the matter. [15965/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The school to which the Deputy refers was approved funding in 2015 under my Department's Additional Accommodation Scheme to provide a resource classroom.

The school has applied for a grant uplift. This request is currently under consideration in the context of additional information requested and recently received. The Department will be in contact with the school directly when a decision has been taken in this matter.

### **School Transport Administration**



216. **Deputy John McGuinness** asked the Minister for Education and Skills when the changes were made to the charging system for maintenance charges for school transport buses for Bus Éireann from the apportioned mileage system in the 1975 agreement to the percentage apportionment of school buses as a portion of total buses, as described in the Farrell Grant Sparks report; if this change was by mutual consent and how was the change documented; if informed calculations were made in respect of cash savings and the amount he expects to save by the recent cutbacks in school transport given in the recent report he received for each year from 2017 to 2022; if informed calculations were made in respect of the number of large buses being withdrawn from school transport services to be replaced by smaller buses; the number of buses that will be withdrawn or replaced and the capital cost of this in each of the years 2017 to 2022, in tabular form. [15975/16]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** The Farrell Grant Sparks Report (2009), referred to by the Deputy, discusses staff numbers as a cost driver on page 99 but not how maintenance costs are charged to the school transport account for the maintenance of school buses.

The actual expenditure on school buses for maintenance running costs such as servicing, accident repairs, tyres and fuel are charged to the school transport account. These costs are based on actual material costs and actual hours worked on school buses and are not based on pro rata apportionment of the fleet numbers between road passenger and schools.

While the principle involved has not changed since the arrangement was put in place the operational procedure has been updated as new technologies have been introduced, such as the current SAP system used for recording work done by maintenance staff.

I am satisfied with the finding of the independent external auditors that the financial information of Bus Éireann's School Transport Scheme is prepared, in all material respects, in accordance with the Summary of Accounting Arrangements relating to the Transport Scheme for Primary and Post-Primary School Children dated 1 January 1975, and includes maintenance charges.

The Programme for Government commits to review the concessionary charges and rules element of the School Transport Scheme prior to Budget 2017.

This review, which is being commenced, will be aimed at identifying issues in relation to current rules and charges relating to concessionary places under the School Transport Scheme with a view to maximising the effectiveness of available services for children.

The results of the review will be considered in the context of Budget 2017.

Pending this review, there will be no planned programme of downsizing school buses in the coming school year. There will be route changes and variations in line with normal operational decisions that occur from year to year, and any impacts in terms of increases or decreases of available places will be marginal, in line with what occurs every year.

### **Labour Court Recommendations**

217. **Deputy Michael McGrath** asked the Minister for Education and Skills the status of a Labour Court recommendation (details supplied) including the steps he is taking to ensure it is fully implemented. [15998/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Issues relating to pay in

the Institute were subject to an internal job evaluation exercise which was carried out by Price Waterhouse Coopers and which was intended to establish the correct rate of pay for grades in the Tyndall National Institute. At the outset the parties agreed that the conclusions of the job evaluation exercise could be appealed on an individual basis to an independent Appeals Officer and these appeals are currently being considered.

### **Religious Discrimination**

218. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills if he supports the separation of children on religious lines in different primary schools; or if he supports the integration of children of all religious beliefs in the same local national school, regardless of the patronage of the school; and if he will make a statement on the matter. [16019/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Forum on Patronage and Pluralism in the primary school sector, which issued its report in 2012, recommended steps that could be taken to ensure that the education system can provide a sufficiently diverse number and range of primary schools to cater for children of all religions and none. A follow-up paper to the Forum Report entitled “Forum on Patronage and Pluralism in the Primary Sector: Progress to Date and Future Directions” was published in July 2014. This paper outlined the progress made to date on implementing the Forum’s recommendations with a particular focus on the issue of inclusion and diversity in schools. It is my view that the desire of parents for diversity in education choice can be provided effectively by focussing on the delivery of the ambition to treble the number of multi-denominational and non-denominational schools as set out in the Programme for Government. This commitment is to deliver a total of 400 non-denominational and multi-denominational schools by 2030. The Education (Admission to Schools) Bill which was published in April 2015 did not progress through the Houses of the Oireachtas and was not reinstated for the current Dáil session. However, I have commenced a process of consultation with opposition parties to discuss my proposals to introduce a new Admissions Bill to make the process of enrolling children in school easier for parents. Following these consultations, it is my intention to publish a new Admissions Bill during the current Dáil session. It is important to note that the new Bill will oblige all schools to admit pupils where there are available places.

### **Teachers’ Remuneration**

219. **Deputy Jack Chambers** asked the Minister for Education and Skills if a person (details supplied) can qualify for the old pay scale having previously worked as a teacher here prior to the introduction of the 2011 new entrants pay scales and then worked abroad before returning back to work here, but who is now on the new pay scale system; and if he will make a statement on the matter. [16025/16]

**Minister for Education and Skills (Deputy Richard Bruton):** According to my Department’s records the teacher referred to by the Deputy is not currently being paid by my Department’s payroll. If employed and paid by an Education and Training Board (ETB) the teacher concerned should submit evidence of her previous Oireachtas funded teaching service to the relevant ETB for consideration in relation to the appropriate salary scale. In general a teacher first appointed to an Oireachtas funded teaching post before 1 January 2011 whose date of first qualified Oireachtas funded teaching service is before 5 December 2011 will be paid on the pre-2011 qualified pay scale and the qualification allowances applicable to that scale.

## School Staffing

220. **Deputy Catherine Murphy** asked the Minister for Education and Skills if he will reconsider cutting the tenth mainstream class teacher from a school (details supplied) due to a shortfall of one class pupil; if he will reconsider his decision to cut the tenth mainstream teacher and take into account increases in pupil enrolments throughout the academic year and the planned additional intake of children already anticipated and reported to his Department; and if he will make a statement on the matter. [16031/16]

221. **Deputy Catherine Murphy** asked the Minister for Education and Skills further to Parliamentary Question No. 499 of 22 March 2016, if he will reconsider cutting the tenth mainstream class teacher from a school (details supplied) following on from the announcement of improved provision of primary teacher numbers; how this improvement will impact on north Kildare class sizes overall; and if he will make a statement on the matter. [16032/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 220 and 221 together.

The criteria used for the allocation of teaching posts for the 2016/2017 school year is set out in Circular 0007/2016. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the 30 September 2015. The Deputy will be aware that Budget 2016 has made provision for some 2,260 additional teaching posts for our primary and post-primary schools for the 2016/17 school year. At primary level, these posts will be used to provide an improvement to the staffing schedule, along with providing an improvement to the scheme of release time for principal teachers at primary level and additional resource posts to meet special education needs. There will be a one point improvement to the primary staffing schedule for the 2016/17 school year. This will see the schedule operate on the basis of a general average of 1 classroom teacher for every 27 pupils, rather than the current 28. Based on the 2016/17 staffing schedule, the school referred to by the Deputy will have a mainstream teaching post suppressed for the 2016/17 school year due to falling enrolments. The staffing process includes an appeals mechanism for schools to submit an appeal under certain criteria to an independent Primary Staffing Appeals Board. My Department has not received a staffing appeal from the school referred to by the Deputy. The configuration of classes and the deployment of classroom teachers are done at local school level. My Department's guidance to schools is that the number of pupils in any class is kept as low as possible taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment etc.). School authorities are also requested, where possible, to use their autonomy under the staffing schedule to implement smaller class sizes for junior classes.

## School Catchment Areas

222. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills why there is no Gaelscoil for Ballyfermot, Dublin 10; and if the catchment area for Lucan, Clondalkin or Inchicore will be expanded to include Ballyfermot. [16033/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Since 2011 new schools are generally only established in areas of demographic growth. For planning purposes, my Department uses school planning areas, of which there are 314 nationwide, including some 40 in Dublin. Ballyfermot, Dublin 10, has its own school planning area, as does Lucan and Clondalkin. Inchicore is included in the Dublin 8 school planning area.

My Department uses a Geographical Information System to identify the school planning areas under increased demographic pressure nationwide. The system uses data from the Central Statistics Office, Ordnance Survey Ireland, the Department of Social Protection and information from my own Department's databases. With this information, nationwide demographic exercises are carried out to determine where additional school accommodation is needed at primary and post-primary levels.

When it is decided that a new school is required to meet demographic needs in an area, the Department runs a separate patronage process to decide who will operate the new school. It is open to all patrons and prospective patrons, including Irish-medium education providers, to apply for patronage of the school under this process and the level of parental preference for each patron is key to decisions in relation to the outcome of the process.

The outcome of the latest demographic exercises was that in November 2015, the establishment of 13 new schools to open nationwide in 2017 and 2018 to meet demographic needs was announced. All school planning areas, including the Ballyfermot area are being kept under ongoing review by my Department to take account of updated child benefit data and enrolment data and also the impact of existing and planned capacity increases to schools in this, and adjacent, areas.

### **Direct Provision Data**

223. **Deputy Clare Daly** asked the Minister for Education and Skills the number of students in direct provision centres who are sitting the junior certificate and the leaving certificate examinations in 2016. [16043/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Neither the Department of Education and Skills nor the State Examinations Commission retain data on the home addresses of students.

### **School Transport Review**

224. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will publish Ireland's correspondence with the European Union Commission on the negotiations of the appropriate measures to be agreed to bring Bus Éireann's school transport service into line with treaty obligations of 14 October 2014. [16047/16]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** The Deputy is aware that Bus Éireann operates the school transport scheme on behalf of the Department and that the scheme has been in existence since 1967, and is based on accounting arrangements put in place in 1975.

An investigation was launched by the Commission in 2007 after receiving a complaint that, among other activities, alleged unlawful State aid was being provided to Bus Éireann in respect of school transport services. The State's response was coordinated by the Department of Transport, Tourism and Sport and my Department supplied any information to that Department as required by the Commission.

The Commission's Decision found that the scheme was existing aid and for this reason was not unlawful at the time the complaint was made. The Commission Decision was not a ruling on the tendering arrangements in place between the Department of Education and Skills and

Bus Éireann for the School Transport Scheme. The Department has been engaging in dialogue with the Commission on “appropriate measures to ensure the scheme in its future implementation is compatible with the internal market”. This is without prejudice to our position that current arrangements are compliant with State Aid law.

The release of the documents referred to is a matter for the relevant European Commission Directorate.

### **School Transport Data**

225. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he has informed the European Commission in the course of the investigation C-31/07 that the system of calculating Bus Éireann’s maintenance charges and of apportioning percentages of school buses and the entire Bus Éireann fleet are not in accordance with the 1975 agreed charges. [16048/16]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** I am satisfied with the finding of the independent external auditors that the financial information of Bus Éireann’s School Transport Scheme is prepared, in all material respects, in accordance with the Summary of Accounting Arrangements relating to the Transport Scheme for Primary and Post-Primary School Children dated 1 January 1975, and includes maintenance charges.

### **School Staff**

226. **Deputy John McGuinness** asked the Minister for Education and Skills if he will approve and expedite the appointment of an extra teacher for a school (details supplied). [16061/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The criteria used for the allocation of teaching posts for the 2016/2017 school year is set out in Circular 0007/2016. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the 30 September 2015.

The staffing arrangements at primary level also include an appeals mechanism for schools to submit an appeal under certain criteria to the Primary Staffing Appeals Board.

The school referred to by the Deputy submitted an application for consideration by the Appeals Board at its May meeting. The Appeals Board determined that the appeal did not satisfy all of the published criteria as set out in Circular 0007/2016. The Appeals Board operates independently of the Department and its decision is final.

### **Foreshore Licence Applications**

227. **Deputy Paul Kehoe** asked the Minister for the Environment, Community and Local Government the status of a transfer application for a foreshore licence (details supplied); and if he will make a statement on the matter. [15559/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I refer to the reply to Question No. 83 of 9 June 2016 which sets out the position on this matter.

## Water Pollution

228. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the measures he is taking to address the pollution of beaches and bays from raw sewage seepage such as that at Doldrum Bay, Howth, and Rush beach, County Dublin; and if he will make a statement on the matter. [15661/16]

243. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the action he will take to halt the pumping of raw sewage onto the beach at Doldrum Bay, Howth, County Dublin. [15564/16]

244. **Deputy Ruth Coppinger** asked the Minister for the Environment, Community and Local Government the measures he has taken to tackle the sewage-related pollution that resulted in the closure of the beaches in Rush, Skerries, Balbriggan and Loughshinny in north County Dublin; and how he will ensure that such incidents do not happen in the future. [15569/16]

275. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the action he will take to stop the ongoing pumping of raw sewage into the sea at Rush harbour and beach in County Dublin. [16084/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I propose to take Questions Nos. 228, 243, 244 and 275 together.

I am aware of concerns regarding discharges in north county Dublin. However, neither I nor my Department has any direct role in monitoring or supervising the delivery of water services or any pollution incidents arising therefrom.

Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels for public water services, including the delivery of water services capital infrastructure, encompassing the management of urban waste water collection and treatment infrastructure. All discharges to the aquatic environment from sewerage systems owned, managed and operated by Irish Water require a waste water discharge licence or certificate of authorisation from the Environmental Protection Agency (EPA) and the authorisation process provides for the EPA to place stringent conditions on the operation of such discharges to ensure that potential effects on the receiving water bodies are strictly limited and controlled.

The EPA is a key statutory body for investigating complaints of pollution and for the enforcement, both directly and through oversight of local authorities, of environmental legislation in Ireland, including compliance in relation to licensed urban waste water discharges. Details of all prosecutions taken by the EPA for pollution incidents and details of its enforcement activities are published on the EPA's website (<http://www.epa.ie/enforcement/>).

Referring to the specific issue at Doldrum Bay, I understand that Irish Water has carried out investigative works in order to develop an effective solution to the untreated sewage discharge there. An initial survey was completed in late 2015 and an options report is now under consideration by Irish Water. Any long-term solution to the problem is likely to take some years to put in place between design, planning and construction. The EPA has accordingly asked Irish Water to set out potential measures to be put in place in the interim to address any public health issues arising.

The EPA's Bathing Water Report for 2015 identifies several bathing waters adjacent to urban areas, particularly those in and around Dublin Bay, as being prone to episodic pollution events and being of less than 'Good' water quality status. These pollution events are generally

associated with overflows from pumping stations or storm outfalls as a result of sewer network blockages or following heavy rainfall. The EPA report highlights the remedial works planned by Irish Water in relation to Loughshinny and Rush and significant infrastructural investment will be required to reduce the likelihood of recurrence of pollution events in these urban areas.

The imposition of bathing prohibitions by local authorities in the event of discharges or following intense localised rainfall is done with regard to public health on a precautionary principle. All such incidents are reported to the EPA's wastewater enforcement system and are publicised on the SPLASH website at <http://splash.epa.ie/> which is the national bathing water information website for identified bathing waters around Ireland.

### **Waste Management Regulations**

229. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government if he is willing to annul statutory instrument no. 24 of 2016 and the recent amendment made to it regarding the pay-by-weight scheme for refuse to allow the new relevant joint Oireachtas committee on the environment to examine the whole issue in detail and its implications for the cost of disposal of refuse in rural communities where there is only one service provider; and if he will make a statement on the matter. [15319/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Under the Waste Management (Collection Permit) Regulations 2007, as amended, there has been a requirement since 1 July 2015 for collectors to weigh household waste collected at kerbside, using approved weighing instruments and to make this information available to the householder. From 1 July 2016, there will be a requirement to charge on a pay-by-weight per kilogramme basis for collecting household waste.

It is not proposed to move the 1 July 2016 deadline with regard to the application of pay-by-weight in respect of the collection of household waste at kerbside, especially in light of the 12-month lead-in period referred to above. In an open market, it has been, and will continue to be, a matter for the collector to set charges at the level they consider to be competitive, in compliance with the requirements of the legislation. Excessive pricing by individual companies will offer the opportunity for rival operators to provide their services at a cheaper price.

### **Waste Management Regulations**

230. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government if he should ensure the provision of a universal domestic waste service to all householders at a fair price; if he will provide such a service under the public service obligation to these areas where there is a market failure and if he will subsidise the service if necessary; and if he will make a statement on the matter. [15320/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Section 33 of the Waste Management Act 1996 requires a local authority to collect, or arrange for the collection of waste within its functional area. However, it also provides that this requirement does not apply where any of the following conditions are met:

- (a) an adequate waste collection service is available,
- (b) the estimated costs of the collection of the waste concerned by the local authority would in the opinion of the authority be unreasonably high, or

(c) the local authority is satisfied that adequate arrangements for the disposal of the waste concerned can reasonably be made by the holder of the waste.

In terms of intervening in operational matters concerning the collection of waste, under section 60(3) of the Act, as Minister, I am precluded from exercising any power or control in relation to the performance by the Environmental Protection Agency or a local authority, in particular circumstances, of a statutory function vested in it.

With the exception of one or two municipal districts, local authorities no longer collect waste and the market is now serviced by a diverse range of private operators, where the fees charged are a matter between service provider and customer. In an open market, it has been, and will continue to be, a matter for the collector to set charges at the level they consider to be competitive, in compliance with the requirements of environmental and other applicable legislation. Excessive pricing by individual companies will offer the opportunity for rival operators to provide their services at a cheaper price.

### **Water Charges Data**

231. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government if Uisce Éireann has provided him with details of the administrative costs of the billing and collection of water charges so that he can evaluate the net revenue collected through the billing system; if the cost and amount involved is available; and if he will make a statement on the matter. [15321/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Irish Water's revenue shortfall, including its administrative costs arising from the proposed suspension of domestic water charges in 2016 is currently under consideration. When account is taken of the savings from the suspension of the water conservation grant for which €110m was allocated in 2016, the cost of suspending domestic water charges is unlikely to exceed €20m in cashflow terms in 2016.

Irish Water has established a dedicated team to deal with representations and queries from public representatives. The team can be contacted via email to [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on a dedicated number, 1890 578 578.

### **Water Pollution**

232. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if the competent agencies and authorities responsible for water quality monitoring are routinely testing water samples for the presence of asbestos containing materials in public water supplies; his progress in identifying and replacing sections of the water supply network which have been found to contain asbestos cement piping; if he regards the presence of such materials as posing a particular danger to public health; and if he will make a statement on the matter. [15327/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I have no direct role in the monitoring or supervision of water services. The European Union (Drinking Water) Regulations 2014 provide that it is a matter for water suppliers to provide clean and wholesome drinking water, in compliance with the standards set out in the Regulations.



With effect from 1 January 2014, Irish Water is responsible for the operation of water services infrastructure and for the provision of public drinking water. Under the Regulations, the Environmental Protection Agency (EPA) is responsible for the supervision of Irish Water, in respect of public water supplies. Local authorities remain responsible for the supervision of private group water schemes. The procedures to be followed and the roles of water suppliers, the local authorities, the EPA and the Health Service Executive (HSE) where there is non-compliance with the parametric values set out in the Schedules to the Regulations, are clearly laid out in the Regulations.

Irish Water has established a dedicated team to deal with representations and queries from public representatives. The team can be contacted via email to oireachtasmembers@water.ie or by telephone on a dedicated number, 1890 578 578.

### **Departmental Expenditure**

233. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the amount of money his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15415/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The Public Sector Magazine is a quarterly publication which is distributed free to my Department. Therefore, no expenditure is incurred in this regard.

### **Departmental Expenditure**

234. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the amount of money spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15431/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** My Department avails of an electronic press cuttings service which serves for most of its printed media monitoring needs. In terms of hard-copy printed newspapers, the cost of purchase for my Department, including Met Éireann, in 2015 totalled approximately €9,830.

In general, the Department relies on online versions of the daily newspapers but not all newspapers have an online presence. In addition, it should be noted that there can be differences between online and printed content.

### **Departmental Staff Data**

235. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the number of staff working in his human resources section. [15447/16]

237. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the changes in the numbers employed in his human resources section following the introduction of PeoplePoint. [15479/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I propose to take Questions Nos. 235 and 237 together.

A number of the transactional HR functions of my Department transitioned to PeoplePoint in April 2016. As the new system will take some time to settle in fully, the number of staff engaged in my Department's Human Resources function has remained at 9.73 full time equivalents but will be reviewed when this initial phase is completed.

### **Ministerial Staff**

236. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the number of staff who work exclusively on constituency matters for him. [15463/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I have, at present, two members of staff dealing exclusively with constituency matters.

*Question No. 237 answered with Question No. 235.*

### **Planning Issues**

238. **Deputy Michael Harty** asked the Minister for the Environment, Community and Local Government his role in preventing temporary encampments at beach locations during the summer of 2016; and if he will make a statement on the matter. [15503/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Under the Planning and Development Act 2000, as amended, all development, unless specifically exempted under the Act or associated Regulations, requires planning permission. Article 6 and Schedule 2 of the Planning and Development Regulations 2000, as amended, set out certain classes of development which are exempt from planning permission requirements. Class 37 of Part 1 of Schedule 2 and Class 1 and 2 of Part 3 of Schedule 2 of the Regulations provide exemptions from planning permission for the temporary use of land for placing of tents, campervans or caravans or for use by scouting organisations for a camp for limited periods. These exemptions are subject to compliance with specific conditions and limitations and also any general restrictions on exemptions .

Enforcement of planning control is matter for individual planning authorities who have substantial enforcement powers under the Planning and Development Act 2000, as amended.

Under section 30 of the Planning and Development Act 2000, as amended, I am specifically precluded from exercising any power or control in relation to any particular case, including enforcement matters, with which a planning authority is or may be concerned.

In addition, under the Local Government Act 2001, local authorities also have general powers to make bye-laws regarding its own property or services or to regulate matters of local concern. In this regard, I understand some local authorities have made bye-laws which prohibit or limit certain activities, such as camping, on beaches.

### **Fire Stations Upgrade**

239. **Deputy Tony McLoughlin** asked the Minister for the Environment, Community and Local Government when he will grant funding to redevelop the old and outdated Ballyshannon

fire station, given that this is a priority for Donegal County Council; and if he will make a statement on the matter. [15520/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The provision of a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs, the provision of fire station premises, is a statutory function of individual fire authorities under the Fire Service 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.

Donegal County Council, in partnership with my Department, has made substantial progress in modernising fire stations in Co Donegal and has replaced 12 of the 15 fire stations following investment of some €11 million by my Department over the last decade or so. The following towns in County Donegal are now served by modern fire stations with full facilities: Millford (1998); Buncrana (2000); Letterkenny (HQ) and An Fal Carrach (both in 2003); Carndonagh and Donegal Town (both in 2004); Killybegs (2005); An Clochan Liath, Glenties and Moville (all in 2007); and most recently Gaoth Dobhair and Stranorlar (2009). My Department has channelled significant investment to fire authorities over the last number of years and as a consequence, the high quality of Ireland's fire service infrastructure is now widely acknowledged.

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, local authorities will bring forward sixteen new-build fire station projects and ten fire stations are to be upgraded. The projects in the capital programme will be reassessed on an annual basis and priority may be adjusted to bring forward projects offering best value-for-money and to take account of the state of readiness of the projects.

With regard to the provision of a new fire station in Ballyshannon, this issue has been the subject of discussions with the Local Authority for a number of years. While this station is not included in the programme, my Department is liaising with Donegal County Council to look at possibilities for advancing a project in the south of the county, taking into account, among other issues, site suitability, fire cover requirements and prioritisation of projects.

In further considering any proposal, my Department will have regard to established national priorities for funding in this area and the totality of requests from fire authorities countrywide. The priorities of Donegal County Council, the extent of current and previous investment in Donegal Fire services and the status of existing facilities, having regard to area risk categorisation, will also be considered.

## **Waste Management**

240. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government how it is that the polluter-pays principle, under which fees to collect household waste are to be charged under the Waste Management (Collection Permit) Amendment Regulations 2016, is upheld by the practice of waste companies charging flat per-week service charges to consumers under the pay-by-weight scheme, a charge which must be paid regardless of whether a consumer has presented any waste for collection; if he will amend the regulations in order that service charges that can be charged by waste companies are capped; and if he will

make a statement on the matter. [15529/16]

242. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he will continue to pass on the landfill levy to customers on top of the flat service charges being introduced by waste companies under the pay-by-weight scheme; and if he will make a statement on the matter. [15546/16]

267. **Deputy Eoin Ó Broin** asked the Minister for the Environment, Community and Local Government if a new charging regime by companies (details supplied) is in line with recent regulations agreed by his predecessor; if he will review the regulations, given the significantly higher cost of bin services these companies have charged under this new regime. [15937/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I propose to take Questions Nos. 240, 242 and 267 together.

Government waste policy is predicated on the waste hierarchy, as set out in the EU's Waste Framework Directive. A number of specific measures have been, and will continue to be, introduced to reduce the amount of waste generated in the State and to increase the segregation of waste which cannot be prevented in line with Government policy. The introduction of pay-by-weight charges for the collection of household waste is one such measure.

The legislation requires that from 1 July 2016, the collector will charge for each kilogramme of waste collected. The Government has set a minimum mandatory fee per kilogramme for the different types of household waste: 11c for black bin (residual waste) and 6c for brown bin (food/organic waste), while a zero cent minimum fee per kilogramme may be set for green bins (recyclate). The per kilogram minimum charge was designed to cover the minimum cost of treating the waste collected after it has been deposited by the collector at their depot or a waste transfer station to its final treatment, whether that be at a landfill, incinerator or other treatment method. This helps ensure that the polluter pays principle is applied in the pricing structure and that the collector has charged at least enough to cover the cost of treating the waste, thus helping to ensure it will be treated properly. A service fee may also be charged by the collector.

Under pay-by-weight charging for household waste collection, there is an opportunity for everybody to have more control over their waste charges and to minimise their waste costs by preventing waste and segregating waste through using the food waste and recyclable waste bins properly. In an open market, it has been, and will continue to be, a matter for the collector to set charges at the level they consider to be competitive, in compliance with the requirements of the legislation. Excessive pricing by individual companies will offer the opportunity for rival operators to provide their services at a cheaper price.

Finally, the landfill levy has proven to be a huge incentive to divert waste from landfill and to encourage the recycling and recovery of materials. The current rate of the landfill levy is €75 per tonne which encourages operators to find alternative treatment options for waste, including household waste. The charge is not paid directly by householders and is not paid by the operator in cases where the waste is recycled or recovered (e.g. incineration with energy recovery).

### **Waste Management Regulations**

241. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government how he will monitor the compliance of waste companies with the Metrology Act 1996, and with the technical specifications laid out in the Waste Management (Collection Permit) Amendment Regulations 2016; his plans to institute an inspection scheme; how consumers can have confidence that the reported weights of their waste are accurate; and the dispute reso-

lution mechanisms that exist where customers believe they have been overcharged. [15530/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The Waste Management (Collection Permit) Regulations 2007, as amended, require that the operator makes available to the householder the weight, fee charged and registration number of the vehicle for each collection of waste.

The responsibility for ensuring the accuracy of the weighing instruments for the purposes of pay-by-weight charging for waste collection rests with the National Standards Authority of Ireland's (NSAI's) Legal Metrology inspectors. The NSAI has provided information on its role in this regard, which is available to download at: <https://www.nsai.ie/Pay-By-Weight-bin-charges-system.aspx>.

*Question No. 242 answered with Question No. 240.*

*Questions Nos. 243 and 244 answered with Question No. 228.*

### **Building Regulations Compliance**

245. **Deputy Jack Chambers** asked the Minister for the Environment, Community and Local Government the inspections each local authority carried out on building sites, specifying the type of site in each case, in each of the years 2011 to 2016 to date; and if he will make a statement on the matter. [15572/16]

246. **Deputy Jack Chambers** asked the Minister for the Environment, Community and Local Government if he is satisfied with the system of inspecting building sites; the percentage of buildings sites that were inspected and that were not inspected in each of the years 2011 to 2016 to date; and if he will make a statement on the matter. [15573/16]

248. **Deputy Jack Chambers** asked the Minister for the Environment, Community and Local Government the resources and number of personnel who are tasked with inspecting building sites; and if he will make a statement on the matter. [15575/16]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Damien English):** I propose to take Questions Nos. 245, 246 and 248 together.

Local authorities, as building control authorities, have strong powers of inspection and enforcement under the Building Control Acts 1990 to 2014. In relation to the Deputy's request for data regarding inspections, I have no role or function in relation to the inspection of building sites or the assignment of personnel for the inspection of building sites. These are matters for local authorities, who are independent in the use of their statutory powers. The Local Government Management Agency collected data on inspections carried out on buildings and published it in the Service Indicators in Local Authorities reports from 2005 to 2013. These reports are available at <http://www.lgma.ie/en/search/node/Service%20Indicators>.

Following the commencement of the Local Government Reform Act 2014, the National Oversight & Audit Commission (NOAC) now collect and publish this data. The Performance Indicators in Local Authorities 2014 report is available at <http://noac.ie/noac-reports/>.

I can advise the Deputy that in tandem with the commencement of the Building Control (Amendment) Regulations 2014, the online Building Control Management System (BCMS) was developed to provide a common platform for the clear and consistent administration of

building control matters across the local authority sector. Its purpose is to facilitate building control authorities, building owners, builders and construction professionals in discharging their separate responsibilities under the Building Control Acts. Oversight of construction activity by local building control authorities has now improved immeasurably with the availability and ready access to detailed data on projects via the online BCMS.

In addition, A Framework for Building Control Authorities was adopted by the City and County Management Association in July 2014 in order to standardise work practices, systems, procedures and decision-making in relation to the oversight of building control activity across the local authority sector, to enhance consistency of approach nationally, and to move towards a risk-based approach to inspections by building control authorities. Standardised inspection templates have also been developed under this process.

These key reforms to the building control framework represent a reasonable and appropriate response to the many building failures that occurred in the past decade and will lead to improved quality within the construction sector now and into the future. Nevertheless, my Department will continue to work closely with local authorities, industry stakeholders and members of the public generally to ensure that all concerned understand their obligations under the Building Regulations.

### **Building Regulations**

247. **Deputy Jack Chambers** asked the Minister for the Environment, Community and Local Government the cost of the inspection for once-off housing; why this cost is so high; and if he will make a statement on the matter. [15574/16]

249. **Deputy Jack Chambers** asked the Minister for the Environment, Community and Local Government his views that the high cost of housing is linked to an increase in the cost of assigned certification; and if he will make a statement on the matter. [15576/16]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Damien English):** I propose to take Questions Nos. 247 and 249 together.

The key impact on costs associated with the implementation of the Building Control (Amendment) Regulations 2014 lies in the requirement for the appointment of an Assigned Certifier whose role, in conjunction with the builder and the project team, is to draw up and execute an appropriate inspection plan and to certify the building's compliance with Building Regulations on completion. In effect, the statutory Certificate of Compliance on Completion certifies that a building is compliant with all relevant requirements of the Building Regulations. While fees for professional services are determined by market forces and are therefore outside the scope of my regulatory powers, as part of last year's review of the first twelve months of the operation of the regulations, my Department prepared a Sample Preliminary Inspection Plan for a Single Unit Dwelling on a Single Development in order to identify the key stages that would require inspection during the construction of a single unit dwelling on a single development and to estimate the costs associated with such an inspection plan.

The cost calculations published to accompany the Sample Preliminary Inspection Plan demonstrated that the Assigned Certifier role could be achieved at an approximate cost of €3,800 inclusive of VAT. Where additional design work is required the combined cost of assigned certifier duties and additional design work will be of the order of €6,000 inclusive of VAT. These costs relate to the implementation of the inspection plan on a single non-complex dwelling; for example, the costs associated with multi-units dwellings, such as apartments, may be lower

due to economies of scale. A copy of this plan and all other documents released as part of that public consultation are available on my Department's website at <http://www.environ.ie/search/archived/archived/archived/current?query=sample%20inspection%20plan>.

During the public consultation, a number of respondents confirmed that the assigned certifier services could be secured in line with the Department's estimates.

Following the review, the owners of one-off houses were given the facility to opt out of statutory certification from 1 September 2015, under the Building Control (Amendment) (No. 2) Regulations 2015.

I am satisfied that these revised arrangements address concerns with regard to the impact of statutory certification on new single dwellings. It is clear from the review that the recent reforms have brought a new order and discipline to bear on construction projects. In this regard, I am confident that as the transition to the new arrangements for the control of building activity continues to progress, these reforms will in time prove capable of transforming the culture of the construction industry in Ireland to one of improved compliance and quality.

In general terms, the cost of delivering housing is dependent on a wide range of factors such as construction costs, land cost, financing costs etc. In this regard, the costs associated with assigned certifier services are far from the most significant element of the overall costs of delivering houses to the market. However, in accordance with the Programme for a Partnership Government, my Department is preparing a new Action Plan for Housing and will continue to liaise closely with other Departments and agencies as well as with industry stakeholders with a view to identifying any reasonable and appropriate measures that may be taken in the interests of reducing construction overheads to facilitate an increased level of housing output.

*Question No. 248 answered with Question No. 245.*

*Question No. 249 answered with Question No. 247.*

## **Waste Management**

250. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government if he is satisfied with the level of information provided by private waste collection companies to residential customers about the new pay-by-weight scheme; and if he will make a statement on the matter. [15655/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** A pay-by-weight awareness campaign, launched on 18 May 2016, is being rolled out at national, regional and local levels over the coming weeks and will give invaluable advice to householders on minimising their waste management costs under pay-by-weight charging.

In terms of the information provided by household waste collectors, the Waste Management (Collection Permit) Regulations 2007, as amended, provide for the deployment of communications and educational literature to the householder. Should the information provided by collectors to householders be found to be lacking, it may be remedied through this provision of the Regulations.

## **Shared Ownership Scheme**

251. **Deputy Martin Heydon** asked the Minister for the Environment, Community and

Local Government the status of the recent changes to the shared ownership scheme to address previous issues around affordability and rent increases and how participants will be informed of such changes; and if he will make a statement on the matter. [15660/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** My Department, together with the Housing Agency, the Housing Finance Agency and local authorities, has considered the affordability issues facing some borrowers who purchased properties under the Shared Ownership (SO) schemes and devised a more affordable long-term path towards full home ownership. A range of measures have already been taken to reduce the monthly repayments of these borrowers.

The Index Linked Shared Ownership Scheme which operated from 1999 until 2002 has been revised with regard to the annual indexation of the rental equity balance and rental payments. The amendments, which came into effect on 1 July 2015, reduce the monthly cost for these borrowers and avoid existing rental equity balances increasing for the remaining term. My Department has issued directions to local authorities outlining the measures and I understand that these changes are being applied to individual loan accounts.

In addition, the Local Authority variable mortgage interest rate was cut by 0.20% and this has helped many Share Ownership borrowers. The rate cut brought the variable mortgage interest rate charged to local authority borrowers down to 2.55% with effect from 1 July 2015, saving borrowers around €17 per month on a typical mortgage of €100,000. A further rate cut of 0.25% will take effect from 1 July 2016, saving borrowers around €21 per month on a typical mortgage of €100,000. The variable mortgage interest rate charged to local authority borrowers will then stand at 2.30 %.

An innovative Shared Ownership Restructuring Option has been available to Shared Ownership borrowers from 1 April 2016. This new restructuring option involves rolling-up all outstanding debt under a SO arrangement into a single annuity loan – i.e. the new restructured loan principal will comprise any outstanding annuity loan balance; rental equity balance, plus any arrears – with an all-sums-owing mortgage charge applying to the property. The term of the annuity loan will be determined by the amount of the monthly repayment deemed to be affordable and sustainable for each SO borrower. This restructuring option allows the borrower to have a regularised, restructured repayment solution which is more easily understood. The restructuring option can lead to full homeownership for the borrower and as such allows for up or down sizing to suit household needs. This arrangement may be of particular benefit to those SO borrowers who are nearing the end of their annuity term but who have not made sufficient provision for the repayment of their Rental Equity balance. The feasibility of this new option for each SO borrower will be determined by their local authority, and may not be appropriate in all cases. Local authorities are currently contacting SO borrowers for whom the restructuring option is deemed appropriate. In some instances, continuing with the current SO arrangement may be the best option for both the SO borrower and the local authority, or in other cases where the outstanding debt may not be sustainable for the borrower in the long-term, the Local Authority Mortgage to Rent (LAMTR) option might ultimately be the appropriate solution.

Local authority borrowers are encouraged to engage with their local authority at the earliest opportunity if they are having difficulty making the repayments on their Shared Ownership arrangement. Information in relation to local authority mortgage arrears, the local authority mortgage arrears resolution process (MARP) and the help available to borrowers is available on my Department's website at the following link:

*<http://www.environ.ie/housing/home-ownership/mortgage-arrears/local-authority-mortgage-arrears-help-available>.*



## Private Rented Accommodation

252. **Deputy Noel Rock** asked the Minister for the Environment, Community and Local Government his plans to initiate a change in tenancy laws so that tenants are still allowed to complete their lease, even if the landlord is selling the property. [15683/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The Residential Tenancies Act 2004 regulates the landlord-tenant relationship in the private rented residential sector and sets out the rights and obligations of landlords and tenants. Security of tenure under the Act is based on rolling four-year tenancy cycles. Where a tenant has been in occupation of a dwelling for a continuous period of 6 months and no notice of termination has been served in respect of that tenancy before the expiry of the period of 6 months, the tenancy is established for the remainder of the four year period. This is referred to in the Act as a 'Part 4' tenancy.

A landlord may not terminate a Part 4 tenancy except on clearly defined grounds which are set out in the Table to section 34 of the Act. These grounds include that the landlord intends to sell the dwelling, that the landlord wishes to change the use of the dwelling, and that the landlord requires the dwelling for a family member.

Amendments introduced in the **Residential Tenancies (Amendment) Act 2015** further strengthen the protections around tenancy terminations by providing for measures that will guard against, for example, landlords falsely declaring that the property is needed for a family member, or that it is going to be sold.

In addition, the 2015 Act introduced further graduated increases in the notice periods that must be given to tenants of the termination of a tenancy so that a landlord must now give a tenant up to a maximum of 224 days' notice for tenancies of 8 years or more.

The Programme for a Partnership Government contains a specific commitment to review the regulatory regime for the rented sector to ensure that an appropriate balance is struck between the rights, interests and responsibilities of both tenants and landlords.

## NAMA Portfolio

253. **Deputy Noel Rock** asked the Minister for the Environment, Community and Local Government his plans to give the National Asset Management Agency a legal role to address infrastructural problems with land under its control. [15689/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The role and mandate of NAMA is a matter, in the first instance, for the Minister for Finance.

*The Programme for a Partnership Government includes a commitment to the preparation and publication of an 'Action Plan for Housing'. The Action Plan will be drafted with input from a number of key Departments, including the Department of Finance, and drawing on the work of the Special Oireachtas Committee on Housing and Homelessness, which is due to submit a final report to the Dáil in the coming days.*

The focus of the early actions for delivery under the Action Plan will be to increase the supply of homes. In that regard, I have asked NAMA for concrete proposals to boost housing supply in the short-term, on land they control or influence, for both social housing and housing for the wider, private market.

In addition, the Government has committed to making funding available for infrastructure to facilitate the development of all types of housing.

The Action Plan is currently being drafted and will be finalised and published in July.

### **Private Rented Accommodation Price Controls**

254. **Deputy Noel Rock** asked the Minister for the Environment, Community and Local Government his plans to link rent increases and decreases to the consumer price index; given this, his plans to take account of inevitable regional variances between the rise of accommodation, for example, a 3% rise in County Roscommon where the average rent is €473 is very different from a 3% rise in Dublin where the average rent is €1,663; and his views that percentage-based increases will leave Dublin renters at a greater disadvantage than they are at present. [15690/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The Residential Tenancies (Amendment) Act 2015, enacted on 4 December 2015, introduced a number of measures to address rent stability and housing supply. In relation to rent stability, the Act provides, inter alia, that the minimum period between rent reviews for tenancies is being increased from 12 to 24 months and this new provision will apply for a 4 year period. In addition, the minimum period of notice of new rent is increased from 28 days to 90 days and longer notice periods for the termination of long-term tenancies have been introduced. Each of these new provisions commenced on enactment.

Further provisions to support rent stability in the 2015 Act include:

- that notice of new rent sent must be in a prescribed form, include details of dispute resolution procedures available through the Residential Tenancies Board (RTB) and be accompanied by details of rent in respect of 3 comparable dwellings in the area;

- that notification of a rent increase to the RTB will include, among other things, a signed statement by the tenant that they are aware of their rights in relation to rent and rent reviews.

The rental market in Ireland has grown significantly in recent years and now accounts for around 20% of total Irish households. In Dublin rents are now back to 2007 peak boom-time levels. The most recent RTB rent index shows that in the first quarter of 2016, rents were 8.6% higher nationally than in the same quarter of 2015. Data for Q1 2016 show that rents have continued to increase, although the rate of growth slowed in most sectors in the first quarter.

Ultimately, the key to addressing rising rents in the medium to long term is through increasing the supply of housing. Housing is an absolute priority for this Government and, accordingly, a key priority of the Programme for a Partnership Government is the preparation and publication of an 'Action Plan for Housing' within the Government's first 100 days. The Action Plan will be drafted with input from a number of key Departments, and will draw on the work of the Special Oireachtas Committee on Housing and Homelessness, which is due to submit a final report to the Dáil by 17 June 2016.

### **Waste Management**

255. **Deputy Jim O'Callaghan** asked the Minister for the Environment, Community and Local Government his plans to grant waivers or other forms of relief to family, single and older person household users under the pay-by-weight scheme. [15698/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Government waste policy is predicated on the waste hierarchy as set out in the EU's Waste Framework Directive. A number of specific measures have been, and will continue to be, introduced to reduce the amount of waste generated in the State and to increase the segregation of waste which cannot be prevented, in line with Government policy. The introduction of pay-by-weight charges for the collection of household waste is one such measure.

During the period in which local authorities were directly involved in the collection of household waste, a minority of individual Councils offered different levels of discount to selected households, based on different qualification criteria. As local authorities exited the waste collection market, some required the private operators which took on the Councils' customers to provide a level of discount for existing waiver customers only, and even then for a limited time. The vast majority of such contractual commitments for private operators to provide a waiver have now expired. In that context, the number of households in receipt of waiver discounts is likely to decline over time, especially as some householders were able to take advantage of special reduced offers elsewhere which actually undercut the waiver price. However, selected private operators still offer some level of discount to former waiver customers on a voluntary basis.

In addition, a very limited number of local authorities make financial contributions towards the cost of, or pay for, the collection of waste from certain households. Again, the qualification criteria and level of support differ from area to area. Such expenditure means that these local authorities divert funding from other areas to support these waiver provisions.

With the exception of one or two municipal districts, local authorities no longer collect waste and the market is now serviced by a diverse range of private operators, where the fees charged are a matter between service provider and customer and the services offered vary across the country. In that regard, it is becoming increasingly apparent that a national waiver scheme could not be imposed in the context of an open market for waste collection.

However, under pay-by-weight charging for household waste collection, there is an opportunity for everybody to have more control over their waste charges and to minimise their waste costs by preventing waste and segregating waste through using the food waste and recyclable waste bins properly. In this regard, a pay-by-weight awareness campaign, launched on 18 May 2016, is being rolled out at national, regional and local levels over the coming weeks and will give invaluable advice to householders on minimising their waste management costs under pay-by-weight charging.

### **Local Authority Housing Rents**

256. **Deputy Eoin Ó Broin** asked the Minister for the Environment, Community and Local Government the status of the national rents framework and when he will commence and complete the review of differential rent schemes, as mentioned in the current programme for Government. [15725/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Section 31 of the Housing (Miscellaneous Provisions) Act 200, which has not yet been commenced, provides for the introduction of a national differential rents framework that will harmonise local authority rent levels nationally, while retaining some discretion for individual authorities to set rents in their own areas.

While a proposed framework has been prepared, I have asked my Department to review it,

including transitional arrangements, in the light of the commitment in this regard in the Programme for a Partnership Government. This commitment provides for a review of the disparate systems of differential rents for social housing across local authorities to ensure that housing supports, including the Housing Assistance Payment, are fair and sustainable, prioritise those on the lowest incomes and avoid creating social welfare traps that stop people returning to work or to the private housing market.

### **Mortgage to Rent Scheme Data**

257. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the number of applications received and approved under the mortgage-to-rent scheme, by county, in each of the years 2013 to 2016 to date, in tabular form; and if he will make a statement on the matter. [15726/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** There are currently two Mortgage to Rent (MTR) schemes funded by my Department. A scheme exists whereby a local authority (LA) can acquire ownership of properties with unsustainable local authority mortgages, thus enabling the household to remain in their home as a social housing tenant (LA-Mortgage-to-Rent). The other scheme provides for an Approved Housing Body (AHB) to acquire ownership of a property with an unsustainable private mortgage, which also enables the household to remain in their home as a social housing tenant (AHB-Mortgage-to-Rent). Both schemes assist families with income difficulties whose mortgages are unsustainable, and where there is little or no prospect of a significant change in circumstances in the foreseeable future. Both schemes are part of the overall suite of social housing options and an important part of the mortgage arrears resolution process.

Information in relation to Local Authority Mortgage to Rent (LAMTR) scheme applications during its pilot phase in Dublin City Council and Westmeath County Council in 2013 and following national roll out of the scheme in 2014 is available on my Department's website – <http://www.environ.ie/housing/statistics/house-prices-loans-and-profile-borrowers/local-authority-loan-activity>.

Local authorities are responsible for submitting valid LAMTR applications to my Department and all applications received were approved.

To date in 2016, 3 LAMTR cases have been received and approved for Dublin City Council and 1 claim has been received from Kilkenny County Council and is being processed by my Department. The Department's deadline for receipt of the next tranche of funding claims from local authorities is 31 July 2016.

In relation to activity under the AHB Mortgage to Rent scheme, at the end of April 2016, a total of 162 cases have been completed, 18 are currently with the lenders who are seeking the consent of borrowers to share information and for the carrying out of an independent valuation, and 645 are actively being progressed. The following tables give the breakdown by Local Authority and by AHB.

In total, since the introduction of the scheme in 2012, 3,313 cases had been submitted. There are a variety of reasons why cases have not progressed including the householder's circumstances improving during the process, no social housing demand in the area, the householder's income being in excess of the statutory limits for eligibility for social housing, and poor condition of the property. My Department continues to work together with the agencies involved with the scheme, including lenders, to streamline the administrative process and en-

sure that all potential cases are dealt with speedily and efficiently.

In addition, the package of commitments on mortgage arrears announced by Government in May 2015 included a number of amendments to the Mortgage to Rent scheme, which will enable more properties to qualify, and make it more flexible and accessible to borrowers. Amendments made with effect from July 2015 include raising the valuation thresholds for properties, flexibility in relation to the size of properties, more efficient assessment of a borrower's eligibility for social housing support and flexibility to allow cases of marginal positive equity to avail of the scheme. Additional financial support has been made available by increasing the ceiling of support under the Capital Advance Leasing Facility (CALF) for MTR cases from 30% to 40%.

**Table 2 Number of AHB Mortgage to Rent cases completed by AHB from commencement to end April 2016**

Organisation	Number of Completed Cases
Carlow County Council	5
Cavan County Council	3
Clare County Council	3
Cork City Council	6
Cork County Council	4
Donegal County Council	0
Dublin City Council	25
Dun Laoghaire/Rathdown County Council	1
Fingal County Council	13
Galway City Council	1
Galway County Council	2
Kerry County Council	2
Kildare County Council	8
Kilkenny County Council	6
Laois County Council	3
Leitrim County Council	1
Limerick City and County Council	6
Longford County Council	1
Louth County Council	16
Mayo County Council	0
Meath County Council	15
Monaghan County Council	0
Offaly County Council	5
Roscommon County Council	0
Sligo County Council	0
South Dublin County Council	11
Tipperary County Council	7
Waterford City and County Council	10
Westmeath County Council	2
Wexford County Council	2
Wicklow County Council	4
	162

AHB Name	Number of completed cases
Clúid Housing Association	106
North and East Housing Association	4
Oaklee Housing Trust	36
Respond! Housing Association	1
Tintean	1
Túath Housing Association	14
	162

### Local Government Reform

258. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the savings to his Department following the abolition of town and borough councils under the Local Government Reform Act 2014; his plans to reverse this abolition, given the deficit of democratic representation it has created; and if he will make a statement on the matter. [15727/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The decision to replace town authorities with a new model of municipal governance under the Local Government Reform Act 2014 was designed primarily to strengthen local government within counties and to address widely acknowledged and long-standing weaknesses and anomalies in the previous system, including divided administration between town and county authorities, for example, in relation to matters such as planning, rating and charges. However, the 2012 Action Programme for Effective Local Government, Putting People First, indicated that it would also be reasonable to anticipate that overall savings to local authorities in the range €15 to €20 million per annum relative to 2010 expenditure figures would be achievable from sub-county reorganisation when the reformed structures, including the establishment of municipal districts, had bedded down.

Municipal districts now cover the entire territory of each county, reflecting European norms, removing outdated boundaries and ending the anomaly of small towns having municipal status and dual representation, while some larger centres and rural areas lacked any sub-county governance. As well as creating a more rational and comprehensive structural arrangement, the new system enables more effective and community-focused decision making and implementation. Under the new arrangements, there is full integration of local authority resources across each county and elimination of duplication both in administrative and electoral terms.

In 2015, which was the first full year of the revised local government structures, a broadly based Advisory Group was convened to carry out a review of their operation, in conjunction with a Local Government Forum for engagement with the Association of Irish Local Government. Feedback from these deliberations and the results of surveys of local authority members and chief executives indicate that the revised structures are generally operating well but will need more time to bed down fully. The results of this operational review will provide a key input to the consideration of issues in the preparation of a report for Government and the Oireachtas by mid-2017, pursuant to the Programme for a Partnership Government, on potential measures to boost local government leadership and accountability and to ensure that local government funding, structures and responsibilities strengthen local democracy, including the issue of town or borough council status.

### Social and Affordable Housing Data

259. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the number of social houses built, by county, in each of the years 2014 to 2016 to date, in tabular form; his plans for further building; and if he will make a statement on the matter. [15728/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Details on social housing units constructed in respect of all local authorities and approved housing bodies is published on my Department's website at the following link: <http://www.environ.ie/housing/social-housing/social-and-affordable/overall-social-housing-provision>.

Data in respect of quarter 1 of 2016 is currently being collated and will be published shortly; however, preliminary outputs show that between local authorities and approved housing bodies, over 200 units have been completed through either construction or acquisition of units under my Department's capital-funded programmes.

Arising from the Social Housing Strategy 2020, targets and provisional funding allocations have been notified to each local authority and are available on my Department's website at the following link: <http://www.environ.ie/housing/social-housing/ministers-kelly-coffey-announce-eu15-billion-social-housing-targets-local>.

Following the notification of these targets, 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 units. These are mainly new builds, but also include some turnkey developments. Details of these project approvals 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>.

In addition, my Department supported local authorities in delivering over 1,000 social housing units in 2015 through the acquisition of new and previously owned houses and apartments and this activity is continuing into 2016.

Under the Social Housing Current Expenditure Programme (SHCEP), my Department, together with local authorities, can support approved housing bodies to construct, purchase or lease housing units and make them available for social housing. The housing units are secured under long-term leases/availability arrangements between local authorities, approved housing bodies and private property owners. The number of units constructed by approved housing bodies using a mix of Capital Advance Leasing Facility (CALF) and private finance made available for social housing by approved housing bodies under the SHCEP annually since 2014 is set out in the following table -

Year	No. of units constructed
2014	8
2015	31
2016	36 (to end Q1)

In addition, at the end of May 2016, funding approval was in place to support 627 units to be constructed by approved housing bodies. CALF funding is also provided under the SHCEP to approved housing bodies to facilitate the delivery of units for social housing use by means of

acquisition. 880 units were purchased by approved housing bodies in 2015 alone. At the end of May 2016, funding approval was in place to support an additional 1,263 units to be purchased by approved housing bodies.

### **Ministerial Responsibilities**

260. **Deputy Eoin Ó Broin** asked the Minister for the Environment, Community and Local Government the functions and responsibilities that will be transferred from his Department to the Department of housing, planning and local government. [15733/16]

268. **Deputy Eoin Ó Broin** asked the Minister for the Environment, Community and Local Government when the new Department of housing, planning and local government will officially be established. [15943/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I propose to take Questions Nos. 260 and 268 together.

The Rural Affairs and Social Enterprise (Transfer of Departmental Administration and Ministerial Functions) Order 2016 was approved by Government on 8 June 2016 and took effect from 9 June 2016. This Order provides for the transfer of certain community-related functions from my Department to the Department of Arts, Heritage and the Gaeltacht which will be renamed as the Department of Rural Development, Rural Affairs, Arts and the Gaeltacht. These functions relate to the LEADER programme; the CLÁR programme; the Town and Village Renewal Scheme; the Tidy Towns scheme; the Western Development Commission; the implementation of the report of the Commission on the Economic Development of Rural Areas; the dormant accounts fund and social enterprise.

Responsibility for the Social Inclusion and Community Activation Programme (SICAP) and other community-related functions, including the PEACE programme, the scheme to support national organisations and support for volunteering, will remain with my Department.

Responsibility for environmental functions including in relation to climate, waste, resource efficiency, air quality and environmental radiation policies will transfer to the Department of Communications, Energy & Natural Resources which will be renamed as the Department of Communications, Climate Action and Environment. Marine planning and foreshore functions will remain with my Department. The statutory transfer of functions process to give effect to these changes in respect of the environment portfolio is underway, with the aim of completing the transfer as soon as possible.

My Department will retain responsibility for matters relating to housing, planning, local government and community, and water. It will be renamed, by Order, as the Department of Housing, Planning and Local Government as soon as the statutory process of transferring the environment functions is complete.

### **Local Authority Charges Collection**

261. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the revenue collected from the payment of development levies, by county council, in each of the years 2014 to 2016 to date, in tabular form; and if he will make a statement on the matter. [15735/16]

**Minister for the Environment, Community and Local Government (Deputy Simon**



**Coveney):** Development contributions allow local authorities to recoup some of the costs to public funds of servicing land for private development. They provide a mechanism by which developers can contribute to the cost of providing public infrastructure and facilities that benefit development in the area.

The payment of development contributions is a long-standing part of the planning system, dating back to the first Local Government (Planning and Development) Act in 1963. Since the Planning and Development Act 2000, each planning authority is required to have a development contribution scheme in place, setting out how development contributions are to be applied in their area and outlining the major infrastructure projects to be funded by contributions received.

While information on the revenue collected by county councils from the payment of development levies is not available in my Department and is not separately recorded in the Annual Financial Statements of the local authorities, the majority of income and expenditure, including data on current and long-term development contribution debtors, is reported on an accruals basis in their Annual Financial Statements.

### Local Authority Staff Recruitment

262. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the number of staff recruited by local authorities to deliver more social housing units under the social housing strategy 2020 in each of the years 2014 to 2016 to date; and if he will make a statement on the matter. [15739/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Under section 159 of the Local Government Act 2001, each Chief Executive is responsible for staffing and organisational arrangements necessary for carrying out the functions of the local authorities for which he or she is responsible. In this regard, recruitment of staff is a matter for each Chief Executive.

The following table lists the posts sanctioned by my Department in response to requests from local authorities since 2014. These posts are made up of staff both directly funded by my Department to deliver on the goals of the Social Housing Strategy as well as staff funded through the local authorities own resources who work in or closely to the housing area.

-	2014	2015	2016	Total
Housing related posts sanctioned	18	401	22	441

### Ministerial Responsibilities

263. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government if he will remain responsible for Leader, the social inclusion and community activation programme and the scheme to support national organisations; and if not, the Minister who will assume primary responsibility. [15748/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Responsibility for the LEADER programme has transferred to the Minister for Arts, Heritage & the Gaeltacht.

Responsibility for the Social Inclusion and Community Activation Programme (SICAP) and other community-related functions, including the scheme to support national organisations,

remains with my Department.

### Social and Affordable Housing Data

264. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the affordable housing schemes in place; if an affordable purchase price will be a significant part of the policy soon to be announced; and his advice to persons (details supplied). [15883/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I recognise the difficulty faced by households in accessing the housing market. The Programme for a Partnership Government contains a commitment for the introduction of a new model of affordable rental to provide more housing options for low income households and to relieve pressure on the social housing sector.

€10 million is being made available from the proceeds of the sale of Bord Gáis Éireann to fund a pilot scheme in 2016. The details of the Scheme are currently being finalised in my Department for roll-out in the coming months. The Scheme will be an ongoing annual commitment to secure a long term increase in the supply of affordable properties to meet the needs of those households that would struggle to make rental payments under present market conditions.

The pilot Scheme is expected to work on the basis of tenants paying the majority of the rental cost from their own resources, with the State helping to meet the shortfall. It is intended that the scheme would be made available to employed households on low to moderate incomes, as well as being a possible support option for some households who qualify for social housing support. A State policy intervention - such as a subsidy - would be applied to bridge the gap between what people can afford, and what the housing market charges. Such a scheme would also be expected to facilitate and incentivise private investment into this sector.

The inadequate level of housing supply is at the heart of the difficulties in the housing sector and, in that regard, measures have already been taken to boost new housing construction and enhance supply at more affordable prices. The “Stabilising Rents – Boosting Supply” package announced by Government in November 2015 included:

- A targeted rebate of development contributions in Dublin and Cork for housing supplied under certain price levels to enhance supply of more affordable starter homes in key locations;
- New National Apartment Planning Guidelines to reduce the cost of apartment building in Dublin City,
- Changes to aspects of the operation of Strategic Development Zones to enable swifter adjustments to meet market requirements; and,
- The Government’s Irish Strategic Investment Fund (ISIF) to examine funding for housing infrastructure on a case-by-case basis.

The package also included a number of measures to support rent stability in the rented sector, pending additional housing supply coming on stream in the coming years.

Further actions aimed at increasing the supply of housing at more affordable prices are being examined in the context of drafting the Government’s new ‘Action Plan for Housing,’ which is to be published within the Government’s first 100 days.

## Water and Sewerage Schemes Funding

265. **Deputy Eamon Scanlon** asked the Minister for the Environment, Community and Local Government the status of an application by Leitrim County Council for funding for a sewerage scheme for Drumshanbo, County Leitrim, including when he will provide this funding; and if he will make a statement on the matter. [15903/16]

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

Irish Water has established a dedicated team to deal with representations and queries from public representatives. The team can be contacted via email to [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on a dedicated number, 1890 578 578.

## Housing Policy

266. **Deputy Eoin Ó Broin** asked the Minister for the Environment, Community and Local Government the measures he will take to ensure the needs of persons with disabilities are incorporated into future housing policies, as per the programme for Government; and when he will implement this commitment. [15915/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Addressing the needs of persons with a disability are already well established in housing policies. The commitment in the Programme for a Partnership Government provides a platform to consolidate and build on the significant work to date, and will ensure that momentum is sustained in future housing policy development.

The National Housing Strategy for People with a Disability (NHSPWD) 2011-2016 and the associated National Implementation Framework are joint publications by my Department and the Department of Health, and set out the Government's broad framework for the delivery of housing for people with disabilities. They were developed as part of a coherent framework in conjunction with the Government's mental health policy and Congregated Settings Report. It is intended that the current Strategy will be extended beyond its original timeframe of 2016 to continue to deliver on its aims.

A dedicated Housing Subgroup, chaired by the Housing Agency, was established in 2012 to progress implementation and *includes representatives from my Department, the HSE, the Department of Health, local authorities, the Irish Council for Social Housing and various disability representative organisations. The Housing Agency sub-group is progressing a range of priority actions within an agreed work plan. Much work has been done to deliver on various initiatives and this will continue.*

An Implementation Monitoring Group (IMG) was established to monitor and report on progress. The IMG is chaired by a senior official of my Department and comprises representatives from the HSE, the National Disability Authority, National Service Users Executive and disability representative organisations. The first progress report of the IMG was published in 2014 and is available on my Department's website at the following link:

[www.environ.ie/en/Publications/DevelopmentandHousing/Housing/FileDownload,37210,en.doc](http://www.environ.ie/en/Publications/DevelopmentandHousing/Housing/FileDownload,37210,en.doc).

The Monitoring Group is preparing a second progress report for the period 2014/2015 which

will be published on my Department's website when finalised this Autumn.

National Guidelines for the Assessment and Allocation Process for Housing Provision for People with a Disability were developed and adopted for implementation by housing authorities with effect from November 2014. Also, housing authorities have established Housing and Disability Steering Groups (HDSGs), chaired by each authority and including the HSE and disability representative organisations, to achieve a coordinated and integrated approach to meeting the housing needs of people with disabilities at a local level. A Strategic Plan for each county/city area has been drawn up by the HDSGs to develop specific local strategies to meet identified and emerging needs. The local Strategic Plans are currently being collated by the Housing Agency into a draft National Plan.

*Implementation of the Congregated Settings Report, led by the HSE, is supported by my Department through the NHSPWD. My Department is represented on the HSE Working Group and is supporting the ongoing work to progress the transitioning of individuals from congregated settings, including the provision of €10 million ring-fenced funding in 2016 under the Capital Assistance Scheme to assist the Department of Health and the HSE in accelerating the Government's deinstitutionalisation programme. This is additional to capital funding which is being provided separately by the Minister for Health.*

*Funding is also provided by my Department to local authorities towards the Housing Adaptation Grants for Older People and People with a Disability. The funding allocation of €56.25 million in 2016 for the Housing Adaptation Grant Scheme represents an increase of some 10% in funding provided in 2015 under this Scheme and comprises €45 million exchequer funding and €11.25 million local authority funding. Under this Scheme, people with a disability can have necessary repairs or improvement works carried out to their homes in order to facilitate the continued independent occupancy of their homes. I am conscious of the social benefit accruing from this Scheme in terms of facilitating the continued independent living by people with a disability in their own homes and therefore, in line with the Programme for a Partnership Government, further consideration will be given to increasing this funding over the coming years.*

The concept of Universal Design centres on achieving a built environment that can be accessed, understood and used to the greatest extent possible by all people, regardless of their age, size or disability. All new buildings, including social housing units, must comply with the legally enforceable minimum performance standards set out in the Building Regulations 1997 - 2014. In this context, the Building Regulations (Part M Amendment) Regulations 2010, and the accompanying Technical Guidance Document M – Access and Use (2010), which came into effect on 1 January 2012, set out the minimum statutory requirements applicable to new buildings, and to existing buildings where new works, a material alteration or a material change of use is proposed.

The requirements of Part M aim to ensure that regardless of age, size or disability:

(a) new buildings other than dwellings (including multi-unit developments) are accessible and usable;

(b) extensions to existing buildings other than dwellings are, where practicable, accessible and useable;

(c) material alterations to existing buildings other than dwellings increase the accessibility and usability of existing buildings, where practicable;

(d) certain changes of use to existing buildings other than dwellings increase the accessibil-

ity and usability of existing buildings, where practicable; and

(e) new dwellings are visitable.

Part M of the Building Regulations aims to foster an inclusive approach to the design and construction of the built environment. While the Part M requirements may be regarded as a statutory minimum level of provision, the accompanying technical guidance encourages building owners and designers to have regard to the design philosophy of universal design and to consider making additional provisions where practicable and appropriate. While the latest iteration of Part M of the Building Regulations initially coincided with the general downturn in economic and construction activity, its positive effects on access and use in the built environment will now be seen more widely as economic recovery takes hold and construction activity begins to gather momentum and moves onto a sustainable footing. Building Regulations, including Part M requirements, are subject to on-going review in the interests of safety and well-being of persons in the built environment and to ensure that due regard is taken of technological progress and innovation.

*Question No. 267 answered with Question No. 240.*

*Question No. 268 answered with Question No. 260.*

### **Local Government Fund**

269. **Deputy Eoin Ó Broin** asked the Minister for the Environment, Community and Local Government if he will offer compensation from the local government fund in 2017, as was offered in 2016; the amount he will offer, by local authority, in tabular form; and if he will make a statement on the matter. [15962/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I have not yet made any decisions concerning 2017 allocations from the Local Government Fund. Such decisions will be taken in the context of Budget 2017 and the Estimates process.

### **Water Quality**

270. **Deputy Bobby Aylward** asked the Minister for the Environment, Community and Local Government the measures he has or will put in place to tackle excessive lime levels in residential water supplies which can damage household appliances such as kettles, washing machines and dishwashers; and if he will make a statement on the matter. [15995/16]

271. **Deputy Bobby Aylward** asked the Minister for the Environment, Community and Local Government if he, the consumer, the local authority or Irish Water is responsible for alleviating the problem of hard water in residential water supplies caused by excessive lime levels in areas of limestone bedrock; and if he will make a statement on the matter. [15996/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I propose to take Questions Nos. 270 and 271 together.

Since 1 January 2014 Irish Water has statutory responsibility for all aspects of public water services planning, delivery and operation at national, regional and local levels. I have no responsibility for, or role in relation to, the management, operation or maintenance of water services infrastructure.

Under the European Union (Drinking Water) Regulations 2014, a copy of which is available in the Oireachtas library, suppliers of drinking water are required to ensure that the water supplied is wholesome and clean. Water which is wholesome and clean is defined as water which is free from any micro-organisms and parasites and from any substances which in numbers or concentrations constitute a potential danger to human health, and which meets the quality standards specified in the Schedule to the Regulations. Hard water and the minerals associated with hard water are not included as parameters in the quality standards specified in the Regulations as they do not pose a threat to human health. Even though hard water is safe to drink and meets the required drinking water standards, some households may choose to soften their supply but this is a matter of personal choice.

The Environmental Protection Agency (EPA), as the water quality regulator, is the supervisory authority for public supplies under the Regulations and local authorities are the supervisory authority for relevant private supplies, including group water schemes.

Irish Water has established a dedicated team to deal with representations and queries from public representatives. The team can be contacted via email to [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on a dedicated number, 1890 578 578.

### **Local Authority Management**

272. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he is aware that the executive of Sligo County Council, in a report to councillors dated 1 June 2016, stated that payments for works carried out under the special resolution fund by Sligo County Council were made without deduction of relevant contract tax; and that when the Revenue Commissioners contacted the council querying the tax treatment that had been applied to payments made from the fund, the council advised the Revenue Commissioners that payments were made without deducting the relevant contract tax in line with the guidance issued by his Department. [16023/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** My Department has not received a copy of the report referred to and has no function in this matter, which is an operational matter for Sligo County Council.

### **Tax Collection**

273. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he is aware that a revenue audit held on 30 March 2016 at the offices of Sligo County Council resulted in a liability of €256,521.51 for relevant contracts tax, value added tax and related penalties; if he issued misleading guidelines to the council and other local authorities in respect of payments for works carried out under the special resolution fund; if he will compensate the council to cover the cost of the said tax liability and penalties; and if he will make a statement on the matter. [16024/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** It is a matter for local authorities, as individual corporate bodies, to ensure that they have adequately met their tax obligations in all cases and, if doubt arises, to seek appropriate clarification from the Revenue Commissioners. My Department does not direct or advise local authorities in relation to specific taxation matters. My Department issued a note for information following a workshop on the Special Resolution Fund with local authorities held in May 2014. Local authorities have been advised that the note does not in any way constitute a direction or

advice in relation to specific taxation matters.

### **Social and Affordable Housing Provision**

274. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the number of houses Galway City Council approved for construction and approved for persons with a disability in the past year; the details of applications from Galway City Council for approval to construct local authority housing that he has not yet decided on; and if he will make a statement on the matter. [16082/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Arising from the Social Housing Strategy 2020, targets and provisional funding allocations have been notified to each local authority, including Galway City Council, and are available on my Department's website at the following link: <http://www.environ.ie/housing/social-housing/minsters-kelly-coffey-announce-eu15-billion-social-housing-targets-local>. Galway City Council has a target to deliver 518 social housing units for the period out to 2017, supported by an allocation of €28.3 million, to be invested in a combination of building, buying and leasing schemes. My Department does not have a role in directly determining the number of social housing units that Galway City Council, or any other local authority, prioritises or allocates to different categories of tenant. Depending on the needs of those on the housing waiting list, it is a matter for the Council to make housing proposals and to allocate housing to, inter alia, persons with a disability. Through funding programmes such as the Capital Assistance Scheme, my Department supports local authorities and approved housing bodies in their work to provide such housing.

Following the notification of targets to local authorities last year, 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 units. These are mainly new builds, but also include some turnkey developments and approvals under the Capital Assistance Scheme. Details of these project approvals, including those for Galway City Council, 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>.

My Department also supported local authorities in delivering over 1,000 social housing units in 2015 through the acquisition of new and previously owned houses and apartments. This activity is continuing in 2016 on the part of all local authorities, including Galway City Council.

The Deputy can be assured that my Department will be supporting all local authorities, including Galway City Council, to advance projects as soon as possible and I have confirmed to local authorities that funding is available to fully support their efforts in this regard. There are currently no applications to construct local authority housing from Galway City Council awaiting approval from my Department.

*Question No. 275 answered with Question No. 228.*

## **Mortgage Interest Supplement Scheme**

276. **Deputy Noel Rock** asked the Minister for Social Protection his plans to recommend the restoration of mortgage interest supplement to the Department of Finance or to the budget oversight committee in the Houses of the Oireachtas. [15684/16]

278. **Deputy Noel Rock** asked the Minister for Social Protection his plans to restore mortgage interest supplement in budget 2017. [15686/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I propose to take Questions Nos. 276 and 278 together.

There are currently approximately 2,700 people in receipt of the mortgage interest supplement scheme for which the Government has provided over €7 million for in 2016. The scheme was discontinued for new applicants from 1 January 2014, with customers availing of this support prior to 1st January 2014 retaining entitlement until the closure of the scheme on 1st January 2018.

The continued payment of mortgage interest supplement does little to assist families in improving the long term difficulty in addressing their mortgage problem. The most appropriate way in which families experiencing mortgage difficulties can be supported is through on-going engagement with their lender to explore sustainable solutions.

It is expected that over the remaining period existing customers will exit the scheme through sustainable solutions being put in place with their lenders; securing employment; or exit strategies sponsored by the Department of Housing, Planning and Local Government, such as the Mortgage to Rent Scheme. My Department is also considering referral of cases to the Dedicated Mortgage Arrears MABS (DMA MABS) service. This service is focused on post-MARP cases and has been established across 26 locations assisting mortgage holders to assess the extent to which the option on offer from the lender is the best and most sustainable option, and where required, negotiating with the lender on the client's behalf.

Together with the Insolvency Service of Ireland, MABS has established a national network of Court Mentors to attend relevant Courts nationwide, where repossession hearings are listed, to provide support to distressed borrowers and direct them to the appropriate services which can provide them with the necessary help and assistance.

It is my view that these are appropriate measures to assist people experiencing mortgage arrears on their homes and guidance has recently issued to the Department's staff in the Community Welfare Service to inform persons experiencing financial difficulty of these additional supports.

## **Rent Supplement Scheme**

277. **Deputy Noel Rock** asked the Minister for Social Protection his plans to recommend the restoration of rent supplement to the Minister for Finance or to the budget oversight committee in the Houses of the Oireachtas. [15685/16]

279. **Deputy Noel Rock** asked the Minister for Social Protection his plans to restore rent supplement in budget 2017. [15687/16]

308. **Deputy Eoin Ó Broin** asked the Minister for Social Protection the amount his Department has saved since 2014 by transferring those persons in receipt of payments under the rent



supplement scheme to the housing assistance payment scheme; and the amount he will save in 2016 and 2017. [15694/16]

317. **Deputy Willie O’Dea** asked the Minister for Social Protection the number of new recipients under the rent supplement scheme, by county, in 2016 to date, in tabular form; and if he will make a statement on the matter. [15876/16]

331. **Deputy Jim Daly** asked the Minister for Social Protection if his Department has had a sufficient input into the development of the strategy to deal with the housing crisis since 2011 to date. [15997/16]

332. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the cost of increasing the limits under the rent supplement scheme by 10%. [16017/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I propose to take Questions Nos. 277, 279, 308, 317, 331 and 332 together.

Supports in relation to housing and the provision of financial supports, such as the rent supplement scheme currently supporting in excess of 55,500 recipients at a cost of €267 million in 2016, are a key priority for Government and are being considered by the Cabinet Committee on Housing in the context of the Programme for Government housing commitments. Given the urgency of the housing crisis, this Cabinet Committee is meeting on a weekly basis which I attend. Officials from my Department are also represented on the Homelessness Policy Implementation Team led by the Department of Housing, Planning and Local Government (DHPLG) to oversee the implementation of the Homelessness Action Plan. Department officials at local level are actively engaged with relevant local authorities, Homeless Action Teams, Regional teams and other relevant stakeholders to ensure the necessary supports are provided. Overall the response to the current extremely difficult housing situation has to be multifaceted and I am satisfied with the input that my Department is providing to the overall housing strategy. This level of inter-agency participation ensures greater integration between the key agencies involved in the area of homelessness and related services.

The strategic policy direction of the Department is to return rent supplement to its original purpose of being a short-term income support scheme. Under the Housing Assistance Payment (HAP), responsibility for the provision of rental assistance to those with a long-term housing need transfers to local authorities, under the auspices of DHPLG. HAP is currently operational in 19 local authority areas with payments being made in respect of some 10,180 tenancies. The funding for the rent supplement scheme in 2015 and 2016 represents a transfer of funding to the Department of Housing, Planning and Local Government for HAP scheme of over €20 million in 2015 and €24 million in 2016 (cumulative transfer of over €64 million during the last 2 years). Funding arrangements for 2017 will be considered having regard to the costs of rent supplement, rate of roll out of HAP and projected transfers. Where HAP is in operation this Department will continue to provide rental support, under the rent supplement scheme, to those with a short term need, generally because of a temporary loss of employment.

My Department is currently examining the rent limits in the context of the Government commitment to provide for an increase taking account of geographic variations in market rents. It is my intention that increased rent limits will be implemented over the summer months, ahead of budget 2017, subject to agreement by Government. Analysis shows that increasing rent limits by 10% would result in a full year cost of approximately €32 million.

At this time of constrained supply, the Department continues to implement a targeted, flexible, case-by-case approach where rents exceed limits. This ensures that people at risk of homelessness or loss of their tenancy are supported under the rent supplement scheme where in-

creased rental payments are required. Currently, over 8,540 households are supported through this flexible approach. A county breakdown of this information is provided in the tabular statement below.

The Department, in conjunction with Threshold, operates a protocol in the Dublin and Cork areas where supply issues are particularly acute. Following engagement with the relevant agencies this protocol was recently extended to the commuter counties of Meath, Kildare and Wicklow, and to Galway City. The Programme for a Partnership Government has identified expanding this Protocol nationwide, and the Department will continue to work with colleagues in DHPLG, local authorities and Threshold to support this extension.

Landlords are continuing to provide accommodation to persons under the rent supplement scheme with over 5,800 tenancies awarded this year. A breakdown of this information on a county basis is also provided in the following tabular statements.

I would urge that any person experiencing increased rents or facing the threat of the loss of their tenancy under rent supplement to contact my Department's Community Welfare Service or the Threshold Tenancy Protection service without delay.

**Tabular Statement: Rent supplement claims awarded by County January – May 2016**

County	January	February	March	April	May	Total
CARLOW	5	13	14	27	23	82
CAVAN	7	6	7	19	9	48
CLARE	1	5	4	8	3	21
CORK	112	173	165	186	162	798
DONEGAL	4	8	9	8	7	36
DUBLIN	303	413	412	473	427	2,028
GALWAY	39	39	58	48	52	236
KERRY	62	72	67	71	53	325
KILDARE	55	66	43	65	57	286
KILKENNY	7	18	13	12	9	59
LAOIS	16	22	19	37	35	129
LEITRIM	11	6	13	15	16	61
LIMERICK	27	15	15	24	23	104
LONGFORD	12	12	7	22	20	73
LOUTH	27	32	20	20	21	120
MAYO	10	28	11	28	27	104
MEATH	23	24	23	29	33	132
MONAGHAN	4	1	2	2	1	10
OFFALY	6	6	6	3	5	26
ROSCOMMON	21	21	22	31	23	118
SLIGO	7	12	8	5	11	43
TIPPERARY	37	34	21	36	28	156
WATERFORD	5	3	14	12	17	51
WESTMEATH	43	44	42	58	53	240
WEXFORD	24	59	56	50	91	280
WICKLOW	30	48	47	65	78	268
Total	898	1,180	1,118	1,354	1,284	5,834

**Tabular Statement: Total Increased Rental Payments by County as at 13 June 2016**

County	Awards under National Tenancy Sustainability Framework	Awards under protocol with Threshold	Total no. of increased payments by County
CARLOW	46		46
CAVAN	29		29
CLARE	60		60
CORK	49	68	117
DONEGAL	363		363
DUBLIN	3421	2,025	5,446
GALWAY	186		186
KERRY	90		90
KILDARE	411		411
KILKENNY	131		131
LAOIS	118		118
LEITRIM	77		77
LIMERICK	7		7
LONGFORD	185		185
LOUTH	136		136
MAYO	3		3
MEATH	334		334
MONAGHAN	1		1
OFFALY	62		62
ROSCOMMON	39		39
SLIGO	0		-
TIPPERARY	165		165
WATERFORD	45		45
WESTMEATH	232		232
WEXFORD	16		16
WICKLOW	242	2	244
Overall Total	6,448	2,095	8,543

*Question No. 278 answered with Question No. 276.*

*Question No. 279 answered with Question No. 277.*

### **Unemployment Levels**

280. **Deputy Maurice Quinlivan** asked the Minister for Social Protection his plans to address the issue of the long-term unemployed, of which there now are 100,000 persons; and if he will make a statement on the matter. [16036/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Government's primary strategy to tackle long-term unemployment is through policies to create the environment for a strong economic recovery by promoting competitiveness and productivity.

Reflecting the impact of government policy, and the overall improvement in the labour

market, long term unemployment is falling. The long-term unemployment rate peaked at 9.5% in Q1 2012 before falling to 4.7% in Q1 2016. At the latter date, the long-term unemployed accounted for 56.1% of all those unemployed, down from almost 65% in early 2012. The number of long term unemployed in Q1 2016 was 100,600; this compares to 156,200 in Q1 2014.

Although the labour market situation is improving considerably as the recovery continues, the Government recognises the importance of a continued focus on measures to facilitate long-term unemployed people find and sustain employment. This is the rationale behind the Government's Pathways to Work 2016-2020 strategy (published January 2016).

A range of measures were introduced under previous Pathways to Work strategies for long-term unemployed people. This included a structured process of engagement with long-term unemployed people being referred to the activation process (Group Engagement followed by regular one-to-one case officer contact); wage subsidies in JobsPlus; the roll-out of a payment-by-results contracted employment services in JobPath, to provide additional capacity in order to engage more systematically with long-term unemployed jobseekers; and reserved places for long-term unemployed jobseekers on a range of Further Education and Training (FET) and public employment programmes. A core focus of Pathways to Work 2016-2020 is on consolidating and improving the quality and consistency of reforms undertaken in previous strategies, with continued prioritisation of those long-term unemployed. I am satisfied these measures will continue to contribute to addressing long-term unemployment.

### **Youth Unemployment Measures**

281. **Deputy Maurice Quinlivan** asked the Minister for Social Protection the steps he will take to address the issue of youth unemployment which now stands at 15%; and if he will make a statement on the matter. [16034/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Government's primary strategy to tackle youth unemployment is through policies to create the environment for a strong economic recovery by promoting competitiveness and productivity.

Reflecting the impact of government policy, and the overall improvement in the labour market, youth unemployment continues to fall with a rate of 15.0% (27,900) in May 2016 (as estimated by CSO), compared to 20.8% (39,100) in April 2015 and a peak of over 31.3% (70,900) in 2012.

Although the labour market situation is improving considerably as the recovery continues, the Government recognises the importance of a continued focus on measures to facilitate the young unemployed back into work. This is the rationale behind the Government's Pathways to Work 2016-2020 strategy (published January 2016) and the Youth Guarantee plan (published January 2014).

As under services such as Intreo, Youthreach, VTOS, PLC programmes, and JobBridge, Ireland already had many of the recommended component parts of a Youth Guarantee as envisaged in the relevant EU Recommendation, the main approach in Ireland is to prioritise access to these existing supports for young people, who become unemployed. The objective is to ensure that they have an opportunity for employment, further education or work experience within the recommended period of four months as per the EU council recommendation.

The key objective is to help newly unemployed young people find and secure sustainable jobs. In this regard there is monthly engagement with young people by case officers to assist young people to prepare, review and, if appropriate, revise personal progression plans. As part

of this process additional supports may be provided, both through reserved places on existing schemes and through youth-specific measures. Most such offers (over 70%) are in existing further education or training programmes. Others are in existing community-based employment programmes such as CE, Gateway and Tús. Overall, over 19,100 opportunities were taken up on the relevant programmes in 2015.

Pathways to Work 2016-2020 continues to prioritise these measures for the young unemployed and additionally commits to: increasing the share of workplace-based interventions for youth unemployed; ensuring that monthly engagement, at a minimum, is consistently applied and maintained; restructuring the First Steps programme; and implementing the Defence Forces Skills for Life programme.

I am satisfied these measures will help to address youth unemployment.

### **Water Conservation Grant Administration**

282. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection the cost of administering the 2015 water conservation grant; and if he will make a statement on the matter. [15322/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Department of Social Protection is administering the Water Conservation Grant on behalf of the Department of Environment, Community, and Local Government. As of 13th June 2016, a total of 890,036 grant applications had been submitted by householders and processed.

The administration and payment of this grant was a significant project requiring the development and implementation of ICT systems, ICT infrastructure and various customer support and communications services. The total administration costs for the 2015 Water Conservation Grant to date are €5,995,035.42. These include both the once-off setup costs and the operational costs. A small number of residual payments continue to be made to householders who have an entitlement to the 2015 Water Conservation Grant. As a result, some comparatively small operational costs continue to be incurred and the final administrative cost has yet to be finalised.

All costs connected with the set-up and administration of the Water Conservation Grant are being recouped from the Department of the Environment, Community and Local Government in line with existing procedures. Every effort is being made to maximise efficiencies and keep costs to the absolute minimum. Where possible, the Department reused existing payment production systems to facilitate payment of the grant. It is also intended that the ICT infrastructure put in place for this project will be reused for the provision of online services in the future.

I hope this clarifies the matter for the Deputy.

### **Disability Activation Projects**

283. **Deputy Joan Collins** asked the Minister for Social Protection further to Parliamentary Questions Nos. 301 and 330 of 24 May 2016, the average waiting time for a person with a disability to meet a job coach in the employability services and how this compares to the average waiting time for a person without a disability getting a quality offer of a job, an apprenticeship or a placement. [15324/16]

289. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the estimated cost of providing an additional 1,000 places to increase the capacity of the employability services; and if he will make a statement on the matter. [15382/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I propose to take Questions Nos. 283 and 289 together.

The EmployAbility programme is a national employment service dedicated to improving employment outcomes for job seekers with a disability. EmployAbility participants are people with a disability, which can range from physical to mental health, who are able to work a minimum of 8 hours per week and who need the support of a job coach to obtain employment in the open labour market. The duration of the service is 18 months. The budget for 2016 provides €9.6 million to run the service.

The EmployAbility service currently comprises 23 limited companies, each with a specific geographical remit, so the demand for the service varies from region to region. Data from 2015 shows that the average number of weeks that a person was waiting for a place on the service was 10 weeks.

The data requested by the Deputy in relation to persons without a disability are not collected by my Department. The Department's mainstream employment support service is provided through Intreo, which delivers a personalised service to clients in accessing job opportunities and availing of supports to enable them to get back to work at the earliest possible opportunity. Persons on disability payments can avail of this service on a voluntary basis, where they may be referred to the EmployAbility service where appropriate.

The average cost of providing support through the EmployAbility service is €2,900 per customer, so if the service was expanded to support an additional 1,000 customers, the estimated additional annual cost would be €2.9 million.

I hope this clarifies the matter for the Deputy.

### **Work Placement Programmes**

284. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection why persons who are long-time on JobPath with private companies and have not succeeded in getting employment are ineligible under the Tús work placement initiative; if he will review this rule to enable such persons to engage in meaningful work each day; and if he will make a statement on the matter. [15333/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Participants on JobPath receive intensive individual support to help them address barriers to employment and to assist them in finding jobs. Each person is assigned to a personal advisor who assesses a person's skills, experience, challenges and work goals. A personal progression plan is developed for each individual and includes a schedule of activities, actions and job focused targets. Participants are also provided with a range of training and development supports including online modules, career advice, CV preparation and interview skills. They spend a year on JobPath and if they are placed into a job they will continue to receive support for at least three months and up to twelve months while in employment.

JobPath is one of the range of activation supports, including schemes such as Tús, catering for long-term unemployed jobseekers. Clients are not permitted to participate in Tús and JobPath concurrently. Given the need to manage the allocation of places effectively, my Department does not facilitate or encourage jobseekers to leave one scheme early in order to take up a place on another scheme. Participation in Tús is an option once the client's period on JobPath is completed. There are no plans to change the current arrangements.

*Question No. 285 withdrawn.*

### **Labour Activation Measures**

286. **Deputy Pearse Doherty** asked the Minister for Social Protection the reason a person (details supplied) cannot be released from JobPath to pursue a child care course through a community employment scheme; and if he will make a statement on the matter. [15354/16]

**Minister for Social Protection (Deputy Leo Varadkar):** As the Deputy will be aware JobPath is a new approach to employment activation that supports people who are long-term unemployed and those most distant from the labour market to secure and sustain full-time paid employment. JobPath is one of a range of activation supports, including schemes such as Community Employment, catering for long-term unemployed jobseekers.

The person concerned has been in receipt of a jobseeker payment for a number of years and has not had any meaningful activation engagement. She was referred to JobPath on 8 May 2016. Recently she contacted a local Community Employment provider. However, I understand that the Community Employment course in question is not currently available.

Participants on JobPath receive intensive individual support to help them tackle barriers to employment and to assist them in finding jobs. Each person is assigned to a personal advisor who assesses a person's skills, experience, challenges and work goals. The personal advisor works with the job-seeker to agree a personal progression plan that includes a schedule of activities, actions and job focused targets. Job-seekers are also provided with a range of training and development supports including online modules, career advice, CV preparation and interview skills. They spend a year on JobPath and if they are placed into a job they will continue to receive support for at least three months and up to twelve months while in employment.

In general, and JobPath is not an exception, job-seekers are not allowed to participate in two separate schemes at the same time. Given the need to manage the allocation of places effectively, the Department does not facilitate or encourage jobseekers to leave one scheme early in order to take up a place on another scheme. Participation in other schemes and programmes remains an option once the client's period on JobPath is completed.

In the case in question I understand that the person concerned has completed a personal progression plan and that her personal advisor is actively working with her to assist her in finding suitable full-time employment.

I hope this clarifies the matter for the Deputy.

### **Carer's Allowance Appeals**

287. **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. [15361/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence including that adduced at the oral hearing, has decided to disallow the appeal of the person concerned. The person concerned has been notified of the Appeals Officer's decision

The Social Welfare Appeals Office functions independently of the Minister for Social Pro-

tection 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.

### **Family Income Supplement Eligibility**

288. **Deputy Charlie McConalogue** asked the Minister for Social Protection the reason he has suspended a payment to a person (details supplied) under the family income supplement scheme; and if he will make a statement on the matter. [15371/16]

**Minister for Social Protection (Deputy Leo Varadkar):** A renewal application form for family income supplement (FIS) was issued to the person concerned on 28 April 2016. This form was returned, undelivered, to FIS section stating 'no access' and the FIS claim was suspended on 18 May 2016 as the department had not been notified of a change of address as is required.

The person concerned contacted FIS Section on 3 June 2016 and was asked to supply their new address and forward a copy of a utility bill to verify their change of address.

On 9 June 2016, FIS staff contacted the person concerned and they confirmed that they had forwarded a utility bill. Upon receipt, their address will be updated and another renewal form will issue to the person concerned.

Once the completed renewal form is received, it will be processed without delay and the person in question will be notified directly of the outcome.

I hope the above clarifies the position fully for the Deputy.

*Question No. 289 answered with Question No. 283.*

### **Departmental Expenditure**

290. **Deputy Clare Daly** asked the Minister for Social Protection the amount of money his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15422/16]

**Minister for Social Protection (Deputy Leo Varadkar):** My Department incurred no cost in 2015 for the Public Sector Times Magazine.

The Public Services Time Magazine is free of charge to all public sector bodies.

### **Departmental Expenditure**

291. **Deputy Clare Daly** asked the Minister for Social Protection the amount of money spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15438/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The expenditure on newspapers purchased by the Department in 2015 amounted to €8,335.33.

The Department monitors such expenditure closely at all times and keeps these costs to a



minimum.

Some newspapers are not available or fully available online without subscription.

### Departmental Staff Data

292. **Deputy Clare Daly** asked the Minister for Social Protection the number of staff working in his human resources section. [15454/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The following table outlines the number of staff working in the Human Resources Division of the Department, incorporating HR and training (Staff Development Unit).

-	PEOPLE	POSTS
HR DIVISION	47	43.75
STAFF DEVELOPMENT UNIT	26	24.33
TOTAL	73	68.08

### Ministerial Staff

293. **Deputy Clare Daly** asked the Minister for Social Protection the number of staff who work exclusively on constituency matters for him. [15470/16]

**Minister for Social Protection (Deputy Leo Varadkar):** There are currently three staff members working on constituency matters, one of whom is my Personal Secretary employed by the Houses of the Oireachtas.

One of the staff members employed by the Department of Social Protection also works on Minister McGrath's Departmental Constituency matters that relate only to his area of responsibilities.

I hope the above clarifies the matter for the Deputy.

### Departmental Staff Data

294. **Deputy Clare Daly** asked the Minister for Social Protection the changes in the numbers employed in his human resources section following the introduction of PeoplePoint. [15486/16]

**Minister for Social Protection (Deputy Leo Varadkar):** HR Division comprises the HR and training functions. In February 2014, PeoplePoint took responsibility for the administrative elements of the HR processes in the Department. The training function was not impacted by the move to PeoplePoint.

In February 2014, there were 64.78 posts in HR. Following the move of the HR administrative functions to PeoplePoint, there were 45 posts.

### Carer's Allowance Delays

295. **Deputy Danny Healy-Rae** asked the Minister for Social Protection to expedite an ap-

plication by a person (details supplied) under the carer's allowance scheme; and if he will make a statement on the matter. [15515/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that my Department received an application for carer's allowance (CA) from the person concerned on 15 February 2016. Unfortunately, there are currently delays in the processing of new applications. 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, the person concerned is in receipt of a weekly supplementary welfare allowance.

I hope this clarifies the matter for the Deputy.

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

296. **Deputy Danny Healy-Rae** asked the Minister for Social Protection to expedite an application by a person (details supplied) under the carer's allowance scheme; and if he will make a statement on the matter. [15516/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that my Department received an application for carer's allowance from the person concerned on 7 April 2016. Additional information in relation to the person's application has been requested by a deciding officer. Once the information is received the application will be processed without delay and the person concerned will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

### **Carer's Allowance Appeals**

297. **Deputy Danny Healy-Rae** asked the Minister for Social Protection to expedite an application by a person (details supplied) under the carer's allowance scheme; and if he will make a statement on the matter. [15517/16]

**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 11 September 2015.

CA in respect of care recipients under 16 years of age may be considered only where domiciliary care allowance (DCA) is being paid in respect of that care recipient.

As DCA is not being paid in respect of the care recipient, the application for CA has been refused. The person concerned was notified on 5 March 2016 of this decision, the reason for it and of her right of review and appeal.

The person concerned has appealed this decision to the Social Welfare Appeals Office (SWAO) on 18 May 2016. The department will prepare a submission, as required by the SWAO,

as soon as possible and the file will be sent to the SWAO for determination.

If DCA is approved in the future, the person in question should contact CA section immediately in relation to their potential eligibility for that scheme which will then be reviewed.

I hope this clarifies the matter for the Deputy.

### **Carer's Allowance Appeals**

298. **Deputy Danny Healy-Rae** asked the Minister for Social Protection to expedite an application by a person (details supplied) under the carer's allowance scheme; and if he will make a statement on the matter. [15519/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that my Department received an application for carer's allowance (CA) from the person concerned on 13 January 2016. The application was refused by a deciding officer (DO) on the grounds that the person concerned was working outside the home for more than 15 hours per week contrary to the conditions for receipt of CA.

She was notified on 6 May 2016 of this decision, the reason for it and of her right of review and appeal.

The person concerned has appealed this decision to the Social Welfare Appeals Office (SWAO) on 31 May 2016. My department will prepare a submission, as required by the SWAO, as soon as possible and the file will be sent to the SWAO for determination.

I hope this clarifies the matter for the Deputy.

### **Carer's Allowance Delays**

299. **Deputy Pat Breen** asked the Minister for Social Protection when he will process an application (details supplied); and if he will make a statement on the matter. [15528/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that my Department received an application for carer's allowance (CA) from the person concerned on 24 February 2016. Unfortunately, there are currently delays in the processing of new applications. 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, the person concerned is in receipt of a weekly social welfare support.

I hope this clarifies the matter for the Deputy.

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

300. **Deputy Pat Breen** asked the Minister for Social Protection when he will issue a decision to a person (details supplied); and if he will make a statement on the matter. [15532/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The application for carer's allowance in respect of the person concerned was awarded on 6 May 2016 and the first payment issued to the person's nominated bank account on 12 May 2016.

Arrears of allowance due from 28 January 2016 were also issued to the bank on 12 May 2016. The person concerned was notified on 6 May 2016.

The person concerned requested a review of this decision and the deciding officer has decided to backdate the application to 22 October 2015. Any arrears of allowance due from the 22 October 2015 (less any overlapping social welfare payment and/or outstanding overpayment) will issue in due course. The person in question was notified on 10 June 2016 of these details.

I hope this clarifies the matter for the Deputy.

### **Social Welfare Payments Waiting Times**

301. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the status of social protection payments (details supplied); and if he will make a statement on the matter. [15539/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Department is committed to ensuring that claims are processed as expeditiously as possible. Processing times vary across schemes, depending on the differing qualification criteria. Schemes that require a high level of documentary evidence from the customer, particularly in the case of illness, disability and caring schemes, can take longer to process. Similarly, means-tested payments can also require more detailed investigation and interaction with the applicant, thereby lengthening the decision making process. Delays can also arise when the application form is not completed fully or supporting documentation is not provided at claim stage or where additional information has been requested from the applicant but remains outstanding.

My Department's Intreo service integrates employment and income supports and provides for a streamlined and personalised service to clients in accessing job opportunities and availing of supports to enable them to get back to work at the earliest possible opportunity. The Intreo centres also include a single integrated decision-making team that integrate and streamline the processes formerly undertaken by the different agencies now amalgamated into my Department. Already clients are seeing the benefits of the integrated decisions process in the form of shorter decision times and in the reduced recourse to supplementary welfare payments. In April 2016, the average number of weeks taken to process a jobseeker's allowance application was 2 and a jobseeker's benefit claim was 1.

Disability allowance applications were processed in an average of 10 weeks in April 2016.

Carer's allowance, which is a means-tested scheme, is experiencing delays presently, averaging 20 weeks in April 2016. Delays are also occurring in domiciliary care allowance, where claims were processed in an average of 13 weeks in April. This primarily is due to an ongoing increase in new claim intake over the past few years to all three of these schemes and the complexity attached to processing of these applications. In addition, there is sometimes a reluctance on the part of applicants to give full information at application stage thereby slowing down the processing of their application and in some cases necessitating a visit by an Departmental investigative officer.

The social welfare appeals office has supplied details in tabular form as follows of the processing time across all scheme types in 2016 up to the end of May.

Reducing these waiting times is a priority for my Department. As part of its programme of service delivery modernisation, a range of initiatives aimed at streamlining the processing of claims, supported by modern technology, have been implemented by my Department in recent years. Operational processes, procedures and the organisation of work are continually reviewed to ensure that processing capability is maximised.

In addition, staffing needs are regularly reviewed, having regard to workloads and the competing demands arising, to ensure that the best use is made of all available resources.

I hope this clarifies the matter for the Deputy.

	Average processing times (weeks) Summary Decisions	Average processing times (weeks) Oral Hearings
Blind Pension	19.7	29.9
Carers Allowance	18.2	22.4
Carers Benefit	17.2	23.4
Child Benefit	22.7	55.6
Disability Allowance	15.2	20.5
Illness Benefit	30.0	31.9
Partial Capacity Benefit	29.0	29.4
Domiciliary Care Allowance	23.5	29.0
Deserted Wives Benefit	-	40.5
Farm Assist	16.3	23.7
Bereavement Grant	14.7	-
Liabile Relatives	7.9	-
Family Income Supplement	16.3	26.0
Invalidity Pension	28.4	32.1
Maternity Benefit	17.5	28.1
One Parent Family Payment	21.3	25.9
State Pension (Contributory)	27.8	37.5
State Pension (Non-Contributory)	21.4	32.8
State Pension (Transition)	67.7	40.5
Occupational Injury Benefit	22.4	17.1
Disablement Pension	19.6	26.5
Incapacity Supplement	-	55.6
Guardian's Payment (Con)	16.9	24.9
Guardian's Payment (Non-Con)	20.2	29.2
Jobseeker's Allowance (Means)	14.1	25.6
Jobseeker's Allowance	14.3	19.2
BTW Family Dividend	21.3	-
Jobseeker's Transitional	19.6	12.7
Recoverable Benefits & Assistance	33.6	41.7
Jobseeker's Benefit	13.7	17.5
Treatment Benefit	22.2	-

	Average processing times (weeks) Summary Decisions	Average processing times (weeks) Oral Hearings
Respite Care Grant	16.3	21.8
Insurability of Employment	35.2	97.1
Supplementary Welfare Allowance	16.0	26.3
Survivor's Pension (Con)	15.4	25.3
Survivor's Pension (Non-con)	18.9	31.5
Widows Parent Grant	21.4	-
All Appeals	17.2	23.9

### National Internship Scheme Review

302. **Deputy Charlie McConalogue** asked the Minister for Social Protection his plans regarding the JobBridge scheme and to stop new entrants to the scheme in September 2016; if any scheme which is introduced will continue to allow primary schools to provide internships; and if he will make a statement on the matter. [15548/16]

**Minister for Social Protection (Deputy Leo Varadkar):** JobBridge was launched in 2011 at a time of massive economic uncertainty and widespread unemployment. Companies were simply not hiring because they couldn't afford to recruit, and, in many cases, insisted on a minimum level of experience. But large numbers of new jobseekers and people who lost their jobs in the recession couldn't get the relevant workplace experience they needed to get a first or a new job.

That crisis is now over, the economy is growing and employers are hiring again. The labour market has changed and new graduates and other jobseekers are once again finding work. These changed circumstances mean that it is timely to consider whether or not a state-sponsored internship/work experience scheme is still required and, if so, what form such it should take.

While I acknowledge that JobBridge has been a successful scheme and served a useful purpose during the period of recession, I am also mindful of the criticisms that have been made of the scheme and I intend to replace it later this year with a scheme that is better suited to the changed economic circumstances.

JobBridge is currently the subject of an external independent evaluation and I will use the outcome of the review, due to be produced in September this year, to inform what changes should be made to improve outcomes for Jobseekers and value for money for the State.

All internships that commence before September 2016 will be honoured by the Department.

### Carer's Allowance Applications

303. **Deputy Pat Breen** 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. [15580/16]

**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 21 August

2015. It is a condition for receipt of a CA that the person being cared for must have a disability whose effect is that they require full-time care and attention.

This is defined as requiring from another person, continual supervision and frequent assistance throughout the day in connection with normal bodily functions or continuous supervision in order to avoid danger to him or herself and likely to require that level of care for at least twelve months.

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

The person concerned was notified on 9 December 2015 of this decision, the reason for it and of her right of review and appeal. The person concerned has requested a review of this decision and submitted additional evidence in support of her application. The review is currently being processed and once completed, the person concerned will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

### **Domiciliary Care Allowance Appeals**

304. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the status of an application by a person (details supplied) under the domiciliary care allowance scheme; and if he will make a statement on the matter. [15590/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The person concerned applied for domiciliary care allowance in respect of her child on 4 February 2016. The application was not allowed as it was considered that the child did not meet the eligibility criteria for the allowance. A decision letter issued to her on 6 May 2016.

An appeal of this decision was registered on 26 May 2016 and additional information on her child's condition/care needs has been supplied. The application together with the new information supplied will now be forwarded to a Medical Assessor for their professional opinion. Upon receipt of the Medical Assessor's opinion, the case will be further examined by a deciding officer, who will revise the original decision if warranted or alternatively, forward the case for consideration by the Social Welfare Appeals Office. Such reviews can take up to 12 weeks to complete at present.

I hope this clarifies the matter for the Deputy.

### **Public Services Card Authentication**

305. **Deputy Clare Daly** asked the Minister for Social Protection his views on the procedure for activating public service cards which is based on a telephone call, given that this is not appropriate for deaf persons; and if he will arrange for an alternative procedure to accommodate them. [15591/16]

**Minister for Social Protection (Deputy Leo Varadkar):** SAFE registration provides the most robust identity registration process in the State. It is based primarily on a face-to-face identity registration process that involves the capture of an individual's photograph and signature, the verification of identity data already held by the Department through documentary and database checks, and facial image matching. Successful registration leads to the issue of a

Public Services Card incorporating the captured photograph and signature.

When the Public Services Card is issued the customer is advised to contact the helpdesk to activate the card.

I am aware of the issue raised by the Deputy. My Department is currently working on changing the process to remove the need for this activation. It is hoped to have these changes in place by the Autumn.

I hope this clarifies the matter for the Deputy.

### **Invalidity Pension Applications**

306. **Deputy Tony McLoughlin** asked the Minister for Social Protection the status of an application by a person (details supplied) under the invalidity pension scheme, including when his Department will issue a final decision; and if he will make a statement on the matter. [15665/16]

**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.

The Department received a claim for IP for the person concerned on the 16 November 2015. A deciding officer (DO) refused IP to the person concerned on the grounds that the medical conditions for the scheme were not satisfied. She was notified on the 18 January 2016 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 submitted further medical evidence in support of her request. Following a review of all the information available the DO is now satisfied that the medical conditions for the scheme are satisfied.

The person concerned has been awarded invalidity pension with effect from the 19 November 2015. Payment will issue to her nominated bank account on the 30 June 2016. Any arrears due from 19 November 2015 to 29 June 2016 (less any overlapping social welfare payment and/or outstanding overpayment) will issue in due course. The person in question was notified of this decision on 13 June 2016.

I hope this clarifies the matter for the Deputy.

### **Back to Education Allowance Eligibility**

307. **Deputy Noel Rock** asked the Minister for Social Protection if he will include persons who are participating in part-time study courses under the back to education allowance scheme. [15682/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Department of Social Protection provides a wide range of second chance education opportunities for unemployed people, lone parents and people with disabilities under the back to education programme. The objective is to raise education and skills among the long term unemployed to meet the requirements of the modern labour market. The back to education programme provides a comprehensive range of options from which an unemployed person can choose the option appropriate to his/her needs.

The back to education programme includes the back to education allowance (BTEA), the education, training and development option (ET&D) and the part-time education option (PTEO).



A person wishing to pursue a course of study on the BTEA must be pursuing a full time course of study leading to a recognised qualification and progressing in their level of education.

A person wishing to undertake a part-time course can apply for approval under the education, training and development option (ET&D) or the part-time education option (PTEO) and may continue to receive, subject to satisfying certain conditions, his/her existing social welfare payment while attending recommended courses. The Department's Intreo staff will be happy to advise an individual of the option that might best suit their needs.

*Question No. 308 answered with Question No. 277.*

### **Social Welfare Schemes**

309. **Deputy Mick Barry** asked the Minister for Social Protection the body which will assess the capacity of persons in receipt of payment under the illness benefit scheme and the disability allowance scheme to be selected for the proposed fit for work scheme; and if he will make a statement on the matter. [15705/16]

310. **Deputy Mick Barry** asked the Minister for Social Protection his plans to recruit medical professionals to conduct assessments under the fit for work scheme; and if he will make a statement on the matter. [15706/16]

311. **Deputy Mick Barry** asked the Minister for Social Protection his plans to change the assessment process under the illness benefit scheme and the disability allowance scheme and to introduce one-on-one assessments with a medical professional; and if he will make a statement on the matter. [15707/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I propose to take Questions Nos. 309 to 311, inclusive, together.

The recently agreed programme for a partnership Government provides for a range of actions that are designed to improve the quality of life for people with disabilities. One of these actions is a proposal for the Departments of Health and Social Protection to work together to pursue a "Fit for Work Programme" to support more people with an illness or disability to get back to work through early intervention.

The "Fit for Work" proposal is based on the findings of a pan European study, which examined the impact of musculoskeletal disorders (MSDs) on an individual's ability to work. The Irish module of this study was progressed by a coalition of key stakeholders and was led by Arthritis Ireland. The Irish College of General Practitioners, ICTU, IBEC and the Health and Safety Authority also contributed to the study.

Early interventions and developing return to work practices in the case of people with musculoskeletal incapacities is consistent with my Department's approach to illness/disability income support, which aims to reduce the number of people progressing to chronic disability and long-term social welfare dependency. To this end, my Department has in 2015, issued a set of certification guidelines for GPs, which sets out defined periods of recovery for common medical conditions, including MSDs.

The certification guidelines build on the "Renaissance project", which is an initiative of my Department since 2003. This has shown that early intervention reduced the incidence of progression from the acute simple low back pain to chronic disability in 64% of claimants.

While specific proposals for a “Fit for Work Programme” require further development and examination, I would once again like to assure the Deputy that any such proposals will be in line with the body of evidence which shows that generally employment is good for one’s mental and physical health and wellbeing and that, conversely, unemployment is damaging.

Current assessment procedures provide that any question in respect of eligibility to illness/disability related schemes is decided by a deciding officer of my Department who may in arriving at a decision, seek and have regard to the opinion of a Medical Assessor. There are no current plans to alter these arrangements.

I hope that this clarifies the issue for the Deputy.

### Social Welfare Schemes

312. **Deputy Mick Barry** asked the Minister for Social Protection the number of claims submitted, accepted, rejected and accepted on appeal under the illness benefit scheme and the disability allowance scheme in each of years 2013 to 2016 to date; and if he will make a statement on the matter. [15708/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The information regarding overall numbers of claims submitted, accepted and rejected under the Illness Benefit Scheme and the Disability Allowance Scheme in each of years 2013 to 2016 to date is presented in the following table.

The information claims appealed for these schemes is available in *Table 3: Outcome of Appeals by category* of the Social Welfare Appeals Office Annual Reports for the years 2013 to 2015.

(<http://www.socialwelfareappeals.ie/publications/category.html?id=7>).

#### Illness Benefit

-	Registered	Awarded	Rejected	Withdrawn
To end May 2016	91,633	68,571	20,707	2,248
2015	209,750	154,692	50,083	4,944
2014	226,274	162,187	61,165	5,060
2013	288,052	245,456	37,615	5,022

#### Disability Allowance

-	Registered	Awarded	Rejected	Withdrawn
To end May 2016	9,652	6,171	5,199	418
2015	22,538	15,814	14,800	978
2014	21,071	13,876	12,621	1,111
2013	20,538	12,497	14,691	1,428

### Social Welfare Schemes

313. **Deputy Mick Barry** asked the Minister for Social Protection the number of assess-

ments the chief medical officer conducted in 2015 under the disability allowance scheme and the illness benefit scheme; and if he will make a statement on the matter. [15709/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The total numbers of Disability Allowance and Illness Benefit assessments conducted in 2015 by Medical Assessors under the authority of the Chief Medical Officer, are set out in the following table.

Scheme	Numbers of Assessments in 2015
Disability Allowance	28,115
Illness Benefit	27,882

I hope this clarifies the matter for the Deputy.

### Carer's Allowance Applications

314. **Deputy Willie Penrose** asked the Minister for Social Protection if he will expedite an application by a person (details supplied) under the carer's allowance scheme; and if he will make a statement on the matter. [15723/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that my Department received an application for Carer's Allowance (CA) from the person concerned on 31 July 2015. It is a condition for receipt of a CA that the person being cared for must have a disability whose effect is that they require full-time care and attention.

This is defined as requiring from another person, continual supervision and frequent assistance throughout the day in connection with normal bodily functions or continuous supervision in order to avoid danger to him or herself and likely to require that level of care for at least twelve months.

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

The person concerned was notified on 17 February 2016 of this decision, the reason for it and of her right of review and appeal. The person concerned has requested a review and submitted additional evidence in support of her application. The review is currently being processed and once completed, the person concerned will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

### Carer's Allowance Delays

315. **Deputy Pat Breen** asked the Minister for Social Protection when his Department will issue a decision to a person (details supplied) under the carer's allowance scheme; and if he will make a statement on the matter. [15724/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that my Department received an application for carer's allowance (CA) from the person concerned on 3 May 2016. Unfortunately, there are currently delays in the processing of new applications. 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, both the person concerned and his spouse are in receipt of a weekly social welfare support.

I hope this clarifies the matter for the Deputy.

### **Social Welfare Rates**

316. **Deputy Willie O’Dea** asked the Minister for Social Protection when he will publish the report on the impact of reduced payment rates to persons from 18 to 25 years of age under the jobseeker’s scheme; and if he will make a statement on the matter. [15875/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Reduced rates for younger jobseeker’s allowance recipients were first introduced in 2009. Budget 2014 further extended the reduced rates to recipients under 26 years of age. This is a targeted measure aimed at protecting young people from welfare dependency. To guard against the development of welfare dependency I believe that it is necessary to provide young jobseekers with a strong financial incentive to engage in education or training or to take up employment. If a young jobseeker in receipt of the reduced jobseeker’s allowance rate participates on an education or training programme they will receive a higher weekly payment of €160.

The Youth Guarantee sets a medium-term objective of ensuring that all young people receive an offer of employment within four months of becoming unemployed. There is now monthly engagement with all young jobseekers. Youth unemployment rose rapidly in the recession to over 30% in 2012. According to the Quarterly National Household Survey for Quarter 1 2016, youth unemployment continues to fall in line with the overall recovery and now stands at 16.9%.

The review of jobseeker’s allowance rates for young persons under 26 years of age will examine the effectiveness of the reduced rates in encouraging young jobseekers to avail of education, training, employment programmes and opportunities. I hope that this review will be completed later this year, subject to the necessary data being available and the required level of analysis involved being completed. I am committed to ensuring my Department identifies effective measures to incentivise and support young people in finding and securing sustainable jobs. The best way to do this is through engagement processes and by incentivising them to avail of educational and training opportunities, thereby enhancing their employment prospects.

*Question No. 317 answered with Question No. 277.*

### **Social Welfare Benefits Eligibility**

318. **Deputy Willie O’Dea** asked the Minister for Social Protection if he has considered increasing income thresholds for eligibility for social protection payments given the commitment in the programme for Government to increase the minimum wage to €10.50 per hour over the next five years; and if he will make a statement on the matter. [15877/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Department operates a range of means tested social assistance schemes where, in order to qualify for the payment, the claimant must satisfy a means test which takes into account the assets and income (including earn-

ings) of the claimant and his or her spouse/partner.

The means test for earnings includes tapering arrangements, whereby a certain proportion of earnings are disregarded in order to provide a financial incentive to work. For instance, for jobseeker's allowance recipients, the first €60 of earnings is disregarded (earned over a maximum of three days) and 60% of the remainder is assessed as means. Similarly, for one-parent family allowance and jobseeker's transition recipients, the first €90 of earnings is disregarded and 50% of the remainder is assessed as means.

Increases in the minimum wage result in an overall financial gain for means-tested social welfare recipients who are working and on the minimum wage. In Budget 2016, the minimum wage increased from €8.65 to €9.15 per hour. Two other significant changes were introduced in the Budget which supported the beneficiaries of this increase. The Family Income Supplement income thresholds were increased by €5 per week for families with one child and by €10 per week for families with two or more children. In addition, a PRSI credit was introduced and benefits all workers earning between €352 and €424 per week including minimum wage workers whose weekly income is in this range. Workers earning less than €352 per week continue to be exempt for making an employee PRSI contribution.

Any changes to the earnings disregards or the income thresholds of social welfare schemes would have cost implications and would have to be considered in the overall policy and budgetary context.

### **Disability Activation Projects**

319. **Deputy Clare Daly** asked the Minister for Social Protection his views on the imminent closure of the WALK PEER programme in County Louth and the provisions he will put in place to provide alternative projects for the service users who will have no service from 1 August 2016. [15893/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Providing Equal Employment Routes (PEER) project was one of 14 disability activation projects (DACT), in the Border, Midlands and West region, which were jointly funded by the European Social Fund (ESF) and the Department of Social Protection (DSP), from the end of 2012 to April 2015. The project was delivered by the Walkinstown Association for People with an Intellectual Disability (WALK).

The objective of the DACT programme was to explore a variety of routes towards ensuring that people with disabilities were enabled to avail of progression, education and development opportunities within the world of work. The target group was young people with disabilities aged 16 – 24, including those with physical disability, sensory impairment, mental health problems, challenging behaviours, medical conditions and/or autism.

A key criterion applied when selecting projects was that the learning from this activity should be capable, where appropriate, of being mainstreamed in the future. Therefore, it is important to note that the projects were never intended to become ongoing service delivery organisations in their own right, no matter how successful the projects might have been.

It was on this basis that each of the DACT projects was awarded funding with a specified end date of 30 April 2015. However, in the closure phase of the programme, it was recognised by the Department that there would be a number of people still actively participating on some of the DACT projects, so a decision was made to provide funding to seven of the projects, which included the WALK PEER project, for a short period to the end of July 2015. This funding was provided so as to allow projects to ensure that their participants finished their involvement in an

orderly manner. All funding ended to the projects in July 2016.

I understand that the WALK PEER project was subsequently successful in obtaining additional funding from a private sector organisation and I believe that it is this source of support that will terminate in July 2016.

Given the origin and history of the project as set out above, it should be clear why there is no provision in my Department's estimates to provide further funding to this project or alternative projects as suggested by the Deputy

I hope this clarifies the matter for the Deputy.

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

320. **Deputy John McGuinness** asked the Minister for Social Protection if he will approve an application by a person (details supplied) under the carer's allowance scheme; if he will examine the medical evidence submitted; and if he will grant an oral hearing. [15898/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that my Department received an application for Carer's Allowance (CA) from the person concerned on 3 February 2016. It is a condition for receipt of a CA that the person being cared for must have a disability whose effect is that they require full-time care and attention.

This is defined as requiring from another person, continual supervision and frequent assistance throughout the day in connection with normal bodily functions or continuous supervision in order to avoid danger to him or herself and likely to require that level of care for at least twelve months.

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

The person concerned was notified on 11 May 2016 of this decision, the reason for it and of her right of review and appeal. The person concerned has requested a review of this decision and submitted additional evidence in support of her application. The review is currently being processed and once completed, the person concerned will be notified directly of the outcome. If the person in question is not happy with the outcome of the review, she may appeal to the independent social welfare appeals office. The question of an oral hearing does not arise at this stage.

I hope this clarifies the matter for the Deputy.

### **Respite Care Grant Payments**

321. **Deputy Tom Neville** asked the Minister for Social Protection the status of a payment to a person (details supplied) under the respite care grant scheme; and if he will make a statement on the matter. [15922/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Carer's Support Grant (CSG) is paid automatically in June of each year (usually on the first Thursday of the month), to carers who are in receipt of a qualifying payment on the first Thursday in June.

The CSG for the person concerned were issued to their nominated post office on 2 June

2016 and 9 June 2016 in respect of two care recipients.

I hope this clarifies the matter for the Deputy.

### **Domiciliary Care Allowance Applications**

322. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the status of an application by a person (details supplied) under the domiciliary care allowance scheme; and if he will make a statement on the matter. [15927/16]

**Minister for Social Protection (Deputy Leo Varadkar):** An application for domiciliary care allowance (DCA) was received from the person concerned on 6 April 2016. This application has been forwarded to one of the Department's Medical Assessors for their medical opinion. Following receipt of this opinion, a decision will be made by a Deciding Officer and notified to the applicant. It can currently take 12 weeks to process an application for DCA.

I hope this clarifies the matter for the Deputy.

### **Respite Care Grant Applications**

323. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the status of an application by a person (details supplied) under the respite care grant scheme; and if he will make a statement on the matter. [15928/16]

**Minister for Social Protection (Deputy Leo Varadkar):** An application for the Carer's Support Grant (formerly called Respite Care Grant) was received in my Department on 6th April 2016. This application is being processed as expeditiously as possible and a decision will be made shortly.

### **Invalidity Pension Applications**

324. **Deputy Pat Breen** asked the Minister for Social Protection when his Department will issue a decision to a person (details supplied) under the invalidity pension scheme; and if he will make a statement on the matter. [15950/16]

**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.

The Department received a claim for IP for the person concerned on the 3 November 2015.

On the 6 November 2015, a deciding officer (DO) requested information from the person in question in order to process the claim and decide upon the correct rate of entitlement.

Despite the issue of a reminder on 18 December 2015, no information was received by my department until 04 May 2016. The DO has reviewed the claim and has requested further information from the person in question in order to decide upon her entitlement to an increase for a qualified adult. As soon as this information has been received from the claimant the IP claim will be finalised as quickly as possible and the person concerned will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

### **Invalidity Pension Payments**

325. **Deputy Bernard J. Durkan** asked the Minister for Social Protection why a payment his Department recently awarded to a person (details supplied) was only backdated to March 2016 given that the person applied in January 2016 under the invalidity pension scheme; and if he will make a statement on the matter. [15953/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Where a person is found to be eligible, invalidity pension (IP) is awarded from the first Thursday after the date of receipt of the application. I confirm that the Department received an application for IP from the person concerned on 15 March 2016 and he has been awarded IP with effect from 17 March 2016, the first Thursday after date of receipt. Payment will issue to his nominated bank account on 16 June 2016. Any arrears due from 17 March 2016 to 15 June 2016 (less any overlapping social welfare payment and/or outstanding overpayment) will issue in due course. The person in question was notified of this decision on 27 May 2016.

I hope this clarifies the matter for the Deputy.

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

326. **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. [15957/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that my department received an application for carer's allowance (CA) from the person concerned on 7 December 2015.

The application was referred to a local social welfare inspector (SWI) to assess the level of care being provided, assess means and confirm that all the conditions for receipt of carer's allowance are satisfied. Once the SWI has reported, a deciding officer will make a decision as quickly as possible. The person concerned will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

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

327. **Deputy Willie O'Dea** asked the Minister for Social Protection when he will issue a decision on an application by a person (details supplied) under the carer's allowance scheme; and if he will make a statement on the matter. [15970/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that my department received an application for carer's allowance (CA) from the person concerned on 6 November 2015.

The application was referred to a local social welfare inspector (SWI) to assess the level of care being provided, assess means and confirm that all the conditions for receipt of carer's allowance are satisfied. Once the SWI has reported, a deciding officer will make a decision as quickly as possible. The person concerned will be notified directly of the outcome.



I hope this clarifies the matter for the Deputy.

### State Pensions

328. **Deputy John McGuinness** asked the Minister for Social Protection if he will restore the supplementary State transition pension payment scheme; and if he has established an inter-departmental group to examine this and other matters. [15978/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Social Welfare and Pensions Act 2011 provided for a gradual increase in the State pension age. This process began in January 2014 with the abolition of the State pension (transition) previously available at 65, thereby standardising State pension age for all at 66 years. There are no plans to introduce changes to this legislation which was introduced on foot of a Government commitment included in the National Recovery Plan published in 2010 and in the subsequent Memorandum of Understanding with the EU/ECB/IMF.

Each year more people are living to pension age and living longer in retirement. As a result of this demographic change, the number of State pension recipients is increasing by approximately 17,000 annually. This has significant implications for the future costs of State pension provision which are currently increasing by close to €1 billion every 5 years. The purpose of changes to the State pension age is to make the pension system more sustainable in the context of increasing life expectancy.

In January 2016, and with reference to a number of factors including the increasing age at which a State pension can be drawn, the previous Government established an Interdepartmental Working Group, chaired by the Department of Public Expenditure and Reform, to consider policy that will support fuller working lives. This Group, on which my Department is represented, is examining the implications arising from prevailing retirement ages for workers in both the private and public sectors. I understand the Group is due to report to Government in the near future.

I hope this clarifies the matter for the Deputy.

### Social Welfare Payments Administration

329. **Deputy Bobby Aylward** asked the Minister for Social Protection the reason he continues to issue letters to recipients of social protection payments requesting that they change their chosen payment method to a financial institution rather than the local post office; and if he will make a statement on the matter. [15986/16]

330. **Deputy Bobby Aylward** asked the Minister for Social Protection the reason he continues to issue correspondence to recipients of social protection payments indicating a preference for financial institutions over the post office network, given that the Government is engaged in a well publicised process to secure and develop this network; and if he will make a statement on the matter. [15987/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I propose to take Questions Nos. 329 and 330 together.

My Department provides two main options for payment methods for its customers: payments direct to customer accounts in financial institutions or payments in cash at post offices.

Specifically in respect of cash payments at Post Offices, in 2015 my department made over 38 million such payments in cash at a cost of €54 million. These welfare payments through post offices are across all of the department's major schemes: state pension, jobseekers, one parent family payments, widow/ers or survivors pensions, carers payments, disability payments and child benefit.

I can assure the Deputy that my department is not undertaking any measures which seek to actively influence customer choice in the manner of payment away from cash payments at the Post Office.

I want to emphasise that for the vast majority of my department's schemes the department's customers are given the choice of what payment method they wish to receive their social welfare payment. The vast majority of new customers choose to have payments made directly into their accounts in financial institutions which reflects a societal trend towards payment by electronic funds transfer. For example, 83% of new Child Benefit customers and 70% of new State Pension customers chose this option in 2015.

Many of my department's customers are in employment. My department's focus must be on our customers and to this end my department's policy is to make payments to in-work customers directly to accounts rather than customers being inconvenienced by two separate payment methods.

My department has a cohort of jobseeker customers who are classified as casual jobseekers. These are in-work customers who can claim a jobseekers payment for 2 to 3 days per week or who work week on/week-off. These customers were paid by cheque each week. Those customers were paid by cheque due to the changing nature of their work/claiming patterns and the short turn-around time to issue payments. It is important to note that they were not paid via post offices under the department's existing cash payments contract with An Post.

My department has developed its payment capacity in respect of changing work and claiming patterns and is offering payments direct to accounts in financial institutions for casual Jobseeker customers thereby increasing customer convenience. This is in line with wider departmental policy where the focus is on ensuring that in-work customers are paid by the most convenient method possible.

My department has written to all of these casual jobseekers offering the option of a payment to an account. The vast majority have responded and opted for payment to an account.

If customers wish to continue to be paid by cheque they can make their preference known to their local social welfare office which handles their claim.

The recent "Kerr Report" sets out the challenges that An Post and Postmasters face as they seek to ensure that the post office network remains relevant in the context of the inexorable shift towards electronic payments.

My Department will support the introduction by An Post of a standard bank account through the provision of seed funding to help start the initiative.

My department is engaging as appropriate with the Departments of Communications, Climate Change and Natural Resources and Public, Expenditure and Reform in addressing the recommendations of the report.

*Questions Nos. 331 and 332 answered with Question No. 277.*

## Work Placement Programmes

333. **Deputy Frank O'Rourke** asked the Minister for Social Protection if he will consider extending the placement period on Tús – work placement initiative from 12 to 18 or 24 months for those who wish to continue beyond the set 12-month period; the cost of this; and if he will make a statement on the matter. [16020/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The purpose of Tús is the provision of short-term quality work opportunities for those who are unemployed for more than one year in order to break the cycle of unemployment and to improve a person's opportunities in returning to the labour market. Currently, there are no circumstances under which a person's term on Tús can be extended.

The Tús budget for 2016 is €121.08 million which allows for 8,000 participants. Extending the period of participation beyond one year would not impact on the cost of the programme but would instead reduce the number of placements available to those who are long term unemployed. Currently the existing 12-month placement period on Tús is adequate to meet the objectives of the initiative whilst also ensuring that as many unemployed people as possible are able to benefit from the initiative.

Tús was introduced as a direct response to the growth in the level of unemployment during the financial crisis. With the ongoing welcome reductions in the live register, a review of work schemes, including Tús, is necessary to ensure that the number and nature of schemes and the conditions governing participation on same continues to be appropriate. I will be considering all of these issues over the coming months.

## Carer's Allowance Applications

334. **Deputy Bobby Aylward** asked the Minister for Social Protection if he will expedite an application by a person (details supplied) under the carer's allowance scheme; and if he will make a statement on the matter. [16042/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that my department received an application for carer's allowance (CA) from the person concerned on 17 February 2016. Unfortunately, there are currently delays in the processing of new applications. 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, the person concerned is in receipt of a weekly social welfare support.

I hope this clarifies the matter for the Deputy.

## International Election Monitoring

335. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade the reason the

number of Irish overseas election observers has fallen in each of the years 2013 to 2016 to date. [15367/16]

336. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade the key criteria and skills necessary for service as an overseas election observer; the criteria used to select observers for specific assignments; if experience and qualifications for a particular mission is the most important factor or if he bases selection lists on the length of time since a person's last assignment. [15368/16]

337. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade the reason he did not send a long-term observer to monitor the June 2016 Mongolian elections despite asking for applications; the target number of long-term and short-term observers he will deploy for the remainder of 2016; his plans to replace observers who have resigned; and if he will make a statement on the matter. [15369/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** I propose to take Questions Nos. 335 to 337, inclusive, together.

International election monitoring missions play an important role in the promotion of democracy and human rights. The Department of Foreign Affairs and Trade administers a roster of election observers so that Ireland can be represented at an appropriate level in international election observation missions organised, in the main, by the European Union and the Organisation for Security and Cooperation in Europe. The current roster was established in May 2013 for a period of five years following a review of the previous roster and a public call for applicants.

Two assessors external to the Department of Foreign Affairs and Trade, with a knowledge of election processes and experience of public service, separately undertook the independent appraisal and scoring of the 263 eligible applications for inclusion in the new roster against the four published criteria, which reflected the broad range of skills required for election observation. These were: experience of election observation; knowledge of human rights and/or governance issues; language skills; and experience of challenging environments.

Following the appraisal of all 263 eligible applications, the 200 individuals who achieved the highest scores were selected to serve on the new election observation roster. A reserve panel of the next ten highest scoring individuals was also established, from which replacements would be drawn should any members leave the roster. Taking account of members who have left the roster, and those who have been added from the reserve panel, the current roster complement stands at 199 and the reserve panel has been fully utilised.

For each election observation mission, the EU or OSCE set out their specific requirements and, on the basis of the expressions of interest submitted by roster members, the Department draws up a list of nominated observers. In selecting nominees to be put forward, the specific criteria set by the EU or OSCE, including relevant local and regional experience and language proficiency, form the principal basis for decision-making. Issues of gender balance and length of time since serving on a mission are also taken into account. The EU makes the final selection of observers for EU election observation missions.

Various factors influence the numbers of observers deployed each year. In 2013, 72 observers were deployed, 53 in 2014, and 46 in 2015. A total of 15 observers have been deployed to date in 2016 and a further 8 observers are expected to depart in the near future.

The principal reason for the variation in numbers on an annual basis is the number of elections taking place in any given year where the host authorities have extended an invitation to

the OSCE or EU to deploy an observation mission. A further factor can be the postponement of planned elections. Most recently, for instance, the planned parliamentary elections in the former Yugoslav Republic of Macedonia were postponed. Ireland had intended to deploy six short term observers to join a long term observer already deployed. In addition, it has happened that nominated observers, for compelling personal reasons, are unable to travel following nomination. It is therefore difficult to provide a specific target for the number of long term and short term observers to be deployed for the rest of 2016, but the intent would be to reach, and hopefully exceed, the 2015 final outturn.

For the parliamentary elections in Mongolia, we decided that the most effective contribution Ireland could make would be to send short term observers. Five Irish observers will travel to Mongolia this month to oversee the elections.

## Human Rights

338. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade if he is aware of the latest torture allegations that a person (details supplied) has made including details of gruesome treatment being meted out to prisoners; his views that the person's situation has clearly deteriorated; if he will respond to these reports as a matter of urgency; and immediately raise the person's treatment with their Egyptian counterpart. [15402/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** I can assure the Deputy that this case remains a top priority for the Government and for my Department. We 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.

I am aware of media references to a letter written by this citizen concerning allegations about the Egyptian prison system. Officials in my Department meet regularly with this citizen's family and Irish-based lawyers and the fourth such meeting in the past eight weeks took place on 9 June. The media reports of these allegations was one of the matters discussed at that meeting.

As would be the case for any Irish citizen imprisoned abroad, any concern related to ill-treatment would be treated with the utmost seriousness and would be raised urgently with the Egyptian authorities. This point has been consistently reconfirmed to this citizen and his family.

Significant resources continue to be deployed by my Department, both in Cairo and in Dublin, in the provision of comprehensive consular assistance to the citizen at the heart of this case. The Department has arranged exceptionally regular and frequent consular visits to this individual in prison since his arrest, the most recent undertaken by Ambassador Damien Cole on Sunday 29 May. Consular visitation is an important practical tool in monitoring our citizen's welfare and ensuring that the Embassy in Cairo is well placed to raise any concerns arising directly with the prison authorities.

The Egyptian Government is fully aware of the priority the Irish Government attaches to this case, and there continues to be sustained engagement at all levels with the Egyptian authorities. The key focus of our engagement is to achieve the release of this citizen by the Egyptian authorities at the earliest opportunity and to provide consular support for his welfare while he remains in detention.

The Taoiseach has twice met with President el-Sisi, making clear the Irish Government's concerns and objectives in this case. Since my appointment as Minister for Foreign Affairs and Trade in 2014, I have remained in regular contact with my Egyptian counterpart, Minister

Shoukry, on the 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, who have had citizens detained in similar circumstances, 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.

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.

### **International Agreements**

339. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade if he is aware of the planned signing of the Economic Partnership Agreement between the Southern African Development Community, SADC, and the European Union which is due to take place on 10 June 2016; that the agreement will be provisionally applied from 1 October 2016; his views that it will be provisionally applied by the SADC countries without waiting for their parliaments to vote on it; that the provisional application of international agreements is not foreseen in the constitutions or legal structures of most SADC countries; and if he will call for the signing to be suspended until the SADC countries are given appropriate time for the necessary parliamentary scrutiny and until voting on the agreement takes place. [15403/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** Economic Partnership Agreements (EPAs) between the EU and its Member States and the African, Caribbean and Pacific (ACP) States combine both trade and development provisions. The mandate for their negotiation derives from the Cotonou Agreement of 2000, between the EU and the ACP states. Their central objective is the reduction and eventual eradication of poverty, consistent with the objectives of sustainable development, and the gradual integration of the ACP countries into the world economy.

I obtained Government approval last month for the signing, subject to ratification, of the EU - Southern African Development Community (SADC) Economic Partnership Agreement. The Agreement was subsequently signed by Ireland, along with other EU Member States, in Brussels on 1 June, in advance of the formal signing ceremony in Botswana on 10 June.

This Agreement with Botswana, Lesotho, Mozambique, Namibia, South Africa and Swaziland seeks to put trade at the service of development. It is an instrument for development, jobs and growth in the long-term. It seeks to support further trade diversification and regional integration in Southern Africa.

The EU has agreed with its SADC partners that the Agreement may be applied provisionally, given that the process of ratification by all EU Member States, is likely to be a lengthy one. The Council of the EU has duly authorised the EU to sign and provisionally apply the Agreement. Provisional application of the Agreement is, of course, linked to the legal requirements of relevant signatories and the need to maintain a trading regime between the EU and the SADC signatories which is compatible with the rules of the World Trade Organisation. Where a SADC

state does not foresee the possibility of provisionally applying the Agreement before ratification, the Agreement will apply to that SADC state only after it has ratified it in accordance with its applicable constitutional or internal rules. Since the conclusion of the negotiations for the Agreement in July 2014, the EU has been working with the SADC signatories to achieve their ratification by 1 October 2016.

I look forward to active engagement with our SADC partners to ensure that this important trade and development Agreement can achieve its potential to support their development priorities and needs.

### **Departmental Expenditure**

340. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade the amount of money his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15417/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** My Department did not spend any funds on purchasing copies of the Public Sector Times Magazine in 2015.

### **Departmental Expenditure**

341. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade the amount of money spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15433/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** My Department spent €22,450 on daily newspapers up to the end of September 2015. This is a reduction from €73,731 in 2011. This reduction was achieved by a move to a greater use of online newspapers and magazines for Headquarters and Missions abroad.

### **Departmental Staff Data**

342. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade the number of staff working in his human resources section. [15449/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** The Human Resources Unit in my Department is split into two sections: HR1 deals with all matters relating to staff working in the Department's offices in Ireland; HR2 deals with all matters relating to HQ staff posted to our Missions abroad and also locally-employed staff working in those Missions (80 overseas missions in total).

A small number of staff in the Department's Development Cooperation Division (DCD) deal with HR matters for HQ staff posted to our Irish Aid key partner countries and also local staff working in those missions.

A total of 27 officers work on HR matters in my Department; 12 in HR1 of which half are availing of flexible working arrangements, 11 in HR2, and 4 in DCD-HR.

### **Ministerial Staff**

343. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade the number of staff who work exclusively on constituency matters for him. [15465/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** On the commencement of each Dáil, the Department of Public Expenditure and Reform (DPER) issues guidelines setting out the arrangements for the staffing of Ministerial Offices including the permitted staffing levels in the private and constituency offices of Ministers and Ministers of State. These guidelines are expected to be approved by Government shortly.

### **Departmental Staff Data**

344. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade the changes in the numbers employed in his human resources section following the introduction of PeoplePoint. [15481/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** My Department transitioned to PeoplePoint in April 2016. Staff in the Human Resources Unit are continuing to assist officers in the Department based at home and abroad during the stabilisation period of the new arrangements. A review of the Human Resources Unit is also being carried out on how to redeploy our resources more efficiently once the transition to Peoplepoint is fully implemented and stabilised.

### **Military Aircraft Landings**

345. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade further to Parliamentary Question No. 528 of 31 May 2016, if he has an obligation to carry out an audit of compliance with the conditions on which he grants permission through the conducting of unannounced inspections in the context of his statement that the United States of America is fully aware of the need to comply with these strict conditions. [15492/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** In accordance with international practice, foreign military aircraft landing in Ireland with the permission of the Government are not subject to searches or inspections. The principle of sovereign immunity applies automatically to such foreign State or military aircraft, in the same way that it applies to Irish State or military aircraft abroad.

Ireland accepts the generally recognised principles of international law as its rule of conduct in its relations with other States. Bilateral relations between friendly nations are founded on mutual trust; both parties have an interest in maintaining that trust and not undermining it. Details supplied to the Department of Foreign Affairs and Trade by diplomatic missions in relation to foreign military aircraft are therefore accepted in good faith as being accurate.

Information provided to other States by Irish diplomatic missions seeking diplomatic clearance for flights undertaken by the Air Corps is similarly accepted by those countries to be accurate.

### **Foreign Conflicts**



346. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade if he will highlight the death threats to social leaders in Colombia, where 28 social campaigners and trade unionists were murdered and a further nine were massacred in Putumayo in March 2016. [15533/16]

347. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade his views on the growing level of State-sponsored violence and intimidation against agrarian protesters in Colombia which has taken the lives of three protesters in June 2016. [15534/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** I propose to take Questions Nos. 346 and 347 together.

I am concerned by the recent reports of violence, social unrest and killings in Colombia to which the Deputy refers. The promotion and protection of human rights is a key priority for Ireland and we condemn unreservedly all attacks and threats against human rights defenders and other campaigners for social justice, wherever they take place.

Agrarian protests involving the blockading of roads have been taking place across Colombia, and three protesters were killed in clashes with the police. On 9 June, President Santos said that his government wished to establish a dialogue with the protestors to try to resolve the issue.

Officials from my Department met with Colombian social campaigners in Dublin last month to discuss the recent upsurge in violence against environmental and trade union activists. Colombia faces significant challenges in securing lasting peace and security, particularly in its remote, rural districts. It is clear that, as the peace process between the Colombian government and the FARC guerrilla group nears its conclusion, there remain elements in Colombian society who oppose peace and who will seek to derail the agreement through violence.

A climate of violence breeds human rights abuses, and only lasting peace can ensure the conditions necessary for the full enjoyment of human rights. In that context, we must acknowledge the enormous progress that has been made in the peace talks between the Colombian Government and the FARC. After over 50 years of violence, the talks are approaching a historic conclusion. Moreover, on 30 March, the country's second-largest leftist guerrilla group, the ELN, announced that it would also participate in formal peace negotiations with the government. In addition, the third major source of non-state violence, the criminal networks known as BACRIM (Bandas Criminales) which evolved from right-wing paramilitary organisations, are now the target of a major government effort to tackle organised crime and prevent such groups from destabilising the peace process.

Human rights are at the heart of Ireland's engagement with Colombia. To highlight our concern at attacks and threats against human rights defenders, trade unionists and others, officials from our embassy in Mexico, which is accredited to Colombia on a non-residential basis, meet with human rights groups and government officials during their regular visits to Colombia. In addition, officials from my Department continue to raise our concerns around human rights in Colombia at EU level.

Through the mechanism of the EU-Colombia Human Rights Dialogue, the Union engages with the Colombian authorities in a structured manner across the full range of human rights issues, including as regards human rights defenders and trade unionists, land restitution, economic and environmental issues. It is our firm belief that this policy of engagement, dialogue and scrutiny, which is ongoing, regular and structured, is the best way to promote human rights in Colombia.

A significant proportion of Ireland's funding to Colombia is focused on supporting human rights initiatives and human rights defenders. In recent years, this has included funding to

Christian Aid, the Office of the UN High Commissioner for Human Rights in Colombia, and the Inter-American Commission on Human Rights.

### Commemorative Events

348. **Deputy Jim O’Callaghan** asked the Minister for Foreign Affairs and Trade if he has requested the British Government to permit a commemoration of the centenary of the execution of Roger Casement at Pentonville Prison, London on 3 August 2016. [15577/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** As part of the Ireland 2016 Centenary Programme, State Ceremonial Events have marked the executions of the leaders of the Rising.

Planning is underway for an event to commemorate the execution of Roger Casement on 3 August. In this context there have been some discussions with the British Government about access to Pentonville Prison in London. However, I would note that Pentonville remains a working prison, and the outcome of those discussions remains to be determined.

As the Deputy will know, Roger Casement’s remains were exhumed from Pentonville in 1965 and returned to Ireland. They were re-interred in Glasnevin Cemetery on the 1st March that year after a State Funeral with full military honours.

### European Council Meetings

349. **Deputy Darragh O’Brien** asked the Minister for Foreign Affairs and Trade to report on his most recent Foreign Affairs Council meeting; and if he will make a statement on the matter. [15586/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** I attended the most recent Foreign Affairs Council (FAC) meeting in Brussels on 23 May where migration, the threat posed by ISIL/Da’esh, and the EU Global Strategy on Foreign and Security Policy were on the agenda. The FAC meeting was preceded by a ministerial meeting on the Eastern Partnership.

The Council had a wide-ranging discussion on the external aspects of migration. The High Representative, Federica Mogherini (HRVP), highlighted the work that has been accomplished with the G5 Sahel Group (comprising Burkina Faso, Chad, Mali, Mauritania, and Niger); the HRVP also mentioned that €750m has been approved for security projects under the Valetta trust fund, with another funding round in June which will focus on further security projects. Speaking about the considerable role that Turkey is playing in addressing the migrant crisis, I also reiterated Ireland’s concerns in respect of the rule of law, human rights and freedom of the media in Turkey and the need to hold Turkey to account to the core European values inherent in the accession process.

Ministers noted the easing of migratory pressures in recent months, and underlined the need for short, medium and long term solutions; for contingency planning and for a focus on legal economic migration. I highlighted Ireland’s ongoing role in providing humanitarian assistance through our bilateral arrangement with Italy. Four Irish vessels have deployed to the Mediterranean since May 2015, most recently the *L.E. Róisín*. To date they have rescued 9,374 people. I also emphasised that it is only through tackling the root causes of migration- political instability, inequality, and poverty in countries of origin- that the EU can hope to resolve this global phenomenon.

The Council also discussed the threat posed by ISIL/Da'esh, which incorporated a discussion on the situation in Iraq, and the need for a renewed focus on the political track in Syria. Ministers underlined that the stabilisation of liberated areas is of the utmost importance in Iraq. On Syria, the necessity of continued support for UN Special Envoy De Mistura was emphasised. Ministers agreed that the regional strategy remains valid, and adopted the related Council Conclusions.

The HRVP briefed Ministers on the ongoing preparation of the new EU Global Strategy on Foreign and Security Policy, which she is leading. I intervened to highlight key issues of importance for Ireland, including the need for the strategy to address the root causes of instability, such as repression and denial of basic human rights; poor governance and corruption; poverty and underdevelopment. I emphasised that the strategy should be firmly grounded in the Treaties and should aim to mobilise all aspects of the EU's external action in pursuit of coherent policy objectives. The HRVP informed Ministers that it is expected that the strategy will be presented to the European Council in June.

The Eastern Partnership meeting brought together EU Foreign Ministers with the Foreign Ministers of the six Eastern Partnership countries. The Ministerial meeting took place one year after the EU reaffirmed its support for the six participating countries at the May 2015 Riga Summit and was the first Eastern Partnership ministerial since the adoption of the Review of the European Neighbourhood Policy in December 2015. The meeting was constructive and proved again that it is an effective framework for cooperation and dialogue with our Eastern neighbours. I underscored that it is important that the Eastern Partnership continues to incentivise reform and progress, and joined with many other ministers in expressing concern for recent escalation of violence in Nagorno-Karabakh. I appealed to all participants to engage actively with the OSCE Minsk Group to reach a sustainable agreement.

### **International Agreements**

350. **Deputy Jonathan O'Brien** asked the Minister for Foreign Affairs and Trade the steps necessary to ratify the UN optional protocol to the International Covenant on Economic, Social and Cultural Rights. [15697/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** In my reply of 31 May 2016, I reaffirmed the Government's commitment to the promotion and protection of economic, social and cultural rights as evidenced by Ireland's signature of the Optional Protocol.

In accordance with Ireland's standard practice, in order to ensure that the State can meet its obligations under the Optional Protocol upon ratification, it is necessary to carry out a thorough and wide-ranging examination of its provisions. As referred to in my earlier reply, this process will involve extensive consultation with all relevant Government Departments and Offices, aimed at identifying and implementing any measures required to give effect to the Optional Protocol.

Once the necessary steps to ensure compliance have been carried out, I will seek Government authority for ratification of the Optional Protocol.

### **Departmental Correspondence**

351. **Deputy John McGuinness** asked the Minister for Foreign Affairs and Trade if he will review correspondence from a person (details supplied) to determine if he can meet and provide

assistance and information to persons; and if he will make a statement on the matter. [15746/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** I thank the Deputy for his question regarding the individual concerned.

Officials in my Department have been in contact with this individual and have endeavoured to provide all possible and appropriate assistance, and stand ready to continue to assist.

I would invite the Deputy to advise the individual to make direct contact with officials in the Consular Division of my Department who would be happy to provide any further possible assistance in this case. The contact person is: Marianne Bolger and can be contacted by email [marianne.bolger@dfa.ie](mailto:marianne.bolger@dfa.ie) or telephone 01 4082572.

### **Military Aircraft Landings**

352. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade the reason a military aircraft (details supplied) of the US was at Shannon Airport on 1 June 2016; and the implications for our neutrality. [15753/16]

353. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade if, and the details, permission was requested on occasions other than 1 June 2016 (details supplied) for a military aircraft of the US to land at Shannon Airport, County Clare. [15754/16]

354. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade if a military aircraft of the US (details supplied), which was present at Shannon Airport on 1 June 2016, sought permission to land and if he granted this permission. [15755/16]

355. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade the date permission was sought and the date on which he granted permission to a military aircraft of the US (details supplied) to land at Shannon Airport on 1 June 2016. [15756/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** I propose to take Questions Nos. 352 to 355, inclusive, together.

My Department received a request dated 13 May 2016 in respect of an aircraft with the call sign to which the Deputy refers. The request sought permission to land at Shannon Airport on 31 May and to depart on 2 June 2016. The request stated that the aircraft was unarmed, carried no arms, ammunition or explosives and that it would not engage in intelligence gathering. It also stated that the flight did not form part of any military operation or exercises. The purpose of the landing was stated as crew rest.

On 16 May 2016 my Department granted clearance for the landing provided that the aircraft was unarmed and carried no arms, ammunition or explosives, would not engage in intelligence gathering and that the flight in question would not form part of military exercises or operations.

No other request for permission to land in respect of an aircraft operating with the registration number to which the Deputy refers has been received to date this year, nor was one received in 2015.

Ireland's traditional policy of military neutrality is characterised by non-participation in military alliances. This commitment to this policy was reconfirmed last year in the Foreign Policy Review "The Global Island," and in the White Paper on Defence.

Successive Governments have made landing facilities at Shannon Airport available to the

United States for well over 50 years. Permission must be sought in advance for landings by all foreign military aircraft, including US aircraft, and if granted, is subject to the strict conditions which I have outlined.

These arrangements do not amount to any form of military alliance with the United States and are consistent with our policy of military neutrality.

### Sports Events

356. **Deputy Darragh O'Brien** asked the Minister for Foreign Affairs and Trade the measures he has implemented to support, assist and safeguard Irish citizens travelling abroad in summer 2016 to sporting and other events; and if he will make a statement on the matter. [15886/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** The Government is acutely conscious of the safety and security issues associated with major sporting events. My Department is therefore actively engaging with the authorities and key stakeholders in France and Brazil in order that all appropriate measures are taken to ensure that Irish citizens travelling to both Euro 2016 and the Rio Olympic Games are safe. The primary responsibility, of course, for the security of visitors in these countries lies with local police services, and we know that French and Brazilian authorities are taking security around these major events very seriously.

Detailed travel advice is available on my Department's website – *www.dfa.ie* – and the Department's new TravelWise app which was launched on 10 June, and I would encourage all those considering travel to these or any other destinations this summer to study it carefully.

Our advice to Irish citizens travelling to France is that they should exercise a high degree of caution. In view of the exceptional security situation in France following the terrorist attacks on 13 November, my Department has been developing and implementing a comprehensive action plan to ensure that our Embassy in Paris is equipped to deal with the likely increased consular demand over the coming weeks. My Department has also been working closely with UEFA and the relevant national and local authorities in France, and with An Garda Síochána, the Football Association of Ireland and travel industry representatives in Ireland on planning and preparation.

The Embassy has been reinforced with an additional five experienced officers redeployed from Headquarters in Dublin. Officials have been present on the ground in Paris and will be present in Bordeaux and Lille around match dates to provide advice and emergency consular assistance to Irish citizens in difficulty.

There is a dedicated Euro 2016 consular phone line operational 7 days a week from 10 June at 00 33 1441 76780. Specialised consular and emergency response training has been delivered to the staff at the Embassy and additional communications and IT equipment has also been provided in order to enhance our consular capacity.

My Department has also prepared an information campaign targeted at travelling football fans to help them be as well-informed as possible. I launched this campaign on April 18 highlighting the "First Eleven" travel tips for fans. A dedicated microsite has been published in order to relay all of the Department's key information in relation to the tournament: *www.dfa.ie/euro2016*.

Fifty thousand printed information leaflets, providing travel advice and key emergency contact details, were distributed at the recent friendly matches in Dublin and Cork, and more have

been provided to airports, ferry ports, and Irish pubs in France, as well as being available online and on social media. Both the aforementioned Department website and TravelWise app will remain a valuable source of information for Irish citizens abroad, and will be an important communications tool for our Government's consular response in the event of any emergency abroad.

The Department's current travel advice for Brazil advises Irish citizens to exercise normal precautions. Particular risks highlighted include high crime levels, road safety issues and mosquito-borne diseases, including the Zika virus. In contrast to Euro 2016, the number of Irish citizens expected to travel to Brazil is relatively low, based on estimates from the Olympic Council of Ireland, with whom my Department is in regular contact. The Embassy of Ireland in Brasilia and Consulate General in São Paulo have been actively engaging with the Brazilian authorities in relation to all aspects of planning for the tournament, including regarding policing and ensuring that visiting Irish citizens attending Rio 2016 stay safe. A temporary Consulate will be established in Rio de Janeiro for the duration of the Olympics and Paralympics tournaments.

My Department remains in close and continuous contact with the HSE's Health Protection Surveillance Centre (HPSC) on the Zika virus and additional health-related concerns. Travel Advice in response to the Zika Virus outbreak, based on the advice of the HSE and the WHO, is available on the Department's website. This specifically and strongly recommends that pregnant women consider postponing their travel to Zika-affected areas. We are closely monitoring the situation and will continue to regularly update our travel advice in this regard.

I encourage all citizens travelling to both France and Brazil to pay close attention to updates to the travel advice on the website and TravelWise app, check their passports are in date and arrange comprehensive travel insurance before they depart. I would also urge all travelling fans to register their details on our Citizens' Registration facility, also available through our website.

### **International Agreements**

357. **Deputy Darragh O'Brien** asked the Minister for Foreign Affairs and Trade the status of the impact of the EU-Turkey migration deal negotiated in March 2016; the mechanisms that have been put in place to ensure the human rights of refugees returned to Turkey are protected; and if he will make a statement on the matter. [15887/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** The core intention of the Agreement which emerged from the March European Council is to break the business model of the people smugglers who are profiting from the suffering of the vulnerable. In particular, it aims to discourage the victims of people smugglers from risking their lives and dangerous sea journeys. The very significant decline in the number of people attempting to cross the Aegean Sea from Turkey to the Greek Islands since the agreement entered into force suggests that it is achieving its aims.

The need for the agreement to comply with EU and international law was a key concern for very many EU Member States, including Ireland. The legal advice of the EU institutions and the Attorney General's Office was that the terms of the Agreement were not in breach of EU or International law.

The EU and Turkey have agreed that there will be no blanket returns. Each migrant has the right to apply for international protection in Greece and to have their application assessed on an individual basis in line with international law, including with a right to appeal. Part of this as-

assessment process includes ascertaining whether Turkey can be considered a safe country given an irregular migrant or asylum seeker's individual circumstances.

Turkey has provided formal guarantees as part of the EU-Turkey Agreement that Syrian refugees returned to Turkey will be granted temporary protection upon return. Non-Syrians in need of international protection who are returned to Turkey, will also be able to apply for and receive protection there. The European Commission reported on 4 May that Turkey has received all those returned from Greece in accordance with the Agreement.

The EU is also committed to assisting Turkey deal with the enormous challenge of hosting some 2.7 million refugees and to improve the situation for these refugees. To this end, the EU has established a €3 billion Facility for Refugees in Turkey. This Facility aims to support Syrians and other refugees by providing access to food, shelter, education, and healthcare.

I am aware of reports by Human Rights Watch and Amnesty International, including testimony from migrants and witnesses that some Turkish border guards have used violence against Syrians. These reports are very worrying and will require a full investigation by the Turkish authorities. While Turkey has a right to secure its border with Syria, all actions on the part of Turkey must be in line with international law.

More broadly, the issue of human rights in Turkey has been raised by the Taoiseach at European Council and continues to form an integral part of the country's enlargement process, which we, along with our European partners keep under close review. At the Foreign Affairs Council on 23 May, I reiterated Ireland's concerns in respect of the rule of law, human rights and freedom of the media in Turkey and the need to hold Turkey to account to the core European values inherent in the accession process.

### **Official Apology**

358. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade why a Minister retracted an apology on 27 November 2007 which had been given by a Minister on 9 August 2004 (details supplied); if the apology originally given should stand, given that the Ombudsman has retracted a citing against a person; and if he will correct the record of Dáil Éireann on this matter through the Joint Committee on Public Oversight and Petitions or through the Ombudsman. [15988/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** The Deputy's Question refers to an individual who sought compensation for alleged mishandling of a recruitment process by the Agency for Personal Service Overseas (APSO) in 1997. APSO was a limited company which was wound up in 2004.

This matter has been the subject of previous correspondence and representations with the Department of Foreign Affairs and Trade. My Department has been in communication with the individual most recently in July 2014.

The Department of Foreign Affairs and Trade has dealt with this matter as sympathetically as possible, based on the fullest consideration of the facts, since the functions of APSO were taken over by the Department in 2004. Liability has been denied by the Department. I am not in a position to enter into any further detail on the matter.

### **Departmental Funding**

359. **Deputy Brendan Griffin** asked the Minister for Foreign Affairs and Trade if a reprint publication is eligible for funding (details supplied); and if he will make a statement on the matter. [16049/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** My Department does not have a funding stream that would cover the reprinting of this publication.

### **Foreshore Issues**

360. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform his views on correspondence (details supplied) regarding a plot of land; and if he will make a statement on the matter. [15495/16]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Seán Canney):** I am advised by the Commissioners of Public Works in Ireland that they are not the owners of the piece of land in question.

The Department of Housing Planning and Local Government has responsibility for foreshore and may be able to provide assistance.

### **Stability Programme Data**

361. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform the steps he will take to ensure that medium-term projections such as those in the stability programme update do not understate likely future expenditure pressures, such as public pay increases or inflation; and if he will make a statement on the matter. [15736/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The fiscal forecasts in the Stability Programme Update for the period 2017 to 2021 were set out on a technical, no-policy change basis, consistent with the approach adopted in the Budget 2016 book published by the Department of Finance in October last year.

The amounts included in both the Budget 2016 book and the April 2016 Stability Programme Update in respect of voted expenditure were guided by the Ministerial Expenditure Ceilings for the period to 2018 published in the Expenditure Report 2016. These ceilings took into account certain of the key non-discretionary drivers of expenditure including: projected expenditure pressures in Health, Education and Social Protection arising from demographics; and the projected carry over impact of certain Budget 2016 measures including additional pay costs arising under the Lansdowne Road Agreement. The expenditure ceilings also reflected agreed policy in relation to the multi-annual capital investment framework as set out in the Public Capital Plan. The expenditure ceilings do not take into account the impact of general inflationary increases.

An effective public expenditure framework has several key elements in addition to multi-annual ceilings including:

- Regular Comprehensive Reviews of Expenditure that take into account whether or not the programmes are delivering, changes in government priorities, and proposals for new expenditure programmes

- Reviews of expenditure programmes being informed by relevant evaluations of the effectiveness and efficiency of programmes utilising the Public Spending Code and the Irish



Government Economic and Evaluation Service;

- Performance Budgeting with a focus on the impact of public services;
- Greater engagement with the Oireachtas in reviewing the expenditure challenges and priorities.

The Summer Economic Statement (SES) to be published this month will provide an updated assessment of the macro-economic and fiscal prospects, including the medium-term fiscal framework. The proposed Mid-Year Expenditure Report to be published in July will also inform expenditure priorities and challenges in advance of Budget 2017.

In looking at medium term expenditure projections, it is appropriate to utilise all elements of the public expenditure framework to ensure that the available resources are directed to effectively deliver key social and economic priorities. This must be enabled through a continuing emphasis on value-for-money and effectiveness, enabled by public service reforms and the focus on outputs provided by performance budgeting initiative.

### **Office of Public Works Staff**

362. **Deputy Brendan Griffin** asked the Minister for Public Expenditure and Reform if he will reinstate the critically important role of dedicated manager at Ionad an Bhlascaoid, Dún Chaoin, Contae Chiarraí given its national importance; and if he will make a statement on the matter. [15330/16]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Seán Canney):** A new supervisory position of Foreman was filled in June 2015. Staffing at the site will be kept under review in the context of overall staffing requirements within the Office of Public Works.

### **Departmental Expenditure**

363. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform the amount his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15421/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** In response to the Deputy's question the Public Sector Times Magazine is freely distributed to all departments so no costs were incurred.

### **Departmental Expenditure**

364. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform the amount spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15437/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** In response to the Deputy's question my Department spent €22,379 on daily and weekend newspapers in 2015. There are online subscriptions to the Irish Times and the Financial Times.

With over 1,100 staff members in my Department a combination of physical copies and

online subscriptions is currently considered appropriate and every effort is made to minimise costs where possible.

### **Departmental Staff Data**

365. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform the number of staff working in his human resources section. [15453/16]

367. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform the changes in the numbers employed in his human resources section following the introduction of PeoplePoint. [15485/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I propose to take Questions Nos. 365 and 367 together.

The number of staff working in the Human Resources section of my Department is 20.8. The HR staffing number is reflective of my Department's mission to, inter alia, deliver the Government's Public Service Reform Plan. The introduction of PeoplePoint in 2013 was accompanied by the establishment of the National Shared Services Office (NSSO) in 2014 on an administrative basis within my Department and the Office of Government Procurement (OGP) which commenced operating as an office of my Department in early 2014.

The establishment of the NSSO and the OGP are key elements of the Government's Public Service Reform Programme, aimed at delivering maximum benefit in the use of public funds. The Human Resources Section is delivering a range of HR supports across the various disciplines of organisation development, workforce planning, employee relations, performance management and learning and development to these functional offices as well as the other functional areas of my Department which now operates across 9 geographic centres across the country.

### **Ministerial Staff**

366. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform the number of staff who work exclusively on constituency matters for him. [15469/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** On the commencement of each Dáil, the Department of Public Expenditure and Reform (DPER) issues guidelines setting out the arrangements for the staffing of Ministerial Offices including the permitted staffing levels in the private and constituency offices of Ministers and Ministers of State. These guidelines are expected to be approved by Government shortly.

*Question No. 367 answered with Question No. 365.*

### **Departmental Correspondence**

368. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform his views on correspondence (details supplied) regarding a site; and if he will make a statement on the matter. [15489/16]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Seán Canney):** The OPW provides a guide service at six sites in County Kerry, Skellig Michael, Ar-

dfert Cathedral, Listowel Castle, Ross Castle, Derrynane House and the Great Blasket Centre and has committed, and continues to commit, significant resources to these sites.

A key-holding arrangement is in place at Carrigafoyle Castle, Co. Kerry and this year access for the public is being facilitated from 1 May to 30 September. It is not considered advisable to extend opening times because of the Health and Safety risk at this unattended site, as underfoot conditions would, in all probability, be significantly compromised by the greater likelihood of poor weather and low light levels outside the summer period.

The site is open from 10 a.m. to 6 p.m. daily from May to September and visitors have access to all areas of the Castle without restriction. It is considered that this will adequately facilitate any summer and early autumn visitors who wish to visit the site.

### **EU Directives**

369. **Deputy Niall Collins** asked the Minister for Public Expenditure and Reform if he has incorporated all elements of the public authorities contracts directive, 2014/24/EU, and the utilities directive, 2014/25/EU, regarding economic, social and environmental well-being and public service contracts put out to tender, in recent statutory instruments on 5 May 2016; and if he will make a statement on the matter. [15499/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The two Directives referred to by the Deputy have been transposed into national law by way of the following Statutory Instruments:

- S.I. 284 of 2016 European Union (Award of Public Authority Contracts) Regulations 2016

- S.I. 286 of 2016 - European Union (Award of Contracts by Utility Undertakings) Regulations 2016

The provisions of these Regulations are effective from 18 April 2016.

Under Regulation 18(4) of the Public Authority Contracts Regulations 2016 and Regulation 35(4) of Award of Contracts by Utility Undertakings Regulations 2016, economic operators delivering public contracts are required to comply with all applicable obligations in the fields of environmental, social and labour law that apply where the works are executed or the services are provided in compliance with European Union, national law or relevant international environmental, social and labour law provisions. Furthermore, the Regulations require contracting authorities to ensure that these obligations are complied with in public contracts.

### **Office of Public Works Projects**

370. **Deputy Brendan Griffin** asked the Minister for Public Expenditure and Reform to extend the existing cover way on Sceilig Mhichíl, Contae Chiarraí to protect walkers from falling stones as a precautionary measure, given the potential risk of further rock falls; and if he will make a statement on the matter. [15541/16]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Seán Canney):** On foot of a full technical analysis in recent weeks it has been decided to extend the existing canopy onto the area in question. In the meanwhile the Office of Public Works (OPW) staff have erected stout netting to catch any material coming down.

Archaeological excavations will need to be undertaken along the inside of the lighthouse wall to anchor the structure. The full documentation for these works, including a Natura Impact Statement and Method Statements for both the archaeology and the works has been prepared and will shortly be submitted to the Department of Regional Development, Rural Affairs, Arts & the Gaeltacht for consent.

Once consent is obtained, the OPW will commence the work. In the meanwhile the necessary materials are being organised and transported to the island. This will be undertaken while keeping the island open to visitors. For reasons of safety the works cannot be undertaken, while visitors are on the island given that they pass through this area, so the works will be undertaken early morning and late afternoon/early evening.

### **Departmental Reports**

371. **Deputy Sean Sherlock** asked the Minister for Public Expenditure and Reform if he will publish the Civil Service Arbitration Board's report; if he will accept its findings; and if he will link disciplinary actions with performance reviews. [15673/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The report of the Civil Service Arbitration Board on the introduction of an Underperformance Policy for the Civil Service was laid before the Houses of the Oireachtas on Monday 23 May 2016.

The new policy on the management of Underperformance in the Civil Service has been endorsed by the Arbitration Board as compatible with good HR practice. The Board has recommended that the new policy should be implemented from 1st January 2017.

The Underperformance Policy proposes a range of measures to address underperformance including the provision of training where necessary. The purpose of these measures is to ensure that the performance reaches the required standard. However, there will be consequences where there is a failure to reach the required standard of performance and the policy also allows for disciplinary sanctions to be applied in such cases.

### **Semi-State Bodies Data**

372. **Deputy Noel Rock** asked the Minister for Public Expenditure and Reform the number of chief executive officers in semi-State companies, under the aegis of his Department, who are employed or who are not employed on a Hay contract. [15678/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** In response to the Deputy's question I can confirm that there are no semi-State companies under the aegis of my Department.

### **Public Sector Staff**

373. **Deputy Sean Sherlock** asked the Minister for Public Expenditure and Reform when he will recommence pre-retirement courses for civil servants in Departments and State bodies. [15881/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** A tender

competition for pre-retirement courses was concluded recently and a new service provider is in place. Administrative arrangements are being finalised and it is anticipated that pre-retirement courses will be in place shortly.

### **Drainage Schemes**

374. **Deputy Dara Calleary** asked the Minister for Public Expenditure and Reform why the Office of Public Works will not engage in a clean-up of the River Deel, including the river bank, silt on the river bed and so on, given two major flooding incidents in Crossmolina, County Mayo in 2015 and the associated damage and considerable distress caused; if he will instruct the office to undertake this work as a matter of urgency; and if he will make a statement on the matter. [15890/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The River Deel downstream of Crossmolina is part of the River Moy Catchment Drainage Scheme which was carried out by the Office of Public Works (OPW) under the Arterial Drainage Act 1945. The OPW continues to have statutory responsibility for the maintenance of this scheme. Earlier this year the OPW initiated a programme of tree cutting from the bank of the river in this area. Further work will be undertaken later in the year.

The OPW is currently engaged in the process of developing a flood relief scheme for the town of Crossmolina. This area is not part of the Moy Catchment Drainage Scheme. The OPW powers to undertake maintenance do not extend to this area before a new flood relief scheme is completed.

### **Irish Fiscal Advisory Council Reports**

375. **Deputy Sean Sherlock** asked the Minister for Public Expenditure and Reform if he has seen the Irish Fiscal Advisory Council report of June 2016; his assessment of the report as it relates to new spending priorities in the programme for Government; and the cost of implementing the programme for Government and the cost of policy proposals within his remit. [15901/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I note that the Fiscal Assessment Report welcomes the commitments in the Programme for a Partnership Government in relation to compliance with fiscal rules and reform of the budget process to allow for greater scrutiny.

Within the context of ensuring compliance with the fiscal rules, the Programme contains a commitment to spend at least €6.75 billion more on public services by 2021 compared to 2016. This will allow expenditure to be increased to meet the additional costs arising from an ageing and growing population and to provide for targeted improvements in public services. In addition, the Government proposes a cumulative additional €4 billion in Exchequer capital investment up to 2021.

The Fiscal Assessment Report outlines that the Programme does not set out a detailed costing of policy proposals. In this regard, as outlined in the Programme, for every policy challenge, the new Government will ensure that a balance is struck between addressing urgent priorities - utilising the action plan framework set out in the Programme document - and engaging in long-term planning and thinking, so that lasting solutions with broad based support are implemented.

In order to implement this approach effectively in practice, a key action for the Government's first hundred days is securing agreement with the Oireachtas on putting in place a reformed budget process. This is intended to secure a significantly more participatory approach, underpinned by a substantially enhanced Dáil input into and feedback on the development of budgetary priorities.

It is envisaged that an important element of this new model will be to facilitate appropriate consultation and engagement on the costings of specific measures intended to respond to particular Programme priorities, as well as examining how these measures align with overall fiscal parameters.

This new approach will have a central role to play in guiding and informing deliberation by the Oireachtas on budgetary options and in shaping the Government's budgetary proposals for specific measures to deliver the Programme priorities.

### Drainage Schemes

376. **Deputy Kevin O'Keeffe** asked the Minister for Public Expenditure and Reform if he will arrange to have works carried out at a specific location (details supplied). [15904/16]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Seán Canney):** This location mentioned by the Deputy does not form part of any Arterial Drainage Scheme which would fall under the remit of the Office of Public Works (OPW) under the 1945 Arterial Drainage Act. The OPW therefore has no responsibility for the maintenance of the channel, nor any authority to carry out any works there.

Local flooding issues are a matter, in the first instance, for each Local Authority to investigate and address, and Cork County Council may carry out flood mitigation works using its own resources.

The Office of Public Works operates a Minor Flood Mitigation Works and Coastal Protection Scheme. This administrative Scheme's eligibility criteria, including a requirement that any measures are cost beneficial are published on the OPW website at <http://www.opw.ie/en/floodriskmanagement/operations/minorfloodworkscoastalprotectionscheme/>. It is open to the Cork County Council to submit a funding application under the Scheme. Any application received will be considered in accordance with the overall availability of resources for flood risk management and the scheme's eligibility criteria available on the OPW website.

### Hedge Cutting Season

377. **Deputy Bobby Aylward** asked the Minister for Arts, Heritage and the Gaeltacht the agricultural hedge cutting date restrictions in place for farmers and others; and if she will make a statement on the matter. [15742/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** Section 40 of the Wildlife Acts 1976, as amended, prohibits the cutting, grubbing, burning or destruction of vegetation, with certain strict exemptions, from 1 March to 31 August during the nesting and breeding season for birds and wildlife. Following a review of Section 40, which involved, *inter alia*, consideration of submissions from interested parties, I announced proposals in December 2015 to introduce legislation to allow for managed hedge cutting and burning at certain times within the existing closed period on a pilot two year basis. The legislation required to

allow for these pilot measures was included in the Heritage Bill 2016, which was published in January 2016 and subsequently completed Second Stage in Seanad Éireann.

Steps are in hand to reintroduce the Heritage Bill into Seanad Éireann at the earliest opportunity. In the meantime, the existing provisions relating to Section 40 of the Wildlife Acts are still in operation.

### Scéimeanna Teanga

378. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Ealaíon, Oidhreacht agus Gaeltachta cén idirphlé a bhí ann idir a Roinn agus an Roinn Oideachais agus Scileanna go dtí seo maidir le dréacht de ráiteas straitéise na Roinne Oideachais agus Scileanna atá ag dul trí phróiseas comhairliúcháin faoi láthair; agus an ndéanfaidh sí ráiteas ina thaobh. [15316/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** Is féidir liom a chinntiú go ndearna mo chomhghleacaí, an tAire Oideachais agus Scileanna, teagmháil liom i dtaca leis an bpróiseas comhairliúcháin atá tosaithe d'fhonn tuairimí a fháil a chuirfeadh bonn eolais faoi ullmhú Ráiteas Straitéise a Roinne.

Tá mo Roinnse ag breathnú ar na ceistanna a ardaíodh leis an bpáipéar comhairliúcháin a scaip an Roinn Oideachais agus Scileanna agus tabharfar aisfhreagra sa chás go luath.

### Forbairt Calaí agus Céanna

379. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Ealaíon, Oidhreacht agus Gaeltachta an bhfuil sé i gceist ag a Roinn a iarraidh ar Chomhairle Contae na Gaillimhe cead pleanála a lorg do Chuid 3 d'fhorbairt an Chalaídh Mhóir, Inis Meáin ó tharla go bhfuil airgead íoctha ag a Roinn leis an gComhairle Contae le fada an lá leis an gcead seo a lorg; an bhfuil sé i gceist aici a iarraidh ar an Aire Stáit ar a bhfuil an fhreagracht don Ghaeltacht agus do na hOileáin casadh leis an gComhairle Contae leis an mhoill seo a phlé go díreach leo; agus an ndéanfaidh sí ráiteas ina thaobh. [15317/16]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Seán Kyne):** Mar is eol don Teachta, bhí cruinniú agam le déanaí le hionadaithe poiblí an cheantair, le hoifigigh ó mo Roinn fein agus ó Chomhairle Chontae na Gaillimhe i láthair, ag ar pléadh forbairt Céim III de Ché an Chalaídh Mhóir.

Tagann cúram na cé seo faoi Chomhairle Chontae na Gaillimhe agus, mar is eol don Teachta, níl na hacmhainní ar fáil don Chomhairle Céim III den fhorbairt a thosú, rud is cúis leis an mhoill sa chás. Ar ndóigh, i láthair na huaire níl achmainní den chineál sin ag mo Roinn fein ach an oiread.

Tig leis an Teachta glacadh leis go mbeidh gach dícheall á dhéanamh agam méadú a fháil ar an riar airgid a bhíonn ar fáil do mo Roinnse d'fhorbairtí den chineál seo i gcomhthéacs na meastachán agus na cáinainnéise don bhliain seo chugainn.

### Cuanta agus Céanna

380. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Ealaíon, Oidhreacht agus Gaeltachta an bhfuil an cúram maidir le maoiniú forbairt na cé in Inis Oírr le haistriú ón Roinn Comh-

shaoil, Pobail agus Rialtais Áitiúil go dtí an Roinn Ealaíon, Oidhreacht agus Gaeltachta; má tá, an aistreofar an chistíocht leis an gcúram seo do 2016; agus an ndéanfaidh sí ráiteas ina thaobh. [15318/16]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Seán Kyne):** Tá sé beartaithe anois go gcuirfí cistiú an Rialtais don ché ar Inis Oírr ar fáil trí mo Roinn. Tá Imleabhar Meastachán Athbhreithnithe leasaithe do 2016 á ullmhú ag an Roinn Caiteachais Phoiblí agus Athchóirithe faoi láthair agus tuigim go gcuirfear faoi bhráid na Dála é go luath.

### **Inland Waterways Development**

381. **Deputy Eamon Ryan** asked the Minister for Arts, Heritage and the Gaeltacht if she has corresponded with Waterways Ireland on the disposal of the Grand Canal graving docks in the Grand Canal Basin; her long-term strategy for developing boating facilities on the Grand Canal; and if she supports the preservation of such dry dock facilities as part of the historic infrastructure in the Grand Canal Basin. [15353/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** The Waterways Ireland Action Plan for Grand Canal Dock and Spencer Dock sets out Waterways Ireland's proposals to ensure that both Grand Canal Dock and Spencer Dock are developed to deliver their full potential to both the city of Dublin, and the wider canal network. A Programme Manager, who will take up duty in July 2016, has recently been appointed by Waterways Ireland to progress delivery of the Action Plan. The plan is available on the Waterways Ireland website at <http://www.waterwaysireland.org/Pages/Product-Development-Studies.aspx>. I am advised by Waterways Ireland that development of the area where the dry docks are located in Grand Canal Dock will be in accordance with the North Lotts and Grand Canal Dock SDZ Planning Scheme for the area.

I can assure the Deputy that Waterways Ireland is committed to delivering the maximum potential benefits from recreational use of the canals for both the local community and visitors. Boat users are an important element of this recreational use and Waterways Ireland will spend over 50% of its 2016 annual maintenance budget on management of the Royal and Grand Canals and Barrow navigation.

### **Commemorative Events**

382. **Deputy Seán Crowe** asked the Minister for Arts, Heritage and the Gaeltacht if she has discussed the option of selecting a fixed Sunday in the year for the national famine commemoration day with the National Famine Commemoration Committee; and if this decision will be taken soon. [15404/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** As Chair of the National Famine Commemoration Committee, I am responsible for ensuring that appropriate arrangements are in place to commemorate the Great Irish Famine. In carrying out these functions, my main focus is to ensure that the victims of the Irish Famine are respectfully and appropriately remembered. In that context, I also seek to raise awareness of current food security issues worldwide. I can confirm that the Committee has previously discussed the issue of a fixed date for the commemoration and is of the view that, while we aspire to organise the National Famine Commemoration on the second Sunday in May of each year and do so wherever possible, some degree of flexibility is required around this date. This flexibility is needed



to try to adapt to the demanding schedules faced by the President and An Taoiseach with a view to their leading the official representation at the annual National Famine Commemoration ceremony whenever possible and also to allow for the particular circumstances that may arise around the arrangements, including the choice of site, in any given year.

For example, in 2015 the commemoration was held in September due to organisational matters which arose as a result of the staging of the event for the first time in Northern Ireland. The event, held in Newry, Co Down, proved to be a great success with significant cross-community representation. This year, due to the number of events relating to the centenary of the Easter Rising which took place in March, April and May, it was decided that the National Famine Commemoration should take place in September. This will allow the ceremony to receive the level of public attention and participation that it warrants as a major national commemorative event.

In conclusion, I am satisfied that the retention of flexibility in relation to the date of the commemoration does not detract from its key aim, which is to have a fitting national ceremony to remember and show respect for all those who died or suffered loss during the Great Famine. In fact, this flexibility facilitates the commemoration being held in the most appropriate context each year. In the circumstances, I have no plans to designate a fixed date for the National Famine Commemoration.

### **Departmental Expenditure**

383. **Deputy Clare Daly** asked the Minister for Arts, Heritage and the Gaeltacht the amount of money her Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if she will make a statement on the matter. [15410/16]

384. **Deputy Clare Daly** asked the Minister for Arts, Heritage and the Gaeltacht the amount of money spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if she will make a statement on the matter. [15426/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** I propose to take Questions Nos. 383 and 384 together.

I am advised by my Department that no payments in 2015 were made in respect of copies of the Public Sector Times Magazine. Expenditure in respect of daily newspapers was €8,269 in 2015. Digital subscriptions are also used where appropriate and expenditure on these in 2015 came to €448. Savings are being explored by my Department on an ongoing basis with a view to reducing costs and achieving greater efficiencies.

### **Departmental Staff Data**

385. **Deputy Clare Daly** asked the Minister for Arts, Heritage and the Gaeltacht the number of staff working in her human resources section. [15442/16]

386. **Deputy Clare Daly** asked the Minister for Arts, Heritage and the Gaeltacht the number of staff who work exclusively on constituency matters for her. [15458/16]

387. **Deputy Clare Daly** asked the Minister for Arts, Heritage and the Gaeltacht the changes in the numbers employed in her human resources section following the introduction of People-Point. [15474/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** I propose to take Questions Nos. 385 to 387, inclusive, together.

The guidelines issued by the Department of Public Expenditure and Reform in relation to the staffing of Ministerial Offices provide that the number of staff in a Minister's Constituency Office may not exceed four, including a Personal Secretary and a Personal Assistant in cases where a Minister appoints people in those roles. In line with these guidelines, there are two members of staff in my Department working on constituency matters.

I am advised that 13 members of staff work in my Department's Human Resource section. As the PeoplePoint shared service will not commence providing HR services to my Department until later this year, the question of adjusting the numbers of staff in my Department's Human Resource section has not yet arisen.

### **Departmental Expenditure**

388. **Deputy Peadar Tóibín** asked the Minister for Arts, Heritage and the Gaeltacht the amount of current and capital provisions for 2016 under the Decade of the Centenaries 1912 to 1922 subhead that she has spent to date or has committed; the areas where and why expenditure is running below or above expectations; the amount of the budget subhead that is once-off spending; and if she will make a statement on the matter. [15490/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** I was very pleased to have secured funding of almost €50 million for the Decade of Centenaries subhead, the majority of which is allocated towards the Ireland 2016 Centenary Programme. This includes approximately €31 million in capital funding for major projects including the new commemorative and visitor centre at the GPO and the refurbishment and redevelopment of Richmond Barracks among other projects. These projects will leave a lasting legacy from the commemorations. The allocation of over €18m in current funding for 2016 is also supporting the extensive list of State events, a significant international cultural programme supported by my Department through Culture Ireland, as well as programmes in our National Cultural Institutions, local community initiatives and major set piece events. This funding is also supporting a programme to commemorate the centenary of the Battle of the Somme which includes a ceremonial event and other initiatives including those within the National Cultural Institutions.

All funding has been fully allocated across the various programme strands and expenditure is monitored closely. Due to the scale and complexity of this once-off programme for 2016, it is inevitable that adjustments will be made to respond as the programme develops through the year. Some elements require additional funding to respond to emerging needs, for example, to cater for the huge public demand to participate in the very successful Easter weekend commemorative events. Other elements, particularly capital projects, may show delayed drawdown in allocated funding due to outside factors, for example, the plans to restore the National Monument at Moore Street which were delayed by legal action. I am confident, however, that all Centenary Programme commitments can be met within the overall allocation made available to my Department.

Many of the initiatives, by their nature, involve once-off spending. However, my Department will continue to provide funding for an appropriate programme of events through-out the Decade of Commemorations. The funding required will vary in response to the major events of the Decade.

## Arts Funding

389. **Deputy Seán Haughey** asked the Minister for Arts, Heritage and the Gaeltacht her plans to increase funding for the arts; and if she will make a statement on the matter. [15702/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** The *Programme for a Partnership Government* contains a very important commitment to work to progressively increase funding to the arts, including the Arts Council and the Irish Film Board, as the economy continues to improve. I can assure the Deputy that I will be engaging with my colleagues in Government and with the Oireachtas to seek to advance this commitment in the context of the forthcoming estimates and budgetary processes.

### Departmental Bodies Data

390. **Deputy Niamh Smyth** asked the Minister for Arts, Heritage and the Gaeltacht the number of positions on the boards of bodies and agencies under the aegis of her Department; the number of vacant positions; when each vacancy occurred; and if she will make a statement on the matter. [15722/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** The information sought by the Deputy is provided in the following Table. It may be noted that the National Archives of Ireland has an Advisory Council, rather than a Board. The Public Appointments Service operates a dedicated website, [www.stateboards.ie](http://www.stateboards.ie), through which it advertises vacancies on State Boards. Arrangements are currently in train in co-operation with the Public Appointments Service to fill the vacancies listed in the Table, other than in relation to An Foras Teanga.

In the case of appointments to the boards of Foras na Gaeilge and the Ulster-Scots Agency, being agencies of the North South Implementation Body, An Foras Teanga, these are made by the North South Ministerial Council, arising from nominations on a 50:50 basis by each jurisdiction.

Body	No of Positions	No of Vacancies	Date of Vacancies
National Museum of Ireland	13 to 15	13 to 15	9 (20/10/15) 6 (19/01/16)
National Gallery of Ireland	10	6	1 (07/06/16) 1 (03/03/16) 2 (21/02/15) 1 (07/05/14) 1 (15/02/14)
Crawford Art Gallery	8	7	7 (05/12/15)
Arts Council	13	3	2 (14/02/16) 1 (21/02/16)
Chester Beatty Library	10	0	
Heritage Council	15	14	4 (25/01/2013) 4 (31/04/2015) 6 (25/01/2016)
Irish Film Board	7	1	1 (26/05/2015)
Irish Manuscripts Commission	20	0	

Body	No of Positions	No of Vacancies	Date of Vacancies
Irish Museum of Modern Art	12	0	
National Concert Hall	9	0	
National Library of Ireland	12	0	
Foras na Gaeilge	16	8*	1 (6/01/2016) 1 (11/03/2016) 1 (20/05/2016)
Ulster-Scots Agency	8	0	
Western Development Commission	8	0	
National Archives of Ireland Advisory Council	Max 11	8	4 (01/05/16) 4 (01/02/16)

\*3 of the vacancies relate to nominations from this jurisdiction.

### Flood Prevention Measures

391. **Deputy Dara Calleary** asked the Minister for Arts, Heritage and the Gaeltacht the role of the National Parks and Wildlife Service in relation to the River Deel in County Mayo; its engagements with the Office of Public Works and Mayo County Council since November 2015 in relation to flood prevention; why it has prevented work on the river; and if she will make a statement on the matter. [15891/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** The Office of Public Works (OPW) and local authorities are the principal response agencies with regard to the management of flooding episodes. The National Parks and Wildlife Service (NPWS) is part of my Department, which has the statutory responsibility to advise on the protection of habitats and species identified for nature conservation, including designating sites as Natural Heritage Areas (NHAs) under the Wildlife Acts 1976-2012, Special Areas of Conservation (SACs) under the EU Habitats Directive and Special Protection Areas (SPAs) under EU Birds Directive. Many of the rivers and low-lying lands affected by the recent flooding are within or near sites that have been designated as SACs or SPAs. Accordingly, these sites fall within the ambit of the EU Birds and Habitats Directives, which are transposed in Irish legislation through the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011) and compliance with which is a matter for all public authorities, agencies and landowners.

The proposed Crossmolina Flood Alleviation Scheme is within the River Moy SAC. The River Deel, a tributary of the Moy, has been designated for the conservation of White-clawed Crayfish (*Austropotamobius pallipes*), Sea Lamprey (*Petromyzon marinus*), Brook Lamprey (*Lampetra planeri*), Atlantic Salmon (*Salmo salar*) and Otter (*Lutra lutra*). Freshwater Pearl Mussel (*Margaritifera margaritifera*) is also present in the Deel. All of the above species are listed in Annex II of the EU Habitats Directive.

The Crossmolina Flood Alleviation Scheme is currently being developed by the OPW. Along with Mayo County Council, Inland Fisheries Ireland and Crossmolina Flood Action Group, the NPWS sits on the Crossmolina Flood Alleviation Scheme Working Group and plays a constructive role on how the Scheme can address issues relating to nature conservation.

NPWS officials attended meetings of the Crossmolina Flood Alleviation Scheme Working

Group on 11th March and 12th May this year, and are scheduled to attend the next meeting on 16th June.

The NPWS has not prevented any works being undertaken on the River Deel and has facilitated the installation of turbidity meters and flow meters for the monitoring of the scheme. The recent suspension of vegetation removal by OPW was in compliance with the Wildlife Acts and their own environmental protocols. As the Deputy will be aware, the Wildlife Acts provide that vegetation removal of the nature undertaken may only take place between 1 September to 28 February.

### **National Parks and Wildlife Service**

392. **Deputy Charlie McConalogue** asked the Minister for Arts, Heritage and the Gaeltacht the status of leases the National Parks and Wildlife Service entered into, given the decision by a landowner to sell relevant lands (details supplied); the length of the agreed leases; the future opportunity for renewing these; and if she will make a statement on the matter. [15895/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** I am advised that the then Minister for the Environment, Heritage and Local Government entered into a lease, on 21 February 2002, in respect of the lands and landowner referred to by the Deputy. The term of that lease is for thirty years from 1 January 2002.

My Department keeps this lease under review on an ongoing basis to ensure that it continues to contribute to nature conservation objectives.

### **Disability Activation Projects**

393. **Deputy Joan Collins** asked the Minister for Health further to Parliamentary Questions Nos. 301 and 330 of 24 May 2016, the number of school leavers from special education to whom the Health Service Executive offered a funded service in 2016 but who said they did not wish a specialist centre-based service but would prefer a community-based service which connected them to mainstream supports, as per the national disability strategy, and the new directions and comprehensive employment strategy for people with disabilities. [15325/16]

394. **Deputy Joan Collins** asked the Minister for Health further to Parliamentary Questions Nos. 301 and 330 of 24 May 2016, the number of school leavers from special education who will be without a service in September 2016. [15326/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I propose to take Questions Nos. 393 and 394 together.

This Government is committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide them with 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 is particularly important at key transition points, including the transition from school to adult life, and for this reason the Programme for Government contains a commitment to ensuring that all 18 year old school leavers with disabilities have continued education or training opportunities.

Many school-leavers with disabilities will progress to mainstream education, training and employment. Some however will require continuing health-funded supports, and to ensure

that the needs of this cohort are met, funding of €7.25m has been allocated by the HSE in 2016 to provide appropriate services and supports. Once off funding of €2 million is also being provided for the refurbishment and fit-out of buildings to provide suitable service locations by September, based on an assessment of the physical capacity within existing services to accommodate the additional numbers. In addition, I am pleased to confirm that a proportion of the additional €3m secured for disability services last week will also fund new initiatives to meet the needs of this year's school-leavers.

As the Deputy's specific questions 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 a reply has not been received from the HSE within 15 working days, the Deputy can contact my Private Office and they will follow the matter up with the HSE.

### **Mental Health Services Provision**

395. **Deputy Thomas P. Broughan** asked the Minister for Health the number of child and adolescent mental health service's beds required to end the practice of children being treated in adult mental health facilities; and if he will make a statement on the matter. [15359/16]

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

### **Mental Health Services Provision**

396. **Deputy Thomas P. Broughan** asked the Minister for Health the number of age appropriate beds, wards and units available for young adolescents experiencing mental health difficulties in hospitals; if, where and how often young adolescents experiencing mental health crises are placed on wards with very young children and babies; the actions he will take to end this practice; and if he will make a statement on the matter. [15360/16]

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

### **Services for People with Disabilities**

397. **Deputy Sean Fleming** asked the Minister for Health the status of funding for a project (details supplied) in County Carlow; and if he will make a statement on the matter. [15663/16]

**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 Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

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**

398. **Deputy Sean Fleming** asked the Minister for Health the status of a project (details supplied) in County Carlow; and if he will make a statement on the matter. [15664/16]

**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.

### **Defined Benefit Pension Schemes**

399. **Deputy Clare Daly** asked the Minister for Health if he consulted with the Central Remedial Clinic or had any notification prior to it winding up its pension and death benefit plan. [15959/16]

**Minister for Health (Deputy Simon Harris):** I had no notification from the Central Remedial Clinic (CRC) prior to it winding up its pension and death benefit plan.

It is regrettable that the CRC took a decision to cease contributions to the scheme without first consulting with the HSE in relation to scheme solvency and seeking a viable alternative for the employees concerned.

Following receipt of information from the CRC in relation to the wind up of the scheme, the CRC was requested as a matter of urgency, to prepare viable alternative proposals in conjunction with the HSE. A detailed business case in relation to alternative options has not yet been submitted by the HSE in relation to this matter, however I understand that on 1st June the CRC made an initial submission to the HSE which the HSE is currently considering.

When a detailed business case is received from the HSE, my Department will, as a matter of urgency, consider the proposals in conjunction with the Department of Public Expenditure and Reform. The latter is responsible for Government policy in relation to public service pensions. Pension schemes and pension terms for public servants generally require the consent of the Minister for Public Expenditure and Reform.

### **Nursing Home Subventions**

400. **Deputy Éamon Ó Cuív** asked the Minister for Health the average delay between approval under the nursing home subvention scheme and payment commencing; and if he will make a statement on the matter. [15323/16]

**Minister of State at the Department of Health (Deputy Helen McEntee):** 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 Beds Data**

401. **Deputy Pearse Doherty** asked the Minister for Health the number of designated in-patient beds and the overall occupancy rates at Killybegs Community Hospital, County Donegal, by month, in 2016 to date, in tabular form; and if he will make a statement on the matter. [15328/16]

**Minister of State at the Department of Health (Deputy Helen McEntee):** 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.

### **Ambulance Service Data**

402. **Deputy Lisa Chambers** asked the Minister for Health the number of ambulances which operate out of County Mayo, by ambulance station, by hour, by day; and the level of service in County Mayo. [15363/16]

**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.

### **HSE National Service Plan**

403. **Deputy Pat Deering** asked the Minister for Health further to Parliamentary Question No. 959 of 17 May 2016, the timeframe for the process; and when the new centre will be operational. [15366/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** As the Deputy's question of 17 May related to service matters, I had arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy. I understand that the reply issued from the HSE to the Deputy on 31 May outlining the current situation regarding this matter.

However, I have arranged for this follow up question to be referred again 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.

### **Hospital Appointments Status**

404. **Deputy Timmy Dooley** asked the Minister for Health when a person (details supplied) will receive an appointment; and if he will make a statement on the matter. [15372/16]



**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.

### **HSE Properties**

405. **Deputy John Lahart** asked the Minister for Health the status of a facility (details supplied) leased by the Health Service Executive. [15373/16]

**Minister for Health (Deputy Simon Harris):** As the HSE is responsible for the delivery and management of health care infrastructure the Executive has been requested to reply directly to you on the matter. If you have not received a reply from the HSE within 15 working days please contact my Private Office who will follow up.

### **Services for People with Disabilities**

406. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the funding he has allocated to disability services for 2016; and if he will make a statement on the matter. [15378/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** The Estimates for 2016 made provision for expenditure of €1.56 billion for the Disability Services Programme. The quantum of service to be provided for this funding, together with key deliverables and priorities, is outlined in the Health Service Executive's National Service Plan for 2016.

Additional funding of €31 million is also being provided, over and above the funding provided in the National Service Plan, for the following:

- €28 million to address existing financial pressures arising from on-going service improvement, including costs incurred from compliance with national residential standards, services provided to meet the changing needs of people with disabilities, and the provision of emergency residential places.

- €3 million in 2016 for new initiatives, including an additional provision for services to meet the need of school leavers with disabilities and the anticipated cost of a number of emergency residential placements arising this year.

### **Orthodontic Services Waiting Lists**

407. **Deputy Bobby Aylward** asked the Minister for Health the average waiting time for Health Service Executive orthodontic treatment for children in County Carlow; his plans to alleviate this; and if he will make a statement on the matter. [15397/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply 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.

### **Orthodontic Services Waiting Lists**

408. **Deputy Bobby Aylward** asked the Minister for Health the average waiting time for Health Service Executive orthodontic treatment for children in County Kilkenny; his plans to reduce this; and if he will make a statement on the matter. [15398/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply 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.

### **Orthodontic Services Waiting Lists**

409. **Deputy Bobby Aylward** asked the Minister for Health the average waiting time for Health Service Executive orthodontic treatment for children nationally; his plans to reduce this; and if he will make a statement on the matter. [15399/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply 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.

### **Care of the Elderly**

410. **Deputy Mary Butler** asked the Minister for Health his views on a recently published study entitled Meeting Older People's Preference for Care (details supplied). [15400/16]

**Minister of State at the Department of Health (Deputy Helen McEntee):** I welcome this report, a collaborative research project undertaken by the Irish Association of Social Workers, Age Action the Alzheimer Society of Ireland and the School of Social Policy, Social Work and Social Justice, University College Dublin. The report examined how the health and social care system is responding to the care needs, required supports and preferences of older people, as perceived by Social Workers working with older people.

The findings show that the preferences of older people are to remain in their homes for as long as possible, receiving care in this setting when needed. The report suggests that the present social care approach has not been resourced adequately to meet the actual needs of older people.

I recognise that most older people want to stay at home and in their communities for as long as possible and this Government is committed to facilitating this. Demand for home care services is rising as more people are supported in their own homes rather than in hospitals or nursing homes and I am delighted that the Government has been able to respond to this demand by providing additional resources for home care services. Details will be announced shortly.

### **Departmental Expenditure**

411. **Deputy Clare Daly** asked the Minister for Health the amount his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15418/16]

**Minister for Health (Deputy Simon Harris):** There was no cost to my Department for the purchase of the *Public Sector Times* Magazine in 2015.

### **Departmental Expenditure**

412. **Deputy Clare Daly** asked the Minister for Health the amount spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15434/16]

**Minister for Health (Deputy Simon Harris):** In 2015, the Department spent €12,658 on daily newspapers. This expenditure, as with all expenditure, is kept under review.

### **Departmental Staff Data**

413. **Deputy Clare Daly** asked the Minister for Health the number of staff working in his human resources section. [15450/16]

**Minister for Health (Deputy Simon Harris):** There are eight staff, including the Personnel Officer, working in the Human Resources Unit in my Department.

### **Ministerial Staff**

414. **Deputy Clare Daly** asked the Minister for Health the number of staff who work exclusively on constituency matters for him. [15466/16]

**Minister for Health (Deputy Simon Harris):** There is one official from my Department working exclusively on constituency matters for me. In addition, two other staff employed by the Oireachtas work on Constituency matters also.

### **Departmental Staff Data**

415. **Deputy Clare Daly** asked the Minister for Health the changes in the numbers employed in his human resources section following the introduction of PeoplePoint. [15482/16]

**Minister for Health (Deputy Simon Harris):** My Department transitioned to PeoplePoint in August 2013. Prior to the transition there were 14 staff in the Human Resources Unit whilst currently there are eight staff.

### **Hospital Equipment**

416. **Deputy Brendan Griffin** asked the Minister for Health when the magnetic resonance

imaging machine at University Hospital Kerry will be in operation; and if he will make a statement on the matter. [15493/16]

**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.

### **Hospital Appointments Delays**

417. **Deputy Éamon Ó Cuív** asked the Minister for Health the status of an operation for a person (details supplied); the reason for the delay; and if he will make a statement on the matter. [15500/16]

**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 HSE, sets out the processes that hospitals are to implement to manage waiting lists.

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

### **Hospital Appointments Status**

418. **Deputy Barry Cowen** asked the Minister for Health the status of a hospital appointment for a person (details supplied). [15504/16]

**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.

### **Hospital Appointments Status**

419. **Deputy Barry Cowen** asked the Minister for Health the status of a hospital appointment for a person (details supplied). [15505/16]

**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.

### **Hospital Appointments Status**

420. **Deputy Barry Cowen** asked the Minister for Health the status of a hospital appointment for a person (details supplied). [15506/16]

**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.

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.

### **Medical Aids and Appliances Provision**

421. **Deputy Michael Healy-Rae** asked the Minister for Health the status of providing medical equipment from the Health Service Executive to a person (details supplied); and if he will make a statement on the matter. [15513/16]

**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.

### **Hospital Appointments Status**

422. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an operation for a person (details supplied); and if he will make a statement on the matter. [15521/16]

**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 HSE, sets out the processes that hospitals are to implement to manage waiting lists.

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

### **Addiction Treatment Services**

423. **Deputy Mattie McGrath** asked the Minister for Health the assistance available to persons (details supplied) to meet the cost of alcohol rehabilitation in rehabilitation centres; and if he will make a statement on the matter. [15536/16]

**Minister of State at the Department of Health (Deputy Marcella Corcoran Kennedy):** The provision of services to prevent and treat addiction to alcohol is the responsibility of the Health Service Executive and as such, I have referred this question to the Health Service Executive for attention and direct reply. 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.

### **Hospital Equipment**

424. **Deputy Mattie McGrath** asked the Minister for Health when he will provide extra spinal cord stimulators to St. Vincent's hospital, Dublin 4, to facilitate the 80 plus patients who are suffering from chronic pain and require this treatment; and if he will make a statement on the matter. [15538/16]

**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.

### **Medicinal Products Availability**

425. **Deputy Clare Daly** asked the Minister for Health the factors in his decision not to recommend the Orkambi drug for cystic fibrosis patients. [15543/16]

429. **Deputy Clare Daly** asked the Minister for Health if he recommends the use of Orkambi drug for cystic fibrosis patients. [15585/16]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 425 and 429 together.

I understand that this is a matter of great concern for many Cystic Fibrosis patients and their families and would like to clarify that the process of assessing Orkambi is not yet complete. I

would also like to clarify the process, as the premise of your question is incorrect, and have set out the factual position below for your information.

The HSE has statutory responsibility for decisions on pricing and reimbursement of medicines under the community drugs schemes, in accordance with the Health (Pricing and Supply of Medical Goods) Act 2013. Prior to deciding whether to reimburse a medicine, the HSE considers a range of statutory criteria, including clinical need, cost-effectiveness and the resources available.

The decisions on which medicines are reimbursed by the taxpayer are made on objective, scientific and economic grounds by the HSE, on the advice of the National Centre for Pharmacoeconomics (NCPE). The NCPE conducts health technology assessments (HTAs) of pharmaceutical products for the HSE, and can make recommendations on reimbursement to assist the HSE in its decision-making process. The NCPE used a decision framework to systematically assess whether the drug is cost-effective as a health intervention.

I am informed that, following a request from the HSE, the NCPE carried out an assessment of the manufacturer's economic dossier submitted in March 2016 on the cost effectiveness of lumacaftor/ivacaftor (Orkambi). This dossier included details on all relevant costs and relevant cost offsets including hospitalisation, disease management costs, intravenous antibiotics, adverse events and any additional costs arising in patients not taking Orkambi.

The NCPE has completed its HTA and submitted it to the HSE. The NCPE determined, following an evaluation of the economic dossier, that the manufacturer failed to demonstrate cost-effectiveness or value for money from using the drug. The NCPE have confirmed that all relevant costs were included in the analysis.

A summary of the HTA has been published on the NCPE website and is available at: <http://www.ncpe.ie/wp-content/uploads/2015/12/Website-summary-orkambi.pdf>.

The HSE will now enter into negotiations with the manufacturer, to seek very significant price reductions. The HSE will then consider the outcome of these negotiations, together with the NCPE recommendation, in making a final decision on reimbursement.

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

426. **Deputy Pat Breen** asked the Minister for Health further to Parliamentary Question No. 60 of 5 May 2016, the status of an application (details supplied); and if he will make a statement on the matter. [15557/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** As previously advised, the Early Childhood 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 my full support and the support of my Government colleague Jan O'Sullivan T.D., Minister for Education and Skills.

Improving access to therapy services for children in primary care and in disability services

is a particular priority for the Government. Building on additional investment in recent years, funding of €8m is being provided to the HSE in 2016 to expand the provision of Speech and Language Therapy in primary care and the further development of early intervention therapy services under the Progressing Disabilities Programme to facilitate the inclusion of children with a disability in mainstream pre-school settings, as part of the rollout of the new inclusive preschools model.

It should be noted that while the Health Service 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 service providers 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 pre-school 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 and as this is a service matter, I have asked the HSE to respond directly to the Deputy in relation to the individual case he has 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.

### **Hospital Appointments Status**

427. **Deputy Barry Cowen** asked the Minister for Health the status of the case of a person (details supplied) including when the person will receive an appointment. [15567/16]

**Minister for Health (Deputy Simon Harris):** The Deputy's question relates to service delivery matters and accordingly I have asked the HSE to respond directly to him.

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

### **Hospital Appointments Status**

428. **Deputy Barry Cowen** asked the Minister for Health the status of the case of a person (details supplied) including when the person will receive an appointment. [15568/16]

**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.

*Question No. 429 answered with Question No. 425.*

### **Home Help Service Provision**

430. **Deputy Aengus Ó Snodaigh** asked the Minister for Health why he did not provide assistance to a person (details supplied) under the home help scheme; why no hours are available for applicants in Dublin 8, 10 and 12; and the measures he is taking to increase the hours available. [15588/16]

**Minister of State at the Department of Health (Deputy Helen McEntee):** 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.

### **Home Care Packages Funding**

431. **Deputy Gino Kenny** asked the Minister for Health if he will urgently intervene to restore funding for home care packages given that some areas, such as the Beaumont Hospital local catchment area in Dublin 9, have now run out of funding and are unable to discharge patients due to this; and if he will make a statement on the matter. [15593/16]

**Minister of State at the Department of Health (Deputy Helen McEntee):** 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.

Demand for home care services is rising as more people are supported in their own homes rather than in hospitals or nursing homes and I am delighted that the Government has been able to respond to this demand by providing an extra €40m for home care in 2016.

### **Medical Aids and Appliances Applications**

432. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an application by a person (details supplied) for a medical device; and if he will make a statement on the matter. [15595/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply 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.

### **National Drugs Strategy**

433. **Deputy Jonathan O'Brien** asked the Minister for Health the membership of the steering group tasked to develop the new national drug strategy. [15652/16]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** The Depart-

ment of Health is developing a new National Drugs Strategy, which will cover the period from 2017 onwards. A Steering Committee, chaired by the former General Secretary of the Irish National Teachers Organisation and with representatives from the relevant Statutory, Community and Voluntary Sectors listed below, has been established to oversee the process.

Sector	Body	Number of Representatives
Statutory Sector	Department of Health	3
Statutory Sector	Health Service Executive	2
Statutory Sector	Department of Justice & Equality	1
Statutory Sector	An Garda Síochána	1
Statutory Sector	Department of Education & Skills	1
Statutory Sector	Department of Environment, Community & Local Government	1
Statutory Sector	Department of Children & Youth Affairs	1
Statutory Sector	Department of Social Protection	1
Statutory Sector	Health Research Board	1
Community Sector	Community Sector - represented by CityWide Drugs Crisis Campaign	2
Community Sector	National Family Support Network	1
Voluntary Sector	Voluntary Sector - represented by the Voluntary Drug Treatment Network	2
Cross-sector Task Force network	Local Drug and Alcohol Task Force Chairs Network	1
Cross-sector Task Force network	Regional Drug and Alcohol Task Force Chairs Network	1
Cross-sector committee	National Advisory Committee on Drugs and Alcohol	1
Total number of representatives:		20

### Drugs-related Deaths

434. **Deputy Jonathan O'Brien** asked the Minister for Health further to Parliamentary Question No. 168 of 1 June 2016, when he and the Health Service Executive will complete the evaluation of the demonstration project on naloxone use; and when he will publish the national implementation plan. [15695/16]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** In May 2015, the HSE undertook a demonstration project to assess and evaluate the suitability and impact of using a pre-filled Naloxone injection which is designed for non-medical administration in Ireland. Naloxone is an antidote used to reverse the effects of opioid drugs like heroin, morphine and methadone, if someone overdoses. An external Evaluation of the Naloxone Demonstration Project has just concluded and the HSE plans to publish its findings shortly.

The HSE is preparing an implementation plan to carry out the recommendations of the evaluation. An implementation team will also be established to work with the Quality Assurance Group of the Naloxone Demonstration Project to finalise the work-plan and oversee its implementation.

### **Hospital Appointments Delays**

435. **Deputy Robert Troy** asked the Minister for Health to expedite an appointment for a person (details supplied) for treatment; and if he will make a statement on the matter. [15700/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply 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 Appointments Delays**

436. **Deputy Robert Troy** asked the Minister for Health if a person (details supplied) will receive an appointment without delay having been on a waiting list for over three years; and if he will make a statement on the matter. [15703/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply 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.

### **Prisoner Health**

437. **Deputy Jonathan O'Brien** asked the Minister for Health further to Parliamentary Question No. 144 of 31 May 2016, the reason the Health Information and Quality Authority will not conduct a review of health care service delivery in prisons; and if he will make a statement on the matter. [15710/16]

**Minister for Health (Deputy Simon Harris):** Responsibility for the provision of health-care in prisons rests with my colleague the Tánaiste and Minister for Justice. Under the Health Act 2007, HIQA's statutory remit does not extend to the regulation of health services provided in the prison system. The Department of Health and the Department of Justice & Equality are in ongoing communication on issues related to healthcare service delivery in prisons.

### **HSE Staff**

438. **Deputy John McGuinness** asked the Minister for Health if the panel of applicants for the position of groundsman with the Health Service Executive in Castlebar, County Mayo, established in 2015 is exhausted. [15713/16]

**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 the matter with them.

### **Hospital Appointments Status**

439. **Deputy Robert Troy** asked the Minister for Health when he will schedule an appoint-

ment for a person (details supplied). [15715/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply 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 Availability

440. **Deputy Gerry Adams** asked the Minister for Health further to Parliamentary Question No. 100 of 2 June 2016, the types of cancer that are suitable for treatment using the combined nivolumab-ipilimumab therapy; if he will provide this combined therapy to suitable cancer sufferers; and if he will make a statement on the matter. [15720/16]

**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.

As these are operational and clinical 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.

### Health Services Staff Recruitment

441. **Deputy Pearse Doherty** asked the Minister for Health the vacant posts in community health organisation area 1 in the past six months; if these posts remain vacant; if not, the date on which he filled each post; the date on which the Health Service Executive became formally aware of when the vacancy for each post existed or would exist; if and when he approved the filling each of these posts and the level at which he formally made this approval, be it local, regional or national, and so on; the measures he has taken to fill these vacancies; and if he will make a statement on the matter. [15721/16]

**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 the matter with them.

### Hospital Appointments Status

442. **Deputy Barry Cowen** asked the Minister for Health when a person (details supplied) will receive a hospital appointment. [15731/16]

**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 HSE, sets out the processes that hospitals are to implement to manage waiting lists.

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

### **Hospital Appointments Status**

443. **Deputy Barry Cowen** asked the Minister for Health when a person (details supplied) will receive a hospital appointment. [15732/16]

**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.

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.

### **Drug and Alcohol Task Forces**

444. **Deputy Fiona O'Loughlin** asked the Minister for Health if he will provide funding through the South Western Regional Drugs and Alcohol Task Force to assist in the valuable work carried out by a group (details supplied); and if he will make a statement on the matter. [15734/16]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** The South West Regional Drug and Alcohol Task Force receives annual funding from the Health Service Executive to allocate to community-based drugs initiatives at a local level. It is a matter for the Task Force concerned to ensure that its budget is effectively deployed based on locally identified needs and priorities, taking into account the changing nature of the drugs problem. Applications for funding by local organisations in the catchment area should be made directly to the Task Force.

As the Health Service Executive fund the Task Force, the matter has been referred to the Executive for attention and direct reply to the Deputy.

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

### **Drug Treatment Programmes Policy**

445. **Deputy Micheál Martin** asked the Minister for Health his role in formulating a cross-government policy on drugs. [15314/16]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** The Department of Health is developing a new National Drugs Strategy, which will cover the period from 2017 onwards. A Steering Committee, chaired by former General Secretary of the Irish National Teachers Organisation and with representatives from the relevant Statutory, Community and Voluntary Sectors, has been established to oversee the process. The Steering Committee will provide guidance and advice to me on how a new Strategy should address problem drug use, including the structures through which this could be done and incorporating key performance indicators to measure the future effectiveness of the new policy.

A high-level review of the current drugs policy has been undertaken by a panel of international experts, which will highlight the key issues that need to be addressed under the new Strategy. The Committee will also consider the approach to drug policy in other jurisdictions and a review of international evidence on interventions to tackle the drug problem. Focus Groups have been established to advise the Steering Committee on the relevance of the Strategy in tackling the current nature and extent of problem drug use in Ireland, including emerging trends and cross-cutting issues. This aspect of the process will identify any actions that need to be undertaken under the new Strategy to meet challenges ahead.

I will shortly be announcing details of the consultation process on the new Strategy, which I intend to be as broad, comprehensive and inclusive as possible. I am expecting the final report of the Steering Committee by the end of the year.

### **HSE Investigations**

446. **Deputy Niamh Smyth** asked the Minister for Health if he met with the Health Service Executive regarding the deaths of two babies at Cavan General Hospital in May 2016; when these investigations will be completed; and if he will make a statement on the matter. [15873/16]

**Minister for Health (Deputy Simon Harris):** I would like to express my deepest sympathy for the families concerned.

I can confirm that I have met with the HSE in relation to recent perinatal deaths at Cavan General Hospital and have been assured that reviews, as necessary, are under way. These reviews will be completed as early as possible.

### **HSE Funding**

447. **Deputy Michael Ring** asked the Minister for Health if the Health Service Executive will fund a procedure for a person (details supplied); and if he will make a statement on the matter. [15879/16]

**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.

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.

## Medical Aids and Appliances Provision

448. **Deputy John McGuinness** asked the Minister for Health if he will provide a medical device to a person (details supplied) without delay. [15897/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply 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 Appointments Status

449. **Deputy John McGuinness** asked the Minister for Health if he will prioritise and arrange an early date for surgery for a person (details supplied); and the reason the surgery was not conducted at another hospital. [15899/16]

**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 HSE, sets out the processes that hospitals are to implement to manage waiting lists.

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

## Defined Benefit Pension Schemes

450. **Deputy Clare Daly** asked the Minister for Health if he has received the business case regarding Central Remedial Clinic, CRC, pensions which the CRC submitted on 1 June 2016; the case put therein; and if he has accepted it. [15900/16]

454. **Deputy Seán Haughey** asked the Minister for Health if he is concerned at the sudden termination of the privately funded pension plan in the Central Remedial Clinic in Clontarf, Dublin 3; if the Health Service Executive was consulted; if he will intervene on behalf of the employees concerned; and if he will make a statement on the matter. [15910/16]

467. **Deputy Willie O’Dea** asked the Minister for Health his efforts to secure a favourable outcome for the staff of the Central Remedial Clinic who have been affected by the sudden and unexpected closure of their pension scheme; the direct contact he has had with senior management on this issue; and if he will make a statement on the matter. [15960/16]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 450, 454 and 467 together.

The Central Remedial Clinic (CRC) is funded by the Health Service Executive under Section 38 of the Health Act 2004 and employs in the region of 287 employees. It is understood that in the region of 45 employees are members of the funded pension scheme in question.

It is regrettable that the CRC took a decision to cease contributions to the scheme without first consulting with the HSE in relation to scheme solvency and seeking a viable alternative for the employees concerned. In particular options for restructuring the scheme should have been explored with the HSE in advance of a decision to wind up the scheme.

Following receipt of information from the CRC in relation to the wind up of the scheme, the CRC was requested as a matter of urgency, to prepare viable alternative proposals in conjunction with the HSE. A detailed business case in relation to alternative options has not yet been submitted by the HSE in relation to this matter, however I understand that on 1st June the CRC made an initial submission to the HSE which the HSE is currently considering.

When a detailed business case is received from the HSE, my Department will, as a matter of urgency, consider the proposals in conjunction with the Department of Public Expenditure and Reform. The latter is responsible for Government policy in relation to public service pensions. Pension schemes and pension terms for public servants generally require the consent of the Minister for Public Expenditure and Reform.

### **Hospitals Data**

451. **Deputy Gerry Adams** asked the Minister for Health the number of hazard, incident and near-miss reports indicating stress as a cause of the issuing of reports that were submitted, by hospital, in each of the years 2011 to 2016 to date, in tabular form, under the Health Service Executive's policy for preventing and managing stress in the workplace. [15905/16]

**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.

### **HSE Data**

452. **Deputy Gerry Adams** asked the Minister for Health the number of referrals the management of the Health Service Executive made on behalf of the staff of its occupational health department and its employee assistance and staff counselling service in each of the years 2011 to 2015 and in 2016 to date, in tabular form, under its policy for preventing and managing stress in the workplace. [15906/16]

**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 the matter with them.

### **HSE Expenditure**

453. **Deputy Gerry Adams** asked the Minister for Health the cost of maintaining the Health Service Executive's occupational health department and employee assistance and staff counselling service in each of the years 2011 to 2015 and in 2016 to date. [15907/16]



**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 the matter with them.

*Question No. 454 answered with Question No. 450.*

### **Health Services Funding**

455. **Deputy Niall Collins** asked the Minister for Health how an adult support group (details supplied) can apply for and receive an annual grant for operating purposes similar to other comparable support groups; to whom the group should apply; and if he will make a statement on the matter. [15912/16]

**Minister of State at the Department of Health (Deputy Helen McEntee):** 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.

### **Hospital Waiting Lists**

456. **Deputy Éamon Ó Cuív** asked the Minister for Health the steps he will take to reduce the waiting list for rehabilitation beds in the National Rehabilitation Hospital, given the significant waiting list for places there; his plans to provide these services on a regional basis; and if he will make a statement on the matter. [15913/16]

**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 announced a major development of the National Rehabilitation Hospital with a commitment of around €40 million. The new development will deliver a 120 bed ward capacity, including support therapies, paediatric and acquired brain injury wards, a hydrotherapy unit and a sports hall.

The National Policy & Strategy for the Provision of Neuro-rehabilitation Services in Ireland Report made a number of recommendations for services for people with rehabilitation needs which covered clinical, therapeutic, social, vocational and community supports. The Programme for Partnership Government places a particular focus on publishing a plan for advancing Neuro-rehabilitation services in the community. Currently a steering group led by the Health Service Executive Social Care Division has drafted an implementation framework for the National Policy & Strategy for Neuro-rehabilitation services. The implementation framework will guide and oversee the reconfiguration and development of Neuro-rehabilitation structures and services at national and local level.

As the Deputy's question also relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for a more detailed 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 Services Funding**

457. **Deputy Fergus O'Dowd** asked the Minister for Health the status of the cessation of funding to the WALK PEER programme; if he will meet with the WALK PEER team to discuss the situation and to re-evaluate the decision on funding; and if he will make a statement on the matter. [15919/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I understand that the PEER (Providing Equal Employment Routes) project was one of 14 employment activation projects for people with disabilities which were jointly funded by the European Social Fund and the Department of Social Protection from 2012 to 2015. Information on the current status on funding of this project would be a matter for that Department. I will clarify the position with officials in the Department of Health and Department of Social Protection and revert to the Deputy.

### **Community Care Provision**

458. **Deputy Peter Burke** asked the Minister for Health if he will urgently reinstate the provision of 24-hour community care for a person (details supplied), given additional funding to the Health Service Executive; and if he will make a statement on the matter. [15924/16]

**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 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, the Deputy can contact my Private Office and they will follow the matter up with the HSE.

### **Hospital Services**

459. **Deputy Michael Healy-Rae** asked the Minister for Health the status of maternity services in Tralee General Hospital in County Kerry (details supplied); and if he will make a statement on the matter. [15926/16]

**Minister for Health (Deputy Simon Harris):** I am sorry to learn that the baby is unwell. While I can confirm that University Hospital Kerry has an ultrasonography service, I cannot make any comment in relation to individual patients.

As the specific query raised by the Deputy is a service matter, I have asked the HSE to respond to him directly. If he has not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

### **Hospital Procedures**

460. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an operation for a person (details supplied); and if he will make a statement on the matter. [15929/16]

**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 HSE, sets out the processes that hospitals are to implement to manage waiting lists.

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

### **Hospital Procedures**

461. **Deputy Bernard J. Durkan** asked the Minister for Health if and when he will provide urgent treatment for a person (details supplied); and if he will make a statement on the matter. [15930/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy. If he has 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**

462. **Deputy Bobby Aylward** asked the Minister for Health the arrangements he has in place to supplement the work of the speech and language therapists based in the speech therapy services in County Kilkenny should one or more therapists take maternity leave for the maximum period they are entitled to; and if he will make a statement on the matter. [15934/16]

**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 he has 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**

463. **Deputy Bobby Aylward** asked the Minister for Health the arrangements he has in place to maintain control of the ever-increasing waiting lists for patients seeking speech therapy services in County Kilkenny should one or more therapists take maternity leave for the maxi-

mum period they are entitled to; and if he will make a statement on the matter. [15935/16]

**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 he has 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 Expenditure**

464. **Deputy Billy Kelleher** asked the Minister for Health the amount his Department spent on providing individual medicines (details supplied) to patients, the price paid for each medicine and the dispensing fees paid to pharmacists for each medicine; and if he will make a statement on the matter. [15945/16]

**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 the Deputy.

If he has 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**

465. **Deputy John Brassil** asked the Minister for Health to examine the register of qualified mastectomy brassiere fitters with a view to putting a contract out for tender for County Kerry; and if he will make a statement on the matter. [15946/16]

**Minister for Health (Deputy Simon Harris):** The Deputy's question relates to service delivery matters and accordingly I have asked the HSE to respond directly to him.

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

### **Hospital Appointments Delays**

466. **Deputy Robert Troy** asked the Minister for Health the reason a person (details supplied) has not received an appointment. [15954/16]

**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 the

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

*Question No. 467 answered with Question No. 450.*

### **Defined Benefit Pension Schemes**

468. **Deputy Clare Daly** asked the Minister for Health the rules and legislation which formed the basis for him and the Health Service Executive advising representatives from the Central Remedial Clinic at the end of May 2016 that it would not be possible for members in its pension and death benefits plan to transfer to the single public service pension scheme. [15963/16]

**Minister for Health (Deputy Simon Harris):** The Public Service Pensions (Single Scheme and Other Provisions) Act 2012 provides for the establishment of a Single Public Service Pension Scheme (SPSPS). The Act clearly specifies who may be members of the SPSPS and based on these provisions current members of the CRC Plan are ineligible for membership.

The CRC has been requested to consult with the HSE to develop a business case in relation to the employees concerned.

### **Health Services Reports**

469. **Deputy Clare Daly** asked the Minister for Health the reason substantial portions of appendix 16 of the report of the interim administrator appointed by the Health Service Executive to the Central Remedial Clinic and Friends and Supporters of the Central Remedial Clinic Limited, 2014, were redacted before publication by the Health Service Executive. [15964/16]

474. **Deputy Clare Daly** asked the Minister for Health to provide the redacted portions of appendix 16 of the report of the interim administrator the Health Service Executive appointed to the Central Remedial Clinic and Friends and Supporters of the Central Remedial Clinic Limited in 2014, that is, the assumptions the clinic's plan used in its funding proposal which the Pensions Board accepted. [15983/16]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 469 and 474 together.

The Report of the Interim Administrator appointed by the Health Service Executive to the Central Remedial Clinic and Friends and Supporters of the CRC Limited was published with redactions by the HSE. Accordingly, I have asked the HSE to respond to the Deputy directly on this matter. If she has 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 Availability**

470. **Deputy Clare Daly** asked the Minister for Health if he is aware of the unregulated sale of false treatments for autism spectrum disorder and cancer over the Internet; and if he will make a statement on the matter. [15966/16]

**Minister for Health (Deputy Simon Harris):** Under the Medicinal Products (Control of

Placing on the Market) Regulations 2007, as amended, a medicine cannot be placed on the market in Ireland unless it has a marketing authorisation from the Health Products Regulatory Authority (HPRA) or a community marketing authorisation from the European Medicines Agency (EMA). Any product which makes a medicinal claim to treat medical conditions such as autism is considered to be a medicine and requires an authorisation under this legislation.

The product referred to as Chlorine Dioxide or CD Protocol, otherwise known as Miracle Mineral Solution (MMS) is not authorised as a medicine for sale or supply in Ireland. Any manufacture, supply or sale of this product for the purposes of treating a medical condition is illegal.

The HPRA, the competent authority for the implementation of the medicines legislation, has led a number of investigations into the alleged supply of CD Protocol in various parts of Ireland for the alleged treatment of autism. It is pursuing a number of avenues of enquiry in what continues to be an open investigation into the manufacture, supply and sale of this product.

During its investigations to date, the HPRA has carried out searches at a number of premises assisted, where necessary, by An Garda Síochána and has also spoken to a number of individuals. In each case, substances and/or equipment have been detained for further examination.

The HPRA, in cooperation with the Revenue's Customs Service, An Garda Síochána and other international regulatory and law enforcement agencies, actively monitors the online movements and supply of prescription and illicit medicines to Ireland. The HPRA uses a range of enforcement powers to tackle this activity including seizing product and taking prosecutions.

On July 1 the EU logo signifying the legitimacy of websites of pharmacies and medicines retailers was introduced in order to place controls upon, and reduce the significant health risk posed by, falsified medicines. Members of the public are strongly urged not to purchase medicines from an internet site which does not have the EU internet logo. In Ireland these controls apply to pharmacies/retailers involved in the internet supply of non-prescription medicines. The internet supply of prescription medicines continues to remain prohibited in Ireland on grounds of public health protection.

I would reiterate the advice of the HPRA and recommend against the purchase of any prescription, or unauthorised medicines online. Further information can be found in the HPRA's leaflet, "The Dangers of Buying Prescription Medicines Online". For those already in possession of such products, consumers who feel any ill effects from taking any products purchased online should contact their doctor immediately. Any remaining product should not be taken.

### **Respite Care Services Provision**

471. **Deputy Billy Kelleher** asked the Minister for Health if he will provide a person (details supplied) with traditional respite care through the Health Service Executive; and if he will make a statement on the matter. [15968/16]

**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 Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

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.

### **Drug Treatment Programmes**

472. **Deputy John Brady** asked the Minister for Health to provide the methadone treatment list data for the Kildare and west Wicklow local health office. [15973/16]

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

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

### **Health Services**

473. **Deputy Niamh Smyth** asked the Minister for Health the reason for the delay in opening the new health centre in Mullagh, Cavan town; when he will open it; and if he will make a statement on the matter. [15979/16]

**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 she has 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. 474 answered with Question No. 469.*

### **Services for People with Disabilities**

475. **Deputy Lisa Chambers** asked the Minister for Health the reason for delays experienced by children and their families in assessing early intervention services for children with autism spectrum disorder in County Mayo; and his plans to rectify this serious issue. [15989/16]

476. **Deputy Lisa Chambers** asked the Minister for Health the number of children who have been diagnosed with autism spectrum disorder in County Mayo in each of the years 2014 to 31 May 2016, in tabular form. [15990/16]

477. **Deputy Lisa Chambers** asked the Minister for Health the number of staff the Health Service Executive employs in early intervention services and where they are located, in tabular form. [15991/16]

478. **Deputy Lisa Chambers** asked the Minister for Health the number of applications which have been made to the Health Service Executive for early intervention services in County Mayo, by month; and the length of time it took for applicants to receive the services, by up to six months, between six and 12 months, more than 12 months and still waiting, in each of the

years 2014 to 31 May 2016, in tabular form. [15992/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I propose to take Questions Nos. 475 to 478, inclusive, together.

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 Programme for Partnership Government states that the Government will improve services and increase supports for people with disabilities, particularly for early assessment and intervention for children with special needs. In that context, the HSE is in the process of reconfiguring services for children with a disability under their National Programme on Progressing Disability Services for Children and Young People (0-18 years).

The aim of the Progressing Disability Services Programme is to achieve a national, unified approach to delivering disability health services so that there is a clear pathway to services for all children, regardless of where they live, what school they go to or the nature of their disability. The Programme is organised at national, regional and local level and includes representatives from the health and education sectors, non-statutory service providers and parents. It is envisaged that the Programme, when implemented, will have a positive impact on the provision of clinical services for all children who require access to health related supports. An additional €4m has been specifically allocated in 2016 to drive implementation of the Programme. This equates to approximately 75 therapy posts. Following detailed consideration by the Executive, these additional therapy posts have now been allocated and the recruitment process to fill same is currently underway.

As implementation of the Programme and the questions the Deputy has raised are a service matter, I have arranged for the questions to be referred to the Health Service Executive for direct reply to the Deputy. If she has not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

### **Hospital Appointments Status**

479. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an appointment for a person (details supplied); and if he will make a statement on the matter. [16001/16]

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



### **Abortion Services Provision**

480. **Deputy Mattie McGrath** asked the Minister for Health the number of abortions carried out in 2015 under the provisions of the Protection of Life During Pregnancy Act; and if he will make a statement on the matter. [16002/16]

**Minister of State at the Department of Health (Deputy Marcella Corcoran Kennedy):** The Minister for Health is under an obligation under the Protection of Life During Pregnancy Act 2013 to prepare and lay before the Houses of the Oireachtas an annual report on the terminations of pregnancy that have taken place in accordance with this Act in the preceding year by 30th June. The number of notifications received for terminations carried out under the Act in 2015 will be published at the end of this month.

### **Nursing Homes Support Scheme Review**

481. **Deputy Willie Penrose** asked the Minister for Health when the review of the nursing home support, fair deal, scheme will be finalised; when the outcome of same will be revealed to the general public; and if he will make a statement on the matter. [16030/16]

**Minister of State at the Department of Health (Deputy Helen McEntee):** When the Nursing Homes Support Scheme commenced in 2009, a commitment was made that it would be reviewed after three years. The Report of the Review was published in July 2015. The Review included a general examination of the operation of the Scheme, as well as the balance between residential care and care in the community. A number of key issues have been identified for more detailed consideration across Departments and Agencies.

An Interdepartmental/Agency Working Group has been established to progress the recommendations contained in the Review. This Group is chaired by the Department of Health and includes representatives from the Department of the Taoiseach, the Department of Public Expenditure and Reform, the HSE, the Revenue Commissioners, and when required, the National Treatment Purchase Fund (NTPF). These recommendations include the implementation of administrative reforms to the Scheme, and a review by the NTPF of present pricing arrangements in private residential facilities.

Significant progress has already been made in relation to the implementation of recommendations relating to the administrative reforms to the Scheme. A Steering Committee, which is chaired by the NTPF and includes representatives from the Department of Health, the Department of Public Expenditure and Reform and the NTPF, has been established to oversee the NTPF review of the pricing system. The Committee has commenced its work in this area.

The Working Group is due to make a preliminary report on its progress to the Cabinet Committee on Health in June 2016.

### **Primary Care Services Provision**

482. **Deputy Hildegard Naughton** asked the Minister for Health to outline his views on using a community-based model for the development and improvement of eye care (details supplied); and if he will make a statement on the matter. [16040/16]

**Minister for Health (Deputy Simon Harris):** The Primary Care Eye Services Review Group, which was established by the HSE is currently preparing an implementation plan to

support its Review. The Association of Optometrists Ireland has contributed as a stakeholder to this Review. The overall aim of the Review Group is to shift the management of many eye conditions from acute care services to primary care and community services, as appropriate. The government is committed to updating the national eye care plan, including evaluation of the Sligo model for cataract surgery. These are matters which I intend to consider in the context of the implementation of the Health commitments in the Programme for Government and having regard to the funding available to facilitate such measures.

### National Drugs Strategy Implementation

483. **Deputy Jack Chambers** asked the Minister for Health for an update on the work of the steering committee set up to oversee the development of the new national drugs strategy; the names of the members and chairperson of the committee; the number of times the committee has met; and if he will make a statement on the matter. [16063/16]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** As the Deputy is aware, the Department of Health is developing a new National Drugs Strategy, which will cover the period from 2017 onwards. A Steering Committee, chaired by John Carr, former General Secretary of the Irish National Teachers Organisation and with representatives from the relevant Statutory, Community and Voluntary Sectors, has been established to advise me on how a new Strategy should address problem drug use, including the structures through which this could be done.

A high level review of the current drugs policy has been undertaken by a panel of international experts, which will highlight the key issues that need to be addressed under the new Strategy. The Committee will also consider the approach to drug policy in other jurisdictions and a review of international evidence on interventions to tackle the drug problem. Focus Groups have been established to advise the Steering Committee on the relevance of the Strategy in tackling problem drug use in Ireland and to identify any gaps arising. I will shortly be announcing details of the consultation process on the new Strategy, which I intend to be as broad, comprehensive and inclusive as possible.

Details of the membership of the Steering Committee, which has met 5 times this year and on one occasion in December 2015, are set out in the following table.

Sector	Body	Number of Representatives
Statutory Sector	Department of Health	3
Statutory Sector	Health Service Executive	2
Statutory Sector	Department of Justice & Equality	1
Statutory Sector	An Garda Síochána	1
Statutory Sector	Department of Education & Skills	1
Statutory Sector	Department of Environment, Community & Local Government	1
Statutory Sector	Department of Children & Youth Affairs	1
Statutory Sector	Department of Social Protection	1
Statutory Sector	Health Research Board	1
Community Sector	Community Sector - represented by City-Wide Drugs Crisis Campaign	2
Community Sector	National Family Support Network	1

Sector	Body	Number of Representatives
Voluntary Sector	Voluntary Sector - represented by the Voluntary Drug Treatment Network	2
Cross-sector Task Force network	Local Drug and Alcohol Task Force Chairs Network	1
Cross-sector Task Force network	Regional Drug and Alcohol Task Force Chairs Network	1
Cross-sector committee	National Advisory Committee on Drugs and Alcohol	1
Total number of representatives:	-	20

### National Drugs Strategy

484. **Deputy Jack Chambers** asked the Minister for Health if the number of opiate users in County Dublin has decreased over the lifetime of the national drugs strategy; and if he will make a statement on the matter. [16067/16]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** The HSE maintains the Central Treatment List, which is a register of all clients in receipt of methadone maintenance treatment for problem opiate use in Ireland. However, the information sought by the Deputy is not available as only individuals who come into contact with drug treatment services are recorded.

Obtaining a reliable view of the extent of illicit drug use in the population can be difficult, because opiate users in particular are largely a hidden population due to the illegal nature of their activity. There is currently no up-to-date estimate of the prevalence of opiate users in Ireland. However, the Deputy may wish to note that the National Advisory Committee on Drugs and Alcohol plans to release results of its research to estimate the prevalence of opiate use in Ireland before the end of the year. This report will provide an estimate for 2014.

### National Drugs Strategy

485. **Deputy Jack Chambers** asked the Minister for Health if there has been a reduction in the number of persons engaged in poly-drug use or in the level of drug misuse reported by school students, as targeted in the national drugs strategy; and if he will make a statement on the matter. [16068/16]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** Government's response to the problem of drug misuse in our society is set out in the National Drugs Strategy 2009-2016. The overall objective of the National Drugs Strategy is to tackle the harm caused to individuals and society by the misuse of drugs through a concerted focus on the five pillars of supply reduction, prevention, treatment, rehabilitation and research.

The nature and scale of drug misuse has changed in recent years, with an increased prevalence of polydrug use which is the problem use of more than one drug, including alcohol. Polydrug use can make treating the person more difficult and often increases the complexity of the case. It can also make the treatment of overdose more complicated. Health Research Board figures indicate that polydrug use is a common issue among those presenting at drug and alco-

hol treatment services. Between 2009 and 2013, 63% of those treated for a drug as their main problem substance also reported problem use of other substances, mainly alcohol, benzodiazepines and cannabis. Figures from the Health Research Board for recent years also indicate that the number of polydrug deaths has overtaken the number of single drug deaths. This highlights the need to have an integrated public health approach to substance misuse.

The 2011 European School Survey Project on Alcohol and other Drugs (ESPAD), which contains data on substance use among 15-16 year old students, confirms that there was no change in lifetime use of cannabis among Irish students and a decrease in the lifetime use of other illicit drugs between 2007 and 2011. The 2015 wave of the survey, which will also feature data on Irish students, will be published in September 2016.

The Department of Health is developing a new National Drugs Strategy, which will cover the period from 2017 onwards. A Steering Committee has been established to advise me on how the new Strategy should address problem drug use, including the structures through which this could be done, and incorporating performance indicators to measure the future effectiveness of the new Strategy.

### **National Drugs Strategy**

486. **Deputy Jack Chambers** asked the Minister for Health if 100% of problem drug users are accessing treatment services within one month of assessment, as targeted in the national drugs strategy; and if he will make a statement on the matter. [16069/16]

487. **Deputy Jack Chambers** asked the Minister for Health if 100% of problem drug users under 18 years of age are accessing treatment services within one week of assessment, as targeted in the national drugs strategy; and if he will make a statement on the matter. [16070/16]

488. **Deputy Jack Chambers** asked the Minister for Health whether there has been a 25% increase in residential rehabilitation places based on 2008 figures, as targeted in the national drugs strategy; and if he will make a statement on the matter. [16071/16]

489. **Deputy Jack Chambers** asked the Minister for Health whether there has been a 25% increase in hepatitis C cases among drug users based on 2008 figures, as targeted in the national drugs strategy; and if he will make a statement on the matter. [16072/16]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** I propose to take Questions Nos. 486 to 489, inclusive, together.

As these are service matters, they have been referred to the Health Service Executive for attention and direct reply to the Deputy.

If the Deputy has not received replies from the HSE within 15 working days he should contact my Private Office and they will follow up the matter with them.

### **National Drugs Strategy**

490. **Deputy Jack Chambers** asked the Minister for Health to set down how many of the targets or stated aims the national drugs strategy has met and not met; and if he will make a statement on the matter. [16073/16]

491. **Deputy Jack Chambers** asked the Minister for Health if the national drugs strategy

2009-16 has been successful; and if he will make a statement on the matter. [16074/16]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** I propose to take Questions Nos. 490 and 491 together.

The overall objective of the National Drugs Strategy is to tackle the harm caused to individuals and society by the misuse of drugs through a concerted focus on the five pillars of supply reduction, prevention, treatment, rehabilitation and research. Periodic reviews of progress of the actions across the five pillars of the current Strategy are carried out through the Oversight Forum on Drugs, which I chair. The 2015 progress report on the implementation of the actions of the National Drugs Strategy is available on the Department's website at [www.health.gov.ie](http://www.health.gov.ie).

As the Deputy will be aware, a Steering Committee has been established to advise me on the development of a new National Drugs Strategy, which will take effect in 2017 when the current policy expires. A high level review of the current Strategy has been undertaken by a panel of international experts as part of this process. The aim of the review is to examine the progress and impact of the Strategy across the five pillars in the context of the objectives, key performance indicators and actions set out in the Strategy and to comment on Ireland's evolution in tackling the drug problem in the light of international trends.

The final report of the expert panel, which is expected shortly, will assist the Steering Committee in determining how the new Strategy should address problem drug use to meet the challenges ahead.

### **Hazardous Waste Sites**

492. **Deputy Sean Sherlock** asked the Minister for Agriculture, Food and the Marine if he will meet the financial commitments made by the last Government in respect of the clean-up on the site of the former Irish Steel works on Haulbowline Island, Cobh, County Cork, given the environmental and physiological impact it has on the lower harbour. [15672/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I have Ministerial responsibility for the remediation of Haulbowline Island and Cork County Council is acting as my agent to deliver the project. The Government has agreed to provide a total of €61m to complete all aspects of the Haulbowline Remediation Project. Total spending by my Department in the period 2012-15 has amounted to €6.77m and funded (in full) the following key preparatory aspects of the remediation project:

- Regularisation of planning and licensing aspects
- Detailed site investigations
- Repair, including partial reconstruction, of key infrastructural access points, Haulbowline Bridges & Bridge access road from mainland
- Detailed quantitative risk assessment (DQRA) study of the former steel factory site and
- Project team salary reimbursements to Cork County Council.

The resource intensive core remediation phases of the project are due to commence later this year (2016) and intensify in 2017, with all aspects of the project due to be completed by mid 2018. In accordance with Government Decisions taken in May 2015 & January 2016 respectively, which broadened the scope of the project and authorised a 'whole of island' approach, this project will now deliver the following key aspects:

- Remediation of the former waste deposit site (East Tip) including the provision of a public amenity park on the site
- Ground level basic remediation of the former steelworks factory site (South Tip) and
- Weather proofing of three former military listed stone buildings.

While funding for the remediation project is included in my Department's estimate, the Government Decisions specify that the funding is ringfenced and provided in addition to the funding requirements of my Department's core activities. A total of €8m has been provided in my Department's estimates for this year (2016). It is anticipated that €40m may be required to fund the next intensive phase of the planned programme of works. The amount to be included for the project in my Department's estimate for 2017 will be a matter for the Minister for Public Expenditure and Reform to determine in consultation with my Department having regard to the specific ringfenced nature of the remediation funding.

### **Basic Payment Scheme Eligibility**

493. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if he has received clarification on getting farm land under solar farm installations recognised as an agricultural activity and, therefore, eligible for European Union direct payments and qualifying for retirement and agricultural reliefs at European level; and if he will make a statement on the matter. [15336/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Support under the Basic Payment Scheme (BPS) is payable upon activation of an eligible hectare per payment entitlement. In general terms an eligible hectare is one that is used for an agricultural activity, or, where the area is also used for a non-agricultural activity, is predominantly used for such activities. An area is predominantly used for agricultural activity if that activity can be exercised without being significantly hampered by the intensity, nature, duration and timing of the non-agricultural activity.

While cases involving solar panels will be examined on an individual basis, the European Commission advises that area covered by the solar panels will be deemed ineligible for the purposes of claiming BPS. Furthermore, in line with the Department's current approach on land eligibility, where the area of a parcel covered by solar panels is 70% or greater of the overall parcel, that parcel will be wholly ineligible. If less than 70% is covered by solar panels and the agricultural activity is not hampered by the presence of the solar panels, the area not covered by solar panels may be eligible.

With regard to entitlements it is important to note that a farmer must use all entitlements every 2 years. Therefore if the land is deemed ineligible for BPS the farmer would lose the entitlements after 2 years unless he (a) got more land (b) leased out his entitlements or (c) sold the entitlements.

Finally it is important to note that all agricultural land used to claim BPS must be owned/ leased, used and managed by the applicant. If the applicant is not the owner of the land, they must have a lease or rental agreement in place with the owner of the land. There must be independent and suitable access for animals and/or machinery for the farming enterprise being conducted. Independent access means access by public or private roadway or by a defined right of way. Access over adjoining landowners land, or over land which is subject to a lease or rental agreement to another person, is not acceptable.

## Food Safety Authority of Ireland Inspections

494. **Deputy Eamon Ryan** asked the Minister for Agriculture, Food and the Marine to set out the status of the investigation of the Food Safety Authority of Ireland and his Department into elevated polybrominated diphenyl ethers concentrations in milk samples, as outlined in the Environmental Protection Agency 2010 and 2012 dioxin reports on dioxin levels in the Irish environment; if he has identified the source of the contamination and whether milk from the sites affected was allowed into the food chain; and if he will make a statement on the matter. [15350/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The Environmental Protection Agency (EPA) carries out routine national monitoring for a range of environmental contaminants through measuring the levels in cows' milk. In addition, the Food Safety Authority of Ireland (FSAI) has carried out a number of studies to check for the presence of PBDEs. The results of this monitoring confirm the low levels of such contaminants in the Irish environment.

The EPA also carries out additional testing in areas that might be viewed as areas of potentially higher risk of containing these substances. One of these monitoring samples in a raw milk sample from a farm in Co. Cork showed somewhat elevated levels of PBDEs, though the level was not high by European comparison. The levels found do not constitute a risk for public health.

Notwithstanding this, an inter-agency group of experts from the EPA, the FSAI and my Department was established to investigate the cause of the elevated levels in this case. Following considerable investigation, including a comprehensive testing regime of a number of matrices, including milk, various feed materials, water and other substances in the animal housing, the source of the problem was established. The source was identified as coming from a particular old matting material used as bedding in the cow cubicles in the animal housing on the farm. Accordingly the source of the problem did not have its origins in the surrounding environment.

## Basic Payment Scheme Applications

495. **Deputy Bobby Aylward** asked the Minister for Agriculture, Food and the Marine to outline the reason he has not provided a conclusive answer to a query - apart from two interim responses - which was lodged for his attention nearly seven weeks ago detailing emergency circumstances in respect of a person (details supplied); and if he will make a statement on the matter. [15405/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** An application under the 2015 Basic Payment Scheme (BPS) was received in my Department from the person named on 29 May 2015. During the processing of this application, an issue arose in relation to the eligibility of a forestry parcel claimed under the BPS. The person named was subsequently written to about this matter and replied confirming that he did not have the right to claim payment under the BPS on this parcel. A reduced payment issued following the removal of the parcel in question from the application.

The person named requested a review of the case. This review has now been completed and the person named was notified in writing on 2 June 2016 that the initial decision has been upheld. In the event that the person named is dissatisfied with the outcome of this review the decision can be appealed to the independent Agriculture Appeals Office, within 3 months.

## **Departmental Expenditure**

496. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine to set out the amount of money his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15409/16]

497. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine to set out the amount of money spent on daily newspapers in 2015; if this is appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15425/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I propose to take Questions Nos. 496 and 497 together.

The Public Sector Magazine is a quarterly publication which is distributed free of charge to all departments in the public sector and semi state bodies.

My Department's expenditure, in 2015, for daily newspapers was €20,840.

My Department is currently conducting a review of the provision of newspapers versus on-line subscriptions.

## **Departmental Staff Data**

498. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine to set out the number of staff working in his human resources section. [15441/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The number of staff currently working in the Personnel and Training Unit of the Department of Agriculture, Food and the Marine as of 31st May 2016 is 65 (58.32 Full-Time Equivalents). The Personnel and Training Unit of my Department deals with the following Key functional areas: Human Resources Strategy, Competitions, Training & Development and Secretary General's Office.

## **Ministerial Staff**

499. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine to set down the number of staff who work exclusively on constituency matters for him. [15457/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** On the commencement of each Dáil, the Department of Public Expenditure and Reform (DPER) issues guidelines setting out the arrangements for the staffing of Ministerial Offices including the permitted staffing levels in the private and constituency offices of Ministers and Ministers of State.

My Department is currently awaiting these guidelines in order to finalises contracts to persons allowing them to work on constituency matters.

## **Departmental Staff**

500. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine to set out the changes in the numbers employed in his human resources section following the introduction of PeoplePoint. [15473/16]



**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The numbers (and Full-Time Equivalents) for the Personnel and Training unit for 12th April 2013, the date just prior to the Launch of Peoplepoint and then for 31st May 2016 are outlined in the following table.

Time	Headcount	FTE
12/04/2013	95	84.40
31/05/2016	65	58.32

The Personnel and Training Unit of my Department deal with the following Key functional areas, Human Resources Strategy, Competitions, Training & Development and Secretary General's Office.

### Targeted Agricultural Modernisation Scheme

501. **Deputy Mattie McGrath** asked the Minister for Agriculture, Food and the Marine to set out the status of an application by a person (details supplied) under the targeted agricultural modernisation scheme 2; and if he will make a statement on the matter. [15494/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The applicant in question has applied under a company in the second tranche of the Animal Welfare, Safety and Nutrient Storage Scheme. The application has been checked and the applicant has been requested to submit the Articles of Association details which is a requirement under the Terms and Conditions of the Scheme. When these details are received the application will go through the ranking and selection process and will then be sent to the local office for final technical checks before approval issues.

### Agriculture Scheme Payments

502. **Deputy Martin Kenny** asked the Minister for Agriculture, Food and the Marine to outline the reason a person (details supplied) did not receive pig sector crisis funding. [15497/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** These payments are the final tranche under the package agreed at EU level in September of last year, which allocated €0.5m for the pig sector for Ireland. The Government subsequently matched this funding to provide an overall aid package of €1m.

Eligible beneficiaries for the scheme were defined as current pig herd owners who produced a minimum of 200 pigs in 2015. The individual concerned did not meet the beneficiary requirements and therefore was not entitled to an aid payment under the conditions of the scheme.

### Basic Payment Scheme Applications

503. **Deputy Martin Kenny** asked the Minister for Agriculture, Food and the Marine the reason he has fined a person (details supplied) and reduced the person's payment under the basic payment scheme. [15498/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named submitted a 2015 Basic Payment Scheme/Areas of Natural Constraint scheme applica-

tion on 16 April 2015. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases on farm inspections be completed.

The application of the person named was selected for a Full Cross-Compliance inspection.

This inspection identified breaches in relation to pig and cattle identification and registration requirements resulting in a 1% penalty being recorded in respect of each category. Breaches were also identified in relation to Nitrates requirements as a result of inadequate facilities for dealing with clean and soiled water, inadequate collection of the manure and approx. 100 round bales of silage were stored within 20 meters of a drain. This resulted in a 5% penalty being applied. However as breaches in relation to Nitrates requirements were identified in 2014, the rules on re-occurrence were applied and the penalty was increased to 15%.

Further breaches were identified in relation to Pig and Animal Welfare requirements. In respect of Welfare of Pigs, poor animal husbandry, building accommodation, lighting, feed and water requirements resulted in a 5% penalty being applied. However as breaches in relation to Welfare of Pigs requirements were identified in 2014, the rules on re-occurrence were applied and the penalty was increased to 15%.

In respect of Welfare of Animals, very poor animal remedy records and no mortality records were maintained giving rise to a sanction of 5% being applied. However as similar breaches in this area were identified in 2014, the rules on re-occurrence were applied and the penalty was increased to 15%.

In total a 15% cross compliance penalty was applied to the 2015 Direct Payments being received by the person named. The person named was notified of this decision on 3 February 2016. The person named was also notified of the right to seek a review of this decision. To date no request for a review has been received by my Department.

In the event that the person named is dissatisfied with the outcome of any such review the decision can be appealed to the independent Agriculture Appeals Office, within 3 months.

### **TAMS Applications**

504. **Deputy Paul Kehoe** asked the Minister for Agriculture, Food and the Marine the status of an application by persons (details supplied) under the targeted agricultural modernisation scheme 2; when he will approve it; and if he will make a statement on the matter. [15518/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The applicants in question have applied in the second tranche of the Young Farmer Capital Investment Scheme. Their application has been checked and the applicants have been requested to supply their Young Farmer Declaration Form and to respond to an issue in relation to their costings. When these details are received the application will go through the ranking and selection process and will then be sent to the local office for final technical checks before approval issues.

### **Agriculture Scheme Appeals**

505. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 166 of 26 April 2016, the status of an application by a person (details supplied); and if he will make a statement on the matter. [15522/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named submitted an application under the ‘young farmer’ category of the 2015 National Reserve to my Department. This application was not successful as the applicant exceeded the off-farm income limit required for acceptance under the scheme. The applicant was notified in writing of this decision and was offered the opportunity to submit an appeal.

The person named appealed the decision and officials in my Department are currently considering this appeal. The person named will shortly be notified in writing of the outcome.

### **Agriculture Scheme Applications**

506. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 151 of 26 April 2016, when he will issue a payment to a person (details supplied); and if he will make a statement on the matter. [15545/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named submitted applications under the ‘young farmer’ category of the 2015 National Reserve and the Young Farmers Scheme to my Department. All administrative and land checks have now been completed. Payment under the National Reserve and Young Farmers Scheme will issue shortly directly to the nominated bank account of the person named.

### **Basic Payment Scheme Payments**

507. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 200 of 14 April 2016, when payment will issue to a person (details supplied); and if he will make a statement on the matter. [15560/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named no longer holds the herd number shown. He applied to have the herd number transferred to another party in 2015. The person named submitted a Private Contract Clause (PCC) application to my Department seeking the transfer of land and entitlements by lease as transferor. In order to facilitate this transfer the person named applied to my Department for a PCC Number. In accordance with the Terms and Conditions underpinning the operation of Private Contract Clause applications, the person named retained 1.08 hectares of land in 2015 and was allocated a corresponding number of entitlements. In applying for the PCC number the person named signed a declaration that stated “I understand that no payments from the Department of Agriculture, Food & the Marine will issue to me on foot of this PCC Number” and as such no monies are due or owing to the person named in respect of 2015 Basic Payments Scheme.

### **Basic Payment Scheme Appeals**

508. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 202 of 14 April 2016, the status of an appeal by a person (details supplied) under the basic payment scheme; and if he will make a statement on the matter. [15565/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named submitted a 2015 Basic Payment Scheme/Areas of Natural Constraint Scheme application on 8 April 2015. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Ground Eligibility

inspections, be completed before any payments issue.

The application of the person named was selected for a Ground Eligibility inspection. The inspection identified discrepancies between the areas declared and the area found resulting in an over-declaration in area of between 3% and 20% in respect of the Basic Payment Scheme. Under the Terms and Conditions of this scheme, this resulted in the 2015 payments being based on the found area having been reduced by double the difference between the area found and the area declared. The person named was notified of this decision on 9 November 2015.

The person named has appealed this decision and this review is now being finalised. The person named will be notified of the outcome this week.

In the event that the person named is dissatisfied with the outcome of this review the decision can be appealed to the independent Agriculture Appeals Office, within 3 months.

### **GLAS Applications**

509. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an application by a person (details supplied) under the green low-carbon agri-environment scheme; and if he will make a statement on the matter. [15578/16]

**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 29 November 2015.

The pre-approval validation checks on the application of the person named, found that the Low Input Permanent Pasture (part parcel) and Traditional Hay Meadow (part parcel) actions were not in accordance with scheme specifications and were therefore not approved as part of the application.

The application was ranked as a Tier 3 application, scoring 7.50 which was below the minimum required pass mark of 16.50 and it was therefore unsuccessful for admission to the scheme. A letter issued to the person named on the 10 March 2016 notifying them of this decision and giving an option of appeal to GLAS Section.

In respect of the appeal in this case I wish to correct the answer to PQ 13956/16 and confirm that an appeal has been received from the Agricultural Advisor of the person named and is currently being processed by my Department. The person named will be notified in writing of the outcome of this appeal once a decision has been made.

### **Young Farmer Capital Investment Scheme Eligibility**

510. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 199 of 14 April 2016, the status of an application by a person (details supplied) under the young farmer capital investment scheme; and if he will make a statement on the matter. [15581/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Following a review of the circumstances of this case the application under the Young Farmer Capital Investment Scheme has been processed. It will be sent to the local office shortly for final technical checks prior to approval.

## **Basic Payment Scheme**

511. **Deputy Kevin O’Keeffe** asked the Minister for Agriculture, Food and the Marine to request the European Union Commissioner, Mr. Phil Hogan, to review the basic payment scheme and greening rules (details supplied). [15589/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I and my Department are in regular contact with Commissioner Hogan and his officials in relation to the implementation of the Basic Payment Scheme and the operation of the rules with regard to Greening. 2015 marked the first year of these new direct payment schemes and, as might be expected, Ireland and other Member States have had to deal with many issues related to the interpretation of the regulations and the rules governing the operation of the schemes.

We have submitted a range of proposals to the Commission aimed at more effectively achieving the outcomes envisaged under the schemes, while at the same time maintaining flexibility for Member States to implement these provisions in accordance with their domestic farming circumstances. The Commissioner has responded with a number of simplification initiatives, and has indicated that a further package of measures in relation to Greening will be presented to Member States at the Council of Ministers meeting later this month.

I look forward to examining the content of these latest proposals, and I intend to continue my dialogue with Commissioner Hogan with a view to ensuring that scheme requirements are met in a way that minimises the potential burden for farmers and for Member State administrations.

## **Herd Number Applications**

512. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an application by a person (details supplied) regarding a herd number; and if he will make a statement on the matter. [15594/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** An application for a herd number was received from the person in question in the Regional Veterinary Office on 11th May 2016. An appointment was made with the applicant for an inspection of the lands concerned on the morning of the 25th of May. However, the applicant requested a deferral of one week due to other commitments. The inspection was carried out on the 31st May. The applicant has been informed that a sheep pen needs to be constructed. When the sheep pen is constructed, a re-inspection will take place and then the processing of the application will be finalised.

## **Aquaculture Licence Applications**

513. **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 fishing licence; and if he will make a statement on the matter. [15596/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The application for the aquaculture licence referred to by the Deputy is in respect of a site located in Castlemaine Harbour, which is designated as a Special Area of Conservation under the EU Habitats Directive and a Special Protection Area under the EU Birds Directive (Natura 2000 site). All applications in ‘Natura’ areas are required to be appropriately assessed for the purpose

of environmental compliance with the EU Birds and Habitats Directives. My Department, in conjunction with the Marine Institute and the National Parks and Wildlife Service (NPWS) is engaged in a comprehensive programme of gathering the necessary baseline data appropriate to the Conservation Objectives of 'Natura' areas. This data collection programme is substantially complete. This is followed by data analysis and the setting of appropriate Conservation Objectives by the NPWS. Once this process is complete all new, renewal and review aquaculture applications can be appropriately assessed for the purpose of ensuring compliance with the EU Birds and Habitats Directives.

The Appropriate Assessment of Castlemaine Harbour has been completed and the relevant licensing determinations have been made based on applications to hand at the time of the assessment.

The specific application referred to by the Deputy was submitted to my Department subsequent to the carrying out of the Appropriate Assessment process for this harbour. Accordingly, it was not possible to assess this application against the designated Conservation Objectives for the harbour.

The optimum method for appropriately assessing applications by individual operators, who were not included in the initial overall assessment procedure, is under active consideration by my Department. The process must comply with best scientific practice and be achieved in a manner which will be acceptable to the national authorities and to the EU Commission.

In the meantime, the assessment procedures agreed with the EU Commission require Appropriate Assessments in respect of aquaculture activities to be carried out by the national authorities and unilateral departure from these arrangements is not possible.

Every effort is being made to expedite the conclusion of this matter as soon as possible.

### **Agri-Environment Options Scheme Applications**

514. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an application by a person (details supplied) under the farm payment scheme; and if he will make a statement on the matter. [15654/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named commenced their AEOS contract in 2010. Payment issued in respect of the 2010-2014 scheme years. 2014 year payments issued on 9/12/14 and 30/01/15.

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 in this case as soon as possible.

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

515. **Deputy Michael Ring** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) will receive a year 5 payment under the agri-environment options scheme; and if he will make a statement on the matter. [15658/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named commenced their AEOS contract in 2010. Payment issued in respect of 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. Payments in this case were approved on 10/06/16 and will issue to the person named shortly.

### **Semi-State Bodies Data**

516. **Deputy Noel Rock** asked the Minister for Agriculture, Food and the Marine the number of chief executive officers in semi-State companies under the aegis of his Department who are employed or who are not employed on a Hay contract. [15675/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** There are four commercial State Bodies under the aegis of my Department - Bord na gCon, Coillte, Horse Racing Ireland and the Irish National Stud.

The Chief Executive Officers of two of these Bodies, Bord na gCon and Coillte, were appointed in July 2014 and April 2015 respectively, and are employed in accordance with the payment arrangements for CEOs of Commercial State Bodies introduced in June 2011.

The Chief Executive Officers of Horse Racing Ireland and the Irish National Stud were in situ pre June 2011 and therefore employed under the "Hay Contract" arrangements.

### **Departmental Staff**

517. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine if staff in the cattle movement and monitoring system of his Department complained of intimidation, harassment and bullying (details supplied); if professional help was sought by and if he granted it to the complainants; if staff of the cattle movement and monitoring system were precluded from investigative work at export laraiges, marts, local authority abattoirs and factories despite what is clearly set out in Circular ER 35-2002; if the staff reporting to a manager was reduced from 21 in 2002 to two in recent times; the current make-up of the new unit; and the number of staff who have joined it from the special investigation unit. [15751/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Following the introduction of a new identification system for bovines, which gave rise to significant discrepancies in the early stages, the Department set up a Cattle Movement and Monitoring System (CMMS) Unit in 2002. This initiative was to support the work of the Department's local District Veterinary Offices in dealing with this increased level of work. Staffing of the CMMS unit at the outset consisted of four teams of 3 Supervisory Agricultural Officers in 4 different locations with 2 District Superintendents having a supervisory role - a total of 14 staff.

While primarily staff at DVOs dealt with identification and tracing matters (among other duties), the CMMS units handled specific and targeted enquiries generally, in particular on repeat offenders and on cases that involved more than one DVO area. The focus of the group was exclusively on cattle identification and tracing matters wherever such was required and neces-

sary - this could have arisen on farm or at other locations.

For operational purposes, the staff assigned to the CMMS Unit were under the supervision of an Area Superintendent of the then Special Investigation Unit (SIU). The CMMS unit staff were not part of the SIU which was a separate Unit.

In 2009 a review of the Local Office Structure within my Department was carried out in order to maximise efficiency. This review led to several significant changes at operational level. As the volume of discrepancies had decreased significantly and there was, following the local office review, sufficient capacity among local office staff to carry out all such work, it was decided to stand down the CMMS Unit and deploy the staff to other areas of my Department where vacancies existed. As a result, the CMMS Unit was disbanded in 2011/2012.

In Sept 2010, my Department met with the staff side's representatives to discuss the redeployment of the staff that had been assigned to the CMMS unit. At this time there were eleven technical staff remaining in the Unit. Following the announcement of the proposed transfers all those eleven staff in the CMMS Unit, lodged similar individual complaints regarding work issues against line management under the Civil Service Grievance Procedure.

Mediation efforts were made on 2 occasions, in July 2012 and again in October 2014. In the former case, the mediator withdrew from the process as he was of the view that the issues raised were not relevant to the grievance procedure. In the latter case, the mediator made an offer, to bring closure to the issue and allow the parties to move forward. That offer was not accepted.

My Department, as is common with all other Departments, makes available the confidential services of the Employee Assistance Officers to all civil service staff wishing to avail of those services.

My Department is constantly assessing its investigative capabilities as it is crucial that my Department has the capability to undertake detailed investigations in order to ensure the integrity of the food chain, protection of public health, animal health and welfare, and plant health. A new Investigation Division (ID) was set up in 2014. This Division is staffed with members with mixed skills, competencies, experience and backgrounds reflecting the range of work that will be carried out by the Division and where staff work in multi-disciplinary teams, rather than in a hierarchical structure. The current complement of staff in the Investigations Division is 10 – this includes 6 former staff of the Special Investigations Unit – two further staff members are to be assigned shortly.

Animal level discrepancies outstanding greater than 1 month

Year	-
Jan 2007	191,203
Jan 2008	86,180
Jan 2009	37,383
Sept 2010	22,148

### Marine Tourism Promotion

518. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine his plans to transfer responsibility for marine leisure development to the proposed new Department of rural and regional affairs, given the potential for this industry in rural Ireland; and if he will make a statement on the matter. [15914/16]



**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** S.I. No. 163/2011 - Marine Tourism (Transfer of Departmental Administration and Ministerial Functions) Order 2011 confers on me a limited and narrow role in the development of Marine Leisure generally. However, overall responsibility for Marine Leisure Development transcends a number of Departments. Responsibility for the promotion of cultural heritage rests with the Minister for Regional Development, Rural Affairs, Arts and the Gaeltacht while the promotion of tourism rests with the Minister for Transport, Tourism and Sport. Those Ministers, their Departments and agencies publish policies and operate schemes to provide funding in a structured way. Additionally, local authorities provide funding for community-based maritime projects. The Heritage Council proposes and advises on national heritage policy and interacts with the local authorities through the Heritage Officer programme.

The responsibility for the development, repair and maintenance of Local Authority owned piers, harbours and slipways rests with the Local Authorities in the first instance and their parent Department, the Department of Housing, Planning and Local Government.

My Department does, however provide funding to assist in the development and repair of Local Authority owned piers, harbours and slipways under the annual Fishery Harbour and Coastal Infrastructure Development Programme subject to available Exchequer funding and overall national priorities. There is a Marine Leisure element to this programme.

I am happy to inform the deputy that in 2016 an overall €4.5m package was approved to assist in the development and repair of 90 Local Authority owned harbours and slipways including some marine leisure projects. The package provides funding for the repair of piers damaged by recent storms, in addition to supporting the ongoing development and enhancement of other harbour facilities. 18 Marine Leisure projects attracted funding of €927,000 as part of this programme.

### **Departmental Expenditure**

519. **Deputy Michael McGrath** asked the Minister for Agriculture, Food and the Marine the cost of the planned remediation works at Haulbowline Island, County Cork ; the cost of the plan to develop a public park and related amenities on the site in 2016 and in 2017; and if he will make a statement on the matter. [15923/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I have Ministerial responsibility for the remediation of Haulbowline Island, and Cork County Council is acting as my agent to deliver the project. The Government has agreed to provide a total of €61m to complete all aspects of the Haulbowline Remediation Project. Total spending by my Department in the period 2012-15 has amounted to €6.77m and funded (in full) the following key preparatory aspects of the remediation project:

- Regularisation of planning and licensing aspects
- Detailed site investigations
- Repair, including partial reconstruction, of key infrastructural access points, Haulbowline Bridges & Bridge access road from mainland
- Detailed quantitative risk assessment (DQRA) study of the former steel factory site
- Project team salary reimbursements to Cork County Council

The resource intensive core remediation phases of the project are due to commence later this

year (2016) with all aspects of the project due to be completed by mid 2018. In accordance with Government Decisions taken in May 2015 & January 2016 respectively which broadened the scope of the project and authorised a 'whole of island' approach, this project will now deliver the following key aspects

- Remediation of the former waste deposit site (East Tip) including the provision of a public amenity park on the site
- Ground level basic remediation of the former steelworks factory site (South Tip)
- Weather proofing of three former military listed stone buildings

While funding for this project is included in my Department's estimate the Government Decisions specify that the funding is ring fenced for the remediation of Haulbowline Island and is provided in addition to the funding requirements for my Department's core activities.

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

520. **Deputy Timmy Dooley** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) will receive a payment under the agri-environment options scheme; and if he will make a statement on the matter. [15931/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named commenced their AEOS contract in 2010. Payment issued in respect of 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.

### **Herd Number Applications**

521. **Deputy Robert Troy** asked the Minister for Agriculture, Food and the Marine the reason his Department facilitated a herd transfer without due scrutiny of its legality (details supplied). [15949/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** In accordance with normal procedures, my Department has registered Herd Number N1031140 in the name of the person who produced the relevant documentation, including Grant of Probate from the High Court in Cavan, dated 19 August 2014, to satisfy my Department's requirements to qualify for full Keeper and Owner roles. Any dispute regarding the ownership of lands and/or animals is a civil matter and therefore it is not appropriate for my Department to comment any further on the matter.

### **Agri-Environment Options Scheme Applications**

522. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine the status

of an application by a person (details supplied) under the AEOS; and if he will make a statement on the matter. [15955/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named commenced their AEOS 1 contract on 1 September 2010 and was paid in full for the 2010 – 2014 Scheme years.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. The application of the person named was also selected for an on-farm inspection which took place on the 21 August 2015. During this inspection non-compliances with the Terms and Conditions of the Scheme were noted in relation to the Species Rich Grassland and the Traditional Stone Wall Maintenance actions which resulted in a penalty being incurred. The stone walls in this case were found to be covered with scrub, bushes and briars. As such, they were not visible and were not accessible for assessment and maintenance.

The person named appealed the penalty for the Traditional Stone Wall Maintenance action to the Regional Inspector who upheld the original decision. The person named was informed of his appeal to the Agriculture Appeals Office. An appeal was lodged with the Agriculture Appeals Office on 5 May 2016 and I understand that an oral hearing of the case is scheduled for 16 June.

The application was processed on the basis of the inspection findings and payments in respect of the 2015 Scheme year, less penalty, were issued on 6 May and the 16 May. Adjustments will be made to these payments in due course if the Appeals Office changes the decision of the Department.

### **Flood Relief Schemes Applications**

523. **Deputy Kevin O’Keeffe** asked the Minister for Agriculture, Food and the Marine if he will review a payment recently issued to a person (details supplied). [15961/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** An application for the Emergency Flood Relief Measure was received from the person named on 11th February 2016.

Verification checks of the person’s application were recently completed and payment issued on the basis of those checks to the nominated bank account of the person named. An official from my Department will make contact with the person named to outline the basis of the payment that has issued. In the event that the person named remains unsatisfied with the level of payment officials in my Department will review the matter further.

### **Harbours and Piers**

524. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine if he is aware of the recent introduction of restricted access hours for those requiring the use of a syncrolift operated by his Department at Killybegs Harbour, County Donegal; if this limits access to the device to traditional office hours and only when authorised personnel are present; if he is aware of claims that such restrictions are unworkable given that such a device may only be deployed during times when favourable tidal conditions are present; if he is further aware of the

adverse impact which these measures are having on the various industries operating within the region which make use of the device for fleet maintenance; his plans to reconsider these measures and lift these new restrictions; and if he will make a statement on the matter. [15974/16]

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

A decision to temporarily limit the lifting times of the syncrolift was reluctantly taken due to a shortage of trained personnel in Killybegs Fishery Harbour Centre. The question of safety is always paramount in our operational decisions and it was with this in mind that this necessary course of action was adopted. Of course emergency cases will be dealt with as a matter of priority.

My Department is pursuing the matter in consultation with the Department of Public Expenditure and Reform regarding recruitment of additional General Operatives across all six Fishery Harbour Centres. We would hope to expedite the recruitment process as soon as this is progressed.

Once the recruitment process has been completed and sufficient additional staff trained in the operation of the syncrolift, the temporary restrictions will be lifted.

### **Greyhound Industry**

525. **Deputy Paul Murphy** asked the Minister for Agriculture, Food and the Marine if he agrees with the policy of publicly funded greyhound stadiums being managed in such a way that they can be closed for private functions and are not open to the public on these occasions. [15993/16]

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

Accordingly, as the issue raised by the Deputy is an operational matter, it is therefore the responsibility of Bord na gCon.

### **Afforestation Programme**

526. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine when the appropriate grant aid and finance will be available to allow persons who have been approved for participation in the new afforestation scheme, which permits them to plant small areas of land for forestry purposes, will be made available to those who have had approval for same, as it appears that the provision of finance for the scheme is an issue; and if he will make a statement on the matter. [16028/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I wish to reassure the Deputy that there is sufficient finance available for the Afforestation Scheme targets for this year. Any person who has received technical approval to plant may seek financial approval using the Form 1(a) as stated in the scheme document for the 2014-2020 Forestry Programme.

## EU Directives

527. **Deputy Hildegarde Naughton** asked the Minister for Agriculture, Food and the Marine if he will review the system of fines for breach of the nitrates directive (details supplied); and if he will make a statement on the matter. [16039/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Under the Terms and Conditions of Direct Payment Schemes, an applicant, as well as meeting the Scheme criteria, is required to comply with EU regulatory requirements relating to Cross Compliance.

Where my Department's records indicate that in a given year the amount of nitrogen from livestock manure applied to land on the holding (including that deposited by animals), exceeds the limit of 170 kgs per hectare set down in the Nitrates Regulations, penalties will be applied.

Penalties are applied to the year in which the breach is determined and are deducted prior to the issuing of payments due under the Direct Payments Schemes.

Penalties will be multiplied by 3 for repeated breaches within 3 calendar years (reoccurrence/repetition). On a first repetition the current sanction is multiplied by 3. For second or further reoccurrences the previous percentage sanction is multiplied by 3, up to a limit of 15%. Repetition breaches after this will be considered as Intent and will lead to higher sanctions up to the loss of the current calendar year's entire payment. It can also lead to the loss of any payment due in the following calendar year.

## Departmental Staff Recruitment

528. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his plans to recruit for the position of agricultural technical officer; the number of new staff he will recruit; where he will base these staff; when they will be in place; and if he will make a statement on the matter. [16083/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Technical Agricultural Officers carry out a variety of functions related to services and schemes administered by the Department including the operation of controls relating to animal health, public health, animal welfare and EU payment schemes.

The post of Technical Agricultural Officer was advertised by the Public Appointments Service on 14 April with a closing date of 5 May 2016. The assessment process, consisting of a variety of tests and interview, is scheduled for June and July. Upon completion of standard clearance procedures, the Department expects the process of appointing successful candidates to begin in September. Technical Agricultural Officers will be appointed to a variety of posts and locations throughout the country and the numbers appointed will be dependent on the business needs of my Department.

## Inland Fisheries Ireland

529. **Deputy John Halligan** asked the Minister for Communications, Energy and Natural Resources when he will publish the 2016 to 2021 corporate plan of Inland Fisheries Ireland (details supplied); if he will examine the strategic method of linking traditional commercial fisheries of cultural importance in rural communities to commercial fisheries heritage tourism and education, taking ancient traditions, methods, vessels, knowledge and culture into account;

and if he will make a statement on the matter. [15885/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** Section 41(2)(c) of the Inland Fisheries Act 2010 provides that Inland Fisheries Ireland (IFI) shall prepare, adopt and submit a new Corporate Plan for the approval of the Minister every five years or within six months of the appointment of a new Minister.

The draft Corporate Plan 2016 – 2020 has been prepared by IFI and will be submitted for Ministerial approval in the coming weeks.

I am advised by IFI that all socio-economic factors are taken into consideration in the drafting of IFI's Corporate Plan. However, the primary focus of the inland fisheries management regime in Ireland is on conservation and protection of stocks. I am happy to arrange a detailed briefing with IFI for the Minister in relation to the local issues he has raised.

### Postal Codes

530. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources the departmental spend on setting up Eircode; the original budget; the spend on on-going maintenance costs since it was established; and if he will make a statement on the matter. [15337/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The cost to date for establishing the National Postcode System (NPS) is €21.205m (VAT inclusive) and is broken down in the following table:

Contractual Costs	Cost to Exchequer over life of the contract (VAT inclusive)	Paid to end June 2016 (Vat inclusive)
NPS Design	€3.2m	€3.2m
PSB Database encoding	€11.5m	€11.5m
NPS Launch and dissemination	€3.77m	€3.77m
Ongoing maintenance and Service costs	€14.75m	€0
Subtotal	€33.2m	€18.47m
Other Costs		
Specialist and Staffing Costs	€4.8m	€2.735m
Total Cost	€38m	€21.205m

There has been no spend to date in relation to on-going maintenance. The maximum annual amount that is allocated for the on-going maintenance of the NPS is €1.2m.

### Postal Codes

531. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources if Eircode is compatible with global positioning system functionality; if not, the reason; and if he will make a statement on the matter. [15338/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** Eircode is compatible with Global Positioning System (GPS) functionality, as each Eir-

code provides a GPS location for each postal address. This allows Eircodes to be used with GPS enabled devices to accurately give directions and locate properties.

Contracts have been signed with satellite navigation companies and negotiations are ongoing with others. Google and Eircode are working together to bring Eircodes to Google Applications, including Google Maps shortly. TomTom have concluded their licence negotiations for Eircodes and are currently integrating the codes into their products.

### **Postal Codes**

532. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources the reason his Department did not adopt the national postcodes project board's recommendation in its final report for the adoption of a hierarchical code but adopted a non-sequential system instead; and if he will make a statement on the matter. [15339/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** In 2006 the National Postcodes Project Board (NPPB) recommended that the optimum technical solution to be adopted for a national postcode was the 'Postal Sector Model'. This uses an 'ABC 123' structure to reference in the first instance the relevant Post Town, and secondly the 'Block Face' (a grouping of approximately 40 to 50 dwellings); it was, however, recognised at that time that there were advantages in introducing a postcode based on a unique identifier.

In 2010, 54 interested parties were consulted as part of an extensive consultation process on the introduction of postcodes. The consultation exercise concluded that for the postcode to be of real benefit it had to be unique to each address. Following consideration of the matter by Government in 2010, the Department proceeded to the first stage of procurement to launch a National Postcode System. The procurement documentation, having regard to the output from the stakeholder consultation process, envisaged that the postcode model would be capable of being refined into a location based code – in other words of identifying each individual property within a post town.

The reason for the adoption of the unique identifier approach was to resolve two addressing challenges:

- 35% of addresses are non-unique which means many properties, particularly in rural areas, share the same address; and
- in both urban and rural areas, the same property can have multiple forms of address.

A hierarchical based code is not the optimum solution for Ireland as it does not have the capacity to uniquely identify premises nor is it future proofed as it is not possible to assign a sequenced code to new builds (for example any infill development will break the sequence of the code in the event that a sequenced code were used).

### **Postal Codes**

533. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources his views on a recent survey carried out by a company (details supplied) which found that 96% of companies in the logistics business do not use Eircode; and if he will make a statement on the matter. [15340/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** I presume the Deputy is referring to the “CBRE Ireland Logistics & Supply Chain Confidence Index 2016” which includes a short analysis on the introduction and usage of Eircodes. In addition to the statistic referenced by the Deputy in his question, the report also notes that two thirds of the survey respondents said the introduction of the Eircode postcode system has been a positive development for the Irish Market, with 73% of shipping respondents and 64% of logistics & E-Commerce companies saying the introduction of Eircode has been a positive development.

Information available to my Department indicates that a significant number of commercial bodies have incorporated the Eircode into their online services, and this continues to grow. Since the launch, Capita, the Postcode Management Licence Holder (PMLH), has signed up a total of 28 Eircode Value Added Re-sellers who provide a broad spectrum of Eircode specialist services to businesses including, location based applications for logistics/deliveries sector, address validation, database cleansing, address look ups and a range of spatial analytic applications. These 28 VARs have signed licences with 399 End User organisations who are using Eircodes in their businesses. The industries using Eircode data include Retail, Logistics/Delivery, Financial Services, Insurance, Utilities and Public Sector bodies. Most of the Eircode licenced End Users are using the data for address verification and deliveries, as well as for risk assessment in Insurance and Financial Services.

The integration of Eircodes into the relevant business systems of individual firms is linked to their systems development lifecycle which can, in some cases, lead to a time lag before Eircodes are used by the business in their day-to-day operations and in their service offerings. The timing of the integration process is a matter for individual businesses to take.

I am satisfied that once Eircodes are used in Google applications and Sat Navs, their usage will increase.

### **Postal Codes**

534. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources if the Loc8 code was considered for use with the Eircode autoaddress application in the introduction of two additional postcodes to be used with the application; if not, the reason; and if he will make a statement on the matter. [15341/16]

537. **Deputy Eamon Ryan** asked the Minister for Communications, Energy and Natural Resources if there is a role for other postcode applications alongside Eircode; and the basis upon which he decides to promote any such technology via his Department’s website and Twitter account. [15347/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** I propose to take Questions Nos. 534 and 537 together.

Since the Eircode launch, Capita, the Postcode Contractor, has signed up a total of 28 Eircode Value Added Re-sellers who provide a broad spectrum of Eircode specialist services to business including, location based applications for logistics/deliveries sector, address validation, database cleansing, address look ups and a range of spatial analytic applications.

I understand that one of the Value Added Re-sellers recently launched a free-to-use Eircode app for use on Apple and Android devices. This App is a useful way to find Eircodes, share precise address locations and get directions using the Eircodes.



The development of apps and products by Value Added Re-sellers is a matter for the individual company.

Information in relation to new or innovative Eircode related services is placed on my Department's website in order to increase awareness and promote usage of Eircodes amongst the public.

### Energy Schemes

535. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources to consider introducing an opt-in provision for customers in the national smart metering programme; and if he will make a statement on the matter. [15342/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The National Smart Metering Programme is managed by the Commission for Energy Regulation (CER). Under the EU's Third Energy Package, "where roll-out of smart meters is assessed positively, at least 80% of consumers shall be equipped with intelligent metering systems by 2020."

Across Europe, the appraisal of smart metering has varied. In Ireland, a cost benefit analysis (CBA) is being developed by the CER. The CBA results (due in Q1 2017) will be the key determinant in the scale, scope and timing of the roll-out.

It should be noted that many existing electricity meters will require replacement in the coming years as they reach an end-of-life situation. Their replacement with smart meters represents a welcome modernisation of our metering infrastructure.

### Energy Schemes

536. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources if the introduction of time-of-use tariffs will result in consumer buy-in to the national smart metering programme, given international experience where this has been tried; and if he will make a statement on the matter. [15343/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The National Smart Metering Programme is managed by the Commission for Energy Regulation (CER). Under the EU's Third Energy Package, "where roll-out of smart meters is assessed positively, at least 80% of consumers shall be equipped with intelligent metering systems by 2020."

Across Europe, the appraisal of smart metering has varied. In Ireland, a cost benefit analysis (CBA) is being developed by the CER. The CBA results (due in Q1 2017) will be the key determinant in the scale, scope and timing of the roll-out. In simple terms, it will develop an approach to smart meter roll-out to consumers. It should be noted that many existing electricity meters will require replacement in the coming years.

Time of use (ToU) tariffs offer a different price for electricity at different times of the day. This is similar to the current day/night meters but with the potential for more than two charging periods in each day allowing people to manage their electricity cost by changing when they use electricity.

Following a public consultation, the CER issued a decision on ToU tariffs. Energy suppliers

will be required to offer ToU tariffs to customers within 12 months of receiving a smart meter. It will be the customers choice whether to opt-in to use the ToU tariff or remain on their existing tariff.

Over time, as consumers become informed regarding the potential savings that they can make, ToU tariffs are likely to become the norm. The CER intends to monitor developments in the market with a view to phasing out flat-rate tariffs in the future. However, no date has been decided for such a phase-out.

The CER plans to launch a comprehensive public awareness campaign in the run up to smart meter rollout and educating the public about the benefits of ToU tariffs will form a substantial part of that campaign.

*Question No. 537 answered with Question No. 534.*

### **Hydraulic Fracturing Policy**

538. **Deputy Eamon Ryan** asked the Minister for Communications, Energy and Natural Resources if he has analysed the potential reputational damage for Ireland as a green tourism and agrifood country, given the introduction of hydraulic fracturing. [15349/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** In coming to a view whether the use of this technology could be permitted in Ireland, it was considered necessary in the first instance to establish if it could be carried out in a manner that would not negatively impact on the environment and human health. A research programme has been put in place which is administered by the Environmental Protection Agency (EPA) with oversight from a broad based Steering Committee that includes my Department. The terms of reference for the research programme had regard to public consultation and relevant issues raised in the public consultation have been included in the scope of the research programme.

The Steering Committee took the view at the beginning of 2016 that it was an appropriate time to reflect on the overall timeline for the delivery of the research. The Steering Committee has agreed a revised scope of work to combine all of the work carried out to date into a meaningful synthesis report, which will be published once concluded. It is anticipated that this report will be published by year end.

No application to engage in Unconventional Gas Exploration and Extraction has been received in the Department, nor would any such application, if submitted, be considered until the research programme has concluded and there has been time to consider the findings of the synthesis report. Any policy decision will be taken in the context of the objective of achieving a low carbon energy system by 2050.

### **Renewable Energy Feed in Tariff Scheme Eligibility**

539. **Deputy Michael D'Arcy** asked the Minister for Communications, Energy and Natural Resources the status of the renewable energy feed in tariff pricing for solar power; and if he will make a statement on the matter. [15379/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The White Paper on Energy Policy includes a commitment to introduce a new Renewable Electricity Support Scheme (RESS) designed to encourage the development of Ireland's abundant, diverse and indigenous renewable energy resources. The Programme for Government

also commits to facilitating the development of solar energy projects.

In July 2015, the Department launched the first public consultation regarding the introduction of a proposed Renewable Electricity Support Scheme (RESS) in Ireland. In-depth economic analysis is now underway to inform the actual cost of a new scheme and, while no decision has been taken on the precise renewable technologies to be supported, the cost and technical viability of solar photovoltaic (PV) - both roof-top and utility-scale - is being examined as part of the assessment process.

Once the detailed economic analysis is complete, there will be an additional public consultation phase on the design of the new scheme. The details of this will be advertised on the Department's website *www.dcenr.gov.ie*.

The introduction of any new scheme - including the overall costs and technologies to be support - will be subject to Government approval and State aid clearance from the European Commission.

The Deputy may be also interested to know that the Sustainable Energy Authority of Ireland provides supports for the use of solar thermal heating technology to both large industry and SMEs. Households can also avail of grant support for investment in renewable energy installations, including solar thermal, under the Better Energy Homes Scheme.

### **Departmental Expenditure**

540. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources the amount his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15412/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The magazine referred to in the Question is distributed to my Department free of charge.

### **Departmental Expenditure**

541. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources the amount spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15428/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** My Department buys a limited number of newspapers and in 2015 spent a total of €7,291.05 on such purchases. Staff in my Department also utilise online news resources which reduces the requirement for paper editions and the associated costs.

### **Departmental Staff Data**

542. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources the number of staff working in his human resources section. [15444/16]

544. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources the changes in the numbers employed in his human resources section following the

introduction of PeoplePoint. [15476/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** I propose to take Questions Nos. 542 and 544 together.

Following the introduction of PeoplePoint shared service, the number of staff employed in the Human Resources Division of my Department has reduced from 12.5 to 7.3 full time equivalents.

### **Ministerial Staff**

543. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources the number of staff who work exclusively on constituency matters for him. [15460/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** There are two (2) staff members working exclusively on constituency matters in my Department.

*Question No. 544 answered with Question No. 542.*

### **Broadband Service Provision**

545. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources his views on correspondence (details supplied) regarding broadband; and if he will make a statement on the matter. [15491/16]

**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. This is being achieved through private investment by commercial telecommunications companies and through a State intervention in areas where commercial investment is not forthcoming.

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, which is the subject of procurement. The areas marked BLUE represent those areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services. The Department continues to monitor the commercial deployment plans in the BLUE area where commercial operators have committed to providing services, to ensure that those services are delivered. The areas marked AMBER on the High Speed Broadband Map represent the target areas for the State Intervention and includes the townland of Carrig Island, as well as Ballylongford in the townland of Aghanagran Middle, County Kerry. Members of the public can view whether their premises are in the BLUE or AMBER area by accessing the High Speed Broadband Map and entering their Eircode. The map provides information on a county by county basis with a breakdown of coverage across the townlands in every county including County Kerry.

Over 750,000 premises are the focus of the procurement process, which formally commenced in December 2015 with the publication of the Pre-Qualification Questionnaire (‘PQQ’) and Project Information Memorandum. Five responses were received from prospective bidders to this stage of the competitive procurement process by the deadline of 31 March 2016.

The second stage in the procurement process will be a formal invitation to Participate in

Dialogue (ITPD) to short-listed bidders, following the assessment of responses to the PQQ stage. 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) which will comprise one or two lots as set out in the NBP Intervention Strategy. The Department will then enter into formal contract negotiations with the winning bidder(s). It is expected that contract(s) will be awarded by June 2017.

In preparation for the procurement stage of the process my Department investigated how different technical solutions could be used to deliver high speed broadband. In line with EU State Aid rules, the process must be “technology neutral” and it is not therefore possible to specify what technology should be used to build the network. As part of the procurement process bidders will be asked to propose solutions which meet the NBP service requirements. It is recognised however, that a significant fibre build will be required, regardless of what technology is used to provide services to individual premises. Once the successful bidder or bidders is chosen the technology to be deployed will be made clear.

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. Once contract(s) are in place, I expect to publish a detailed rollout plan for the network.

The Programme for a Partnership Government commits also to measures to assist in the rollout of the network once a contract is awarded. In this regard, Minister Humphreys will lead on the establishment of county or regional broadband taskforces, working with Local Authorities, Local Enterprise Offices, LEADER Groups and other relevant agencies to help accelerate the broadband network build in rural Ireland, once contract(s) have been awarded.

### **Electrical Contractors**

546. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources if he will request the Commission for Energy Regulation to engage with the Registered Electrical Contractors of Ireland on the necessity of making public and professional installers aware of the need for induction hobs and ovens, which have a higher electrical load, to have separate circuits, or other modifications to wiring, to cope with the potentially massive electrical load at full-power; and if it will commit to reviewing and improving the standards for installation to a much higher degree for safety reasons. [15579/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** Responsibility for the regulation of the electricity and gas markets, including safety, is a statutory function of the Commission for Energy Regulation (CER), which is an independent Regulator.

The CER was assigned responsibility for regulation of the Irish electricity sector following the enactment of the Electricity Regulation Act, 1999 and subsequent amending legislation, specifically the Energy (Miscellaneous Provisions) Act, 2006. Section 4 of the 2006 Act provided CER with responsibility for the regulation of the activities of electrical contractors with regard to safety, and amended the 1999 Act accordingly. Section 4 provides that: “It shall be a function of the Commission to regulate the activities of electrical contractors with regard to safety”. All associated activities, including the publication of criteria relating to electrical safety

supervision, and the safety standards to be achieved and maintained by electrical contractors, are solely a matter for the Commission.

I have asked the Commission to communicate directly with the Deputy.

### **Mobile Telephony Services**

547. **Deputy Peter Burke** asked the Minister for Communications, Energy and Natural Resources the status of the mobile telephone coverage taskforce; the extent of public consultation it will employ; the timeline for the stated objectives; if coverage providers are obliged to guarantee a certain level of coverage in rural Ireland, given the low levels available and the increase in mobile telephone bills; and if he will make a statement on the matter. [15584/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The Programme for a Partnership Government commits to the establishment within 100 days of a mobile phone and broadband taskforce which will consider immediate measures to address telecommunications deficits in rural Ireland. My Department is engaging with the Department of Regional Development, Rural Affairs, Arts and the Gaeltacht in relation to the terms of reference for the taskforce to ensure delivery of the Programme for Government commitment within the timelines set out. It is likely that the taskforce will involve a number of Government Departments and agencies, as well as engagement with telecommunications operators. My Department has already conducted a number of meetings with vendors and mobile operators to help inform the process and identify what tangible measures can be taken. The Taskforce will consider what form of public engagement is appropriate and I intend to set a challenging timeline for delivery.

The provision of mobile telephony services is undertaken by telecommunications service providers operating in a fully liberalised market under licences provided by the Commission for Communications Regulation (ComReg). It is subject to a requirement to secure access to the required radio spectrum by way of licence. The management of the radio spectrum is a statutory function of ComReg and accordingly I have no statutory function in this matter.

I am aware however that licences issued by ComReg apply terms and conditions on Mobile Network Operators, such as quality of service and minimum population coverage obligations. The design of the network is a matter entirely for the operator concerned although operators tend to exceed their minimum coverage requirements for commercial reasons. ComReg monitors compliance with licence requirements by means of bi-annual drive tests. I understand that current testing is designed to cover all primary and secondary national routes, with measurements being performed on all Mobile Networks.

4G offers potential to deliver better services to people, particularly in rural areas, where the fixed broadband network has not yet been upgraded. There are several ways in which improved wireless broadband and mobile voice services can be achieved. This includes the Government and Local Authorities working to reduce barriers to the deployment of telecommunications infrastructure through better planning laws and processes; and working with telecommunications operators to improve information on various aspects of their activities, including upgrades and changes to their networks.

In the meantime, my Department continues to liaise closely with industry and other relevant Departments and agencies to assist in the commercial deployment of telecommunications networks. The commercial telecommunications sector has invested over €2bn in upgrading and modernising networks which support the provision of high speed broadband services includ-

ing acquiring spectrum under ComReg's 2012 Multi-Band Spectrum Auction for rollout of 3G and 4G mobile services. These investments will further improve the coverage and quality of broadband and mobile voice and data services throughout the country although I understand that some temporary disruptions to service have been encountered when upgrades are taking place. ComReg is also planning the further release of spectrum to assist in the rollout of mobile services, particularly in rural areas.

### **Semi-State Bodies Data**

548. **Deputy Noel Rock** asked the Minister for Communications, Energy and Natural Resources the number of chief executive officers in semi-State companies, under the aegis of his Department, who are employed or not employed on a Hay contract. [15676/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The remuneration of CEOs in Commercial State Bodies had historically come within the remit of the Review Body on Higher Remuneration in the Public Sector (established in 1969). A major feature of the Review Body's Report No. 37 (December 1996) was their recommendations for the introduction of new remuneration arrangements and the introduction of a fundamental change in the nature of the contracts for such positions.

Hay Management Consultants were commissioned to carry out the evaluation exercise and submit a report to the Minister for Finance. In July 1999 the Government approved the new approach to the determination of the remuneration of the CEO's of Commercial State Companies. A further review, again carried out by Hay Consultants, was undertaken and implemented in 2007.

In June 2011 the Minister for Public Expenditure and Reform announced the terms of a Government Decision for the introduction of pay ceilings for higher posts across the public service and for CEO posts in Commercial State Companies.

All directions issued by the Government in relation to remuneration of CEOs in Commercial State Companies are brought to the attention of the relevant State Companies under the aegis of my Department. All contracts are concluded in line with current government pay policy as set out by the Government Decision of June 2011 and are subject to relevant statutory approvals.

### **Broadband Service Provision**

549. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 835 of 31 May 2016, if he will address a matter (details supplied). [15932/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** In accordance with EU State Aid Guidelines for Broadband, Member States are required to thoroughly evaluate any commercial plans so as to ensure that State Aid is confined to those areas where commercial investment in high speed broadband services is unlikely to occur in the foreseeable future. The Department has had extensive engagement with operators to identify those areas where there are concrete plans to roll out high speed broadband on a commercial basis. Such areas will be excluded from the proposed State intervention.

In October 2015 the Department published the process it proposed to adopt in order to assess commercial high speed broadband investment plans. Plans received from commercial

operators were subsequently assessed under technical, deployment and financial criteria, in line with the EU State Aid requirements. This resulted in the publication of the High Speed Broadband Map in December 2015. No additional commercial plans have been submitted since the map was launched in December 2015.

The Map is a critical aspect of EU State Aid compliance and the mapping process remains open, in accordance with terms that have been published on the Department's website ([www.broadband.gov.ie](http://www.broadband.gov.ie)) so as to ensure that existing plans are realised and that any new developments can be managed.

As noted in previous replies to Parliamentary Questions, the Department continues to monitor commercial operator deployment plans of high speed broadband in the BLUE area. In March/April of this year the Department issued a detailed questionnaire to those operators whose coverage is represented BLUE on the High Speed Broadband Map. Submissions received in response to the questionnaire are currently being analysed and I expect that a key component of this analysis will be concluded over the coming months.

From a preliminary analysis of submissions received, areas such as Myrtleville and Fountainstown in County Cork are of particular concern to the Department, as services have not yet been delivered. In the event that commercial plans do not materialise as anticipated in the BLUE area or where no alternative operator is present, the Department has reserved the right to include these premises as part of the State Intervention. As soon as I have more specific information in relation to these two areas, I will contact the Deputy directly.

### **Climate Change Policy**

550. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources the steps he is taking to establish a national dialogue on climate change including the format, scale and methodology he will adopt and timeline for this process, given the commitment in the programme for Government; and if he will make a statement on the matter. [15951/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The Programme for Government includes a commitment to establish a National Dialogue on Climate Change. This builds on the commitment in the Energy White Paper to establish a National Energy Forum to maximise and maintain consensus on the broad policy measures set out in the White Paper required to ensure the transition to a low-carbon energy future.

It is my intention that the National Dialogue on Climate Change will encompass the role envisaged for the National Energy Forum but with a wider focus to include the examination of key infrastructural, land use and economic issues that need to be addressed in our long-term transition to a low-carbon future.

It is important that the National Dialogue on Climate Change reflects the views of all stakeholders including businesses, communities and citizens. This will require careful consideration in terms of the membership of the dialogue, its format and how it engages with the wider public. We are currently considering these matters and I hope to bring proposals to Government in the coming months with a view to the first meeting of the National Dialogue on Climate Change being held later this year.

### **Broadband Service Provision**



551. **Deputy Bobby Aylward** asked the Minister for Communications, Energy and Natural Resources the fibre broadband capacity in Brittas, County Kilkenny; the provisions in place to improve this; the status of its further planned roll-out there; and if he will make a statement on the matter. [16045/16]

552. **Deputy Bobby Aylward** asked the Minister for Communications, Energy and Natural Resources to prioritise and expedite the roll-out of fibre broadband in Brittas, County Kilkenny under the national broadband plan to reflect the need for a reliable broadband service for residential and business purposes; and if he will make a statement on the matter. [16046/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** I propose to take Questions Nos. 551 and 552 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. This is being achieved through private investment by commercial telecommunications companies and through a State intervention in areas where commercial investment is not forthcoming. The formal procurement process for the State Intervention commenced in December 2015.

The High Speed Broadband Map, which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie) shows the extent of the State Intervention area, which is the subject of procurement. The areas marked BLUE represent those areas where commercial providers are either currently delivering or have previously indicated plans to deliver high speed broadband services. The Department continues to monitor the commercial deployment plans in the BLUE area to ensure that those services are delivered. The areas marked AMBER on the High Speed Broadband Map represent the target areas for the State Intervention. The map provides information on a county by county basis with a breakdown of coverage across the townlands in every county.

Based on information previously provided by commercial operators, 14% of the townland of Brittas, County Kilkenny will be covered by commercial operators with the remaining 86% of premises of the townland of Brittas being part of the State Intervention. Members of the public can view whether their premises in Kilkenny are in the BLUE or AMBER area by accessing the High Speed Broadband Map and entering their Eircode.

Over 750,000 premises are the focus for the procurement process, which formally commenced in December 2015 with the publication of the Pre-Qualification Questionnaire (‘PQQ’) and Project Information Memorandum. Five responses were received from prospective bidders to this stage of the competitive procurement process by the deadline of 31 March 2016. 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 NBP Intervention Strategy. The Department will then enter into formal contract negotiations with the winning bidder(s). It is expected that contract(s) will be awarded by June 2017.

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. A detailed rollout plan for the network will be published once contract(s) are in place.

The Programme for a Partnership Government commits to measures to assist in the rollout of the network once a contract is awarded. In this regard, Minister Humphreys will lead on the establishment of county or regional broadband taskforces, 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.

### **Seirbhísí Dátheangacha**

553. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Iompair, Turasóireachta agus Spóirt an bhfuil sé i gceist aige maoiniú a chur ar fáil d'Iarnród Éireann le gur féidir leo dul ar aghaidh leis an bhforbairt bogearraí atá ag teastáil don Chóras Faisnéise do Chustaiméirí le go mbeidh ar a chumas aschur dátheangach a dhéanamh chomh luath agus is féidir ar na cláracha leictreonacha faisnéise mar a mhol an Coimisinéir Teanga an 19 Bealtaine 2010; cén chúis atá le gan an t-airgead a bheith curtha ar fáil go dtí seo d'Iarnród Éireann don chúram seo; agus an ndéanfaidh sé ráiteas ina thaobh. [15315/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Mar an tAire Iompair, Turasóireachta agus Spóirt táim freagrach as beartais agus maoiniú ar an iomlán maidir le hiompar poiblí. Ach, níl baint agam leis na gnóthaí laethúla de seirbhísí Iarnród Éireann nó lena tionscnaimh seirbhíse do chustaiméirí – is ábhair iad le haghaidh an comhlacht féin.

Dá bhrí sin, tá do litir curtha ar aghaidh agam chuig Iarnród Éireann, agus d'iarr mé orthu fiosrú a dhéanamh faoi seo agus freagra a chur chugat laistigh de thrí seachtaine. Mura bhaigheann tú freagra taobh istigh den achar ama seo téigh i dteagmháil liom arís faoi.

### **Road Safety**

554. **Deputy Eamon Ryan** asked the Minister for Transport, Tourism and Sport the circumstances under the Road Traffic Acts or regulations in which young children are allowed to cycle on footpaths due to the danger of mixing with motorised traffic on roads; and if he will make a statement on the matter. [15348/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Under road traffic legislation, it is an offence to cycle on a footpath. However, An Garda Síochána may use discretion in enforcing this offence. Following consultation with An Garda Síochána and the Road Safety Authority, the previous Minister decided not to include this offence in the first phase of fixed charge notices for cycling offences.

Furthermore, while road traffic legislation does not specify exemptions for children, I understand that the Children Act 2001, as amended in 2006, provides that no child under the age of twelve may be charged with an offence. There are exceptions to this rule which relate to serious violent offences and are not relevant in a road traffic context.

Children under twelve years of age cannot therefore be charged with any offence under the Road Traffic Acts, and this includes cycling on pavements.

### **State Airports**

555. **Deputy Eamon Ryan** asked the Minister for Transport, Tourism and Sport the assumptions in relation to global action to reduce greenhouse gases he has relayed to the Dublin

Airport Authority in predicting future passenger demands and in deciding on increasing runway capacity. [15351/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Planning permission for the North Runway project has been in place since 2007. Given the increase in passenger numbers over the last two years and projected passenger growth, I welcome the fact that daa has decided to commence the project.

daa has a statutory responsibility to manage, operate and develop Dublin Airport including the provision of infrastructure necessary to meet existing and future demand, such as the North Runway project. Therefore, the assumptions to be made in predicting future passenger demand is a matter for daa, having regard to all relevant national and international factors, including those related to the reduction of greenhouse gases.

I have been informed by the daa that they are committed to the successful management of impacts on the environment, and that they will work effectively with key stakeholders such as the IAA and airlines in this regard. It should be noted that no assumptions are made in relation to aviation emissions under the Paris Agreement (COP21). The challenge of mitigating aviation emissions is dealt with through the international body ICAO, which plans to bring forward measures later this year designed to ensure carbon neutral growth in international aviation emissions from 2020.

### State Airports

556. **Deputy Eamon Ryan** asked the Minister for Transport, Tourism and Sport the analysis he has carried out of the cap of existing airport infrastructure other than in Dublin Airport to meet passenger demand; the economic and cost-benefit analysis of these options. [15352/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** There is no cap in place in relation to the development of airport infrastructure.

The National Aviation Policy (NAP) acknowledges the importance of ensuring sufficient capacity at Irish airports, and Dublin Airport in particular, to enable connectivity and the operation of services to existing and emerging markets, to support our tourism industry, trade relationships and connections with the rest of the world. While initiatives are underway to ensure adequate capacity for existing and future demand at Dublin Airport, no capacity issues exist at Shannon or Cork airports at present.

The NAP also commits to regular reviews to ensure that all of the main airports are well placed to accommodate passenger growth and changing passenger, air-cargo and carrier needs. The NAP envisaged my Department commissioning a high-level strategic capacity review of Irish airports with the Shannon, Cork and Dublin airports being mandated to carry out their own capacity reviews at five yearly intervals. While it had been planned that the reviews would commence in 2018, my Department may review this timeline, given the higher than expected passenger growth trends.

### Road Network

557. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the status of a bypass for a town (details supplied); and if he will make a statement on the matter. [15393/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects (including the N69 Listowel Bypass) is a matter for the Transport Infrastructure Ireland (formerly known as the NRA) under the Roads Acts 1993-2015 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for TII in accordance with Section 19 of the Roads Act.

Noting the above position, I have referred the Deputy's question to TII for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

### **Departmental Expenditure**

558. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the amount of money his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15424/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Public Sector Times is a complimentary magazine and therefore there is no cost to the Department.

### **Departmental Expenditure**

559. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the amount of money spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if he will make a statement on the matter. [15440/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** In 2015 the Department of Transport, Tourism and Sport spent €13,234 on daily newspapers. Daily newspapers are only supplied to Ministers, Minister's Advisors, the Press office and the Department's Press Cutting service which distributes articles relating to the Department on the internal website. The expenditure is in my view appropriate to ensure effective monitoring of the print media.

### **Departmental Staff Data**

560. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the number of staff working in his human resources section. [15456/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** There are 16 staff in the Human Resources Division in my Department providing HR, workforce planning, Learning and Development, strategic and change management services. A further 14 staff also report to the HR manager providing accommodation facilities management services including telephony, reception and internal post services.

### **Ministerial Staff**

561. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the number

of staff who work exclusively on constituency matters for him. [15472/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I currently have one staff member working exclusively on constituency matters.

### **Departmental Staff Data**

562. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the changes in the numbers employed in his human resources section following the introduction of PeoplePoint. [15488/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** There was a reduction of six staff in the Human Resources Division in my Department following the transition of my Department to PeoplePoint in August 2013.

### **Driver Licence Renewals**

563. **Deputy Pat Buckley** asked the Minister for Transport, Tourism and Sport if he is aware of the problems persons (details supplied) living along the Border and whose general practitioner is based in Northern Ireland have in receiving medical clearance to renew their driver's licence, due to the doctor having being accredited with the British Medical Council only; his plans to rectify this issue; and if he will make a statement on the matter. [15496/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Section 41 of the Road Traffic (Licensing of Drivers) Regulations 2006 (as amended) sets out when an application by a person for a driving licence shall be accompanied by a report completed by a registered medical practitioner. A registered medical practitioner is defined as a person whose name is entered in the General Register of Medical Practitioners established under section 43(1) of the Medical Practitioners Act 2007.

It is not my intention to amend this requirement at this time.

### **Air Navigation Orders**

564. **Deputy Mick Wallace** asked the Minister for Transport, Tourism and Sport the number of and the countries which made requests under the Air Navigation and Transport Act (Carriage of Munitions of War, Weapons and Dangerous Goods) Order 1973 for permits to transport munitions through Ireland or Irish airspace in 2016 to date; the information they provided on the destination of these aeroplanes; and if he will make a statement on the matter. [15524/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The number of requests made under the Air Navigation and Transport Act (Carriage of Munitions of War, Weapons and Dangerous Goods) Order 1973 Order to date in 2016 is 351. Requests were made by airlines of the following countries - USA - 331; Ireland 8; Turkey 5; Switzerland 3; UK - 2; Spain 1; Ethiopia 1.

The next destinations after landing in Ireland or overflying Irish airspace were as follows - USA 146 flights; Germany 115; Kuwait 34; Afghanistan 16; Ireland 10; Romania 9; UK 4; Finland 3; United Arab Emirates 2 and; Holland, Belgium, Cyprus, Denmark, Ethiopia, Iraq, Italy, Jordan, Lebanon, Poland, Spain, Ukraine and Azerbaijan 1 each.

## Air Navigation Orders

565. **Deputy Mick Wallace** asked the Minister for Transport, Tourism and Sport the number of permits and the countries to which his Department granted permission to transport munitions through Ireland or Irish airspace in 2016 to date under the Air Navigation and Transport Act (Carriage of Munitions of War, Weapons and Dangerous Goods) Order 1973; the information they provided on the destination of these aeroplanes; and if he will make a statement on the matter. [15525/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The number of permits issued to transport munitions through Ireland or Irish Airspace in 2016 to date under the Air Navigation and Transport Act (Carriage of Munitions of War, Weapons and Dangerous Goods) Order 1973 is 335.

Permits were issued to airlines of the following countries - USA 315; Ireland 8; Turkey 5; Switzerland 3; UK 2; Spain 1; Ethiopia 1.

The next destinations after landing in Ireland or overflying Irish airspace for which permits issued were as follows - USA 145 flights; Germany 112; Kuwait 33; Afghanistan 8; Ireland 9; Romania 9; UK 4; Finland 2; United Arab Emirates 2; and Holland, Belgium, Cyprus, Denmark, Ethiopia, Italy, Jordan, Lebanon, Poland, Spain and Ukraine, 1 each.

## Transport Policy

566. **Deputy Mick Wallace** asked the Minister for Transport, Tourism and Sport the measures he is taking to reduce car dependency and usage and to incentivise greener modes of transport; and if he will make a statement on the matter. [15526/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** My Department supports a shift to more sustainable transport modes through investment in a number of programmes under the Smarter Travel Policy introduced in 2009 and also through our ongoing funding of Public Transport. The goal of the Smarter Travel policy is to reduce private car use by increasing the numbers who walk, cycle or use public transport. Funding under Smarter Travel has provided infrastructural improvements and supported behavioural change measures which enable and support a change to more sustainable transport modes. Details of these programmes can be viewed at [www.smartertravel.ie](http://www.smartertravel.ie).

Significant investment in public transport will be continued under the Capital Plan which provides €3.6bn in capital funding for public transport over the period 2016-2022.

Investment is paying dividends in terms of modal shift as is evidenced by the results of the recently published 2015 Canal Cordon Count in Dublin. Half of all people travelling into Dublin City Centre in the mornings are now arriving by public transport (bus, rail, Luas) – an increase from 45.9% in 2010. A further 9.4% walk into the city centre and 5.4% cycle. Fewer than a third – 32.6% - of people travelled into the city centre by car, down from 39.8% in 2010.

In addition to this investment in public transport infrastructure and services, my Department is currently developing a new National Policy Framework to support the uptake of alternative fuels through the development of infrastructure and incentives aimed at increasing the number of greener, alternative fuelled vehicles being used in Ireland. Within this context, and as reflected in the White Paper on Energy Policy which was published last year, it is proposed to establish a green bus fund to support the purchase of cleaner and greener public transport ve-

hicles in the period to 2020.

### **Motor Insurance**

567. **Deputy Mick Wallace** asked the Minister for Transport, Tourism and Sport his discussions with the Department of Finance on the recent hike in car insurance prices; the measures he is planning to take; and if he will make a statement on the matter. [15527/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I would like to clarify, in the first instance, that my Department has no role regarding the legal framework for insurance regulating, or for the regulation of insurance companies. These are matters that fall under the remit of the Minister for Finance and the Central Bank, respectively. However, my main concern arising from the recent increases in the costs of motor insurance premiums is that if motor insurance becomes unaffordable, there is a risk of more instances of uninsured driving.

As a first step in an overall review of Insurance in this country, a Joint Working Group was established by the Minister for Finance and my predecessor to review the framework for Motor Insurance Compensation in Ireland. The recommendations of the Group are currently being finalised and are expected to be presented to Minister Noonan and me for our consideration in the near future.

### **Sports Organisations**

568. **Deputy Mattie McGrath** asked the Minister for Transport, Tourism and Sport to investigate the selection criteria used to pick the marathon team that will represent Ireland in the 2016 Olympic Games in Rio de Janeiro, Brazil; if he is satisfied that Athletics Ireland reserve the right to change the policy on an ongoing basis; if he has concerns that a runner who had one of the top three qualifying times was overlooked for selection; and if he will make a statement on the matter. [15535/16]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Patrick O'Donovan):** The selection of team members to represent Ireland in athletics events at the Olympic Games is a matter for Athletics Ireland as the National Governing Body for Athletics. All National Governing Bodies of Sport are independent, autonomous bodies and are responsible for their own governance procedures and competition rules for their sports. I have no role in relation to team selection by Athletics Ireland or any of the sporting bodies and it would be inappropriate for me to intervene in this matter.

### **Driver Test Centres**

569. **Deputy Kevin O'Keefe** asked the Minister for Transport, Tourism and Sport if the Mallow driver test centre will remain open on a permanent basis, given that the most recent census states that County Cork has the second-highest population in the country, after County Dublin, but has only three driving test centres. [15544/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The operation of the driver testing service is the statutory responsibility of the Road Safety Authority, and I have no role in the location of test centres. I have therefore referred the question to the Authority for direct reply. I would ask the Deputy to contact my office if a response has not been received within ten days.

## **Greenways Development**

570. **Deputy Mary Lou McDonald** asked the Minister for Transport, Tourism and Sport if he has carried out a feasibility study into developing a heritage greenway along the River Boyne linking the heritage sites of Trim Castle, Bective Abbey, Tara, Donaghmore Round Tower, Slane Castle, Slane Hill, Newgrange, the Battle of the Boyne site and Drogheda. [13266/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Meath County Council undertook a feasibility study in 2009 with funding provided from my Department's Smarter Travel programme to identify a preferred route for a cycleway linking the towns of Trim, Navan and Drogheda.

Consideration of the overall route for the cycleway took account of the needs of a range of users likely to avail of the facility. A number of route types were explored as part of the feasibility study including the construction of riverside paths, use of the existing towpath, use of local roads alongside the river and adjacent to railways. In identifying the route options, a number of previous planning policy studies and specific Boyne Navigation Studies were examined. Consultation was also held with a number of key stakeholders including various government bodies, departments within Meath County Council, An Taisce and local interest groups.

Based on the assessment of the route options, a preferred route alignment was identified along the banks of the River Boyne and Boyne Navigation Canal for the full extent of the route. In overall terms, the preferred cycleway route also sought to support the regeneration of the Boyne Navigation Canal. Shorter loop sections and some on-road sections were also identified to help maximise use of the routes and assist in the overall delivery of the project.

Phase 1 of the project between the Drogheda Ramparts and the entrance to the Oldbridge Estate was completed in 2014 with funding from my Department, Meath County Council and from the National Transport Authority. The National Transport Authority (NTA) are currently funding work to develop the design for Phase II of the cycleway between the Oldbridge Estate and the Brú na Bóinne Visitor Centre.

## **Semi-State Bodies Data**

571. **Deputy Noel Rock** asked the Minister for Transport, Tourism and Sport the number of chief executive officers in semi-State companies under the aegis of his Department who are employed on Hay contracts and non-Hay contracts. [15680/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Hay contracts are generally understood as fixed term contracts with defined terms and conditions and are normally offered to CEOs of commercial State bodies. The Department has responsibility for sixteen commercial State bodies. Of these companies, the CEOs of eleven were appointed under Hay contracts while two were appointed under non-Hay contracts.

In the case of the remaining three commercial State bodies, CIE does not have a CEO position, Wicklow Port company does not currently have a CEO and Shannon Group plc will be appointing a CEO later this month.

The two non-Hay contracts arise in the cases of the CEO of New Ross Port Company who has combined duties of CEO and Harbour Master and the CEO of Drogheda Port Company who was appointed in 2001 on a non-Hay contract. A number of the CEOs in the commercial State companies that were appointed in accordance with Hay terms now have contracts of indefinite



duration or annual roll-over contracts.

Contracts for CEOs or Heads of non-commercial State Bodies under the Department's remit are approved by the Department and the Department of Public Expenditure and Reform and are in line with Government policy on remuneration.

### **Public Transport Subsidies**

572. **Deputy Mick Barry** asked the Minister for Transport, Tourism and Sport if the 13 cent State subsidy for each €1 in fares collected by Bus Éireann compares unfavourably with other EU 15 countries (details supplied); and the measures he proposes to improve the situation. [15691/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Subsidy levels for public transport services vary across EU Member States. The calculation of subsidy levels and what constitutes subsidies varies considerably and can lead to confusion comparing statistics which are in actual fact made up of different elements.

In the case of Bus Éireann, the company operates three distinct businesses - PSO services; commercial Expressway services; and School Transport services; however, the PSO subsidy is only provided in respect of the PSO services and business and therefore the level of subsidy is a factor of subsidy provided against revenue collected on PSO services only.

On that basis the figure for Bus Éireann in 2014 is a €0.47 subsidy provided for every €1 in revenue collected, while the provisional figures for 2015 suggest a €0.43 subsidy. This indicates a subsidy level which is substantially higher than the Deputy is suggesting.

This highlights the difficulty in accurately comparing subsidy levels across the EU and while I acknowledge that there are EU Member States that do provide higher subsidy levels than our current provision, it is the case that any crude comparison must be subject to close scrutiny to avoid any distortion of fact.

### **Public Transport**

573. **Deputy Mick Barry** asked the Minister for Transport, Tourism and Sport the status of plans to open a significant proportion of Dublin Bus routes to tender and if he accepts that private companies will try to compete for these routes on the basis of poorer pay and conditions for their staff. [15692/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Deputy is aware that the taxpayer provides our public transport system with funding of almost a quarter of a billion euro each year; this year the exact figure is €236.6m. Of course that figure solely relates to the provision of public transport services and does not include the considerable capital funding provided in terms of public transport infrastructure. I am obliged, and I believe that everyone in this House is similarly obliged, to ensure that the taxpayer is getting the best possible value for this significant expenditure of taxpayers' money.

What the Deputy refers to as "a significant portion of Dublin Bus routes" is actually just 10% of Dublin Bus' current PSO routes. The NTA has the statutory power to assess the appropriate mix of directly awarded and competitively tendered PSO bus services and in line with those statutory powers it has initiated this process to determine the operators of these particular services. Experience gained across the European Union suggests that savings to the taxpayer

can arise through using competitive tendering as the award mechanism.

In terms of pay and conditions, the NTA requires any transport operator who operates public transport services to act within the law, including relevant employment legislation. Consistent with this approach, the forthcoming tendering process conducted by the NTA will require any transport operator who is awarded a contract to comply with relevant employment legislation.

The NTA has completed the pre-qualification phase of the competition and expects to issue formal invitations to tender to qualified parties very shortly.

The process underway will allow us to capture potential benefits as regards value for money and quality and I look forward to the NTA's announcement as regards this competition, and the other two bus related competitions, later this year.

### **Transport Infrastructure Provision**

574. **Deputy Mick Barry** asked the Minister for Transport, Tourism and Sport his views on the opposition of Dublin City Council's elected members to the concept of an eastern bypass in the city, as manifested at their recent meetings on the Dublin city development plan. [15693/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Under the Dublin Transport Authority Act 2008, the preparation of a Transport Strategy for the Greater Dublin Area, or GDA, is a statutory function of the National Transport Authority (NTA). The Greater Dublin Area Transport Strategy 2016-2035 which was published by the NTA in April this year sets out a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area over the next two decades and encompasses public transport, walking and cycling, as well as road projects.

The statutory objective of the Strategy is to provide a long-term strategic planning framework for the integrated development of transport infrastructure and services in the GDA. This integrated approach toward development within the GDA seeks to rectify the mistakes of the past and fits within the overarching objective Government has in respect of the proposed National Planning Framework as outlined in our Programme for a Partnership Government.

As regards the Eastern Bypass Corridor, the Strategy, which was approved by my predecessor, indicates that the section of the proposed Eastern Bypass route from the Dublin Port Tunnel to the South Port area is included for delivery in the Strategy, and while the remainder of the route is not proposed for development during the Strategy period, the NTA has recommended the retention of a route corridor for the scheme to facilitate the possible future use of the corridor for transport provision. I understand that in proposing the continued protection of the Eastern Bypass route corridor, the NTA Strategy recognises the potential of the corridor to be used for public transport purposes in the future and does not limit the future use of this corridor to a road scheme.

### **Departmental Agencies Board Appointments**

575. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport the status of vacancies on the board of the Port of Cork Company, including the process for filling vacancies; and if he will make a statement on the matter. [15719/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I wish to advise the Deputy that there are currently no vacancies on the Board of Port of Cork Company. The cur-

rent members of the Board and the expiry date for their term of office is set out in the following table.

Name	Category of Director	Expiry	Annual Fee (€)
Port of Cork Company			
John Mullins	Ministerial (Chairman)	26.02.18	21,600
Noel Cregan	Ministerial	03.09.20	12,600
Brian Cantwell	Ministerial	05.12.16	12,600
Helen Boyle	Ministerial	04.12.17	12,600
Paul Mulvihill	Ministerial	05.12.16	12,600
Dominic McEvoy	Ministerial	05.12.17	12,600
David Doolan	Employee (Elected)	10.10.17	12,600
Brendan Keating	CEO Ex-Officio		

### Parking Charges

576. **Deputy Noel Rock** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question No. 882 of 31 May 2016, if he will introduce yearly set-fee parking discs to tax-abiding tradespersons for their commercial vehicles (details supplied); and if he will make a statement on the matter. [15741/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Further to my response to PQ No. 882 of 31 May 2016, parking fees are a matter for each Local Authority in their functional area and as set out in Pay Parking Bye-laws made by each Authority. I do not, therefore, intend to introduce fee parking discs to tradespeople for use with commercial vehicles in pay parking areas.

Loading bays are provided for the loading and unloading of goods vehicles for periods not exceeding 30 minutes. If a driver of a goods vehicle needs to park their vehicle, as opposed to loading or unloading it, they must use designated parking bays and pay the appropriate fee, just like all other road users.

The issuing of Car Club Vehicle Permits to Car Club Operators is a matter for Dublin City Council and is covered by the Dublin City Council Control of On-Street Car Clubs Bye-Laws 2013. These annual permits are in respect of the parking of such vehicles in specifically designated parking spaces. No other vehicle may legally park in such spaces.

### Road Improvement Schemes

577. **Deputy Pat The Cope Gallagher** asked the Minister for Transport, Tourism and Sport his plans to reinstate the local improvement scheme for non-county roads as per the programme for Government; and if he will make a statement on the matter. [15744/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Local Improvement Scheme (LIS) remains in place. This Scheme provides funding for private roads and laneways, the maintenance and improvement of which is, in the first instance, a matter for the relevant landowner. While the LIS does not have a ring-fenced allocation in 2016, local authorities may use a proportion of State grant funding (15% of the Discretionary Grant) for

LIS should they wish to do so. In addition Councils can also provide monies from their own resources towards LIS.

The Programme for a Partnership Government provides that, as the economy recovers, the Government will promote increased funding for Local Improvement Schemes, on an annual basis. A major objective for the new Government will be to prioritise new investment in local and regional road maintenance and improvements, and LIS funding will be promoted in that context.

### **Road Projects**

578. **Deputy Catherine Connolly** asked the Minister for Transport, Tourism and Sport to publish the criteria his Department used to evaluate which roads building projects to include in its submission to the Department of Public Expenditure and Reform capital review; how each of the major scheme indicative list and minor scheme indicative list projects scored numerically against each of these criteria; what stage one of the Galway bypass includes and excludes, specifically regarding the purchase of land and the construction work; and if he will make a statement on the matter. [15752/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** My Department's submission to the Department of Public Expenditure and Reform in connection with the Capital Plan 2016-2021 identified 4 key priorities for capital investment:

- incrementally achieving steady state levels of investment in land transport;
- targeted measures to address bottlenecks and urban congestion;
- addressing key infrastructure gaps in sport, tourism, smarter travel and regional airports;
- commencing necessary planning and design for key transport infrastructure to 2030.

The indicative list of road projects included in the submission reflected these policy priorities rather than a numerical ranking.

The final proposed list of projects is as outlined in the Capital Plan 2016-2021, and as published in September 2015. The transport element of the plan provides that a number of schemes targeting bottlenecks and urban congestion in the road network will be progressed subject to necessary approvals. In this context road projects included in the Capital Plan 2016-2021, including the proposed Galway Bypass, are subject to the Department of Public Expenditure and Reform's Public Spending Code and this Department's updated Capital Appraisal Framework which sets out the requirements for expenditure appraisal and Value for Money requirements. An Bord Pleanála consent is also required for major projects.

As the implementation of individual national road projects is the responsibility of Transport Infrastructure Ireland, I have referred your question regarding the current position in relation to the proposed Galway Bypass project to TII for direct reply.

### **Rail Services Provision**

579. **Deputy Jack Chambers** asked the Minister for Transport, Tourism and Sport the measures he will introduce to address overcrowding on train carriages on the Dublin to Maynooth line; and if he will make a statement on the matter. [15305/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The issue raised is a matter for the National Transport Authority (NTA) in conjunction with Irish Rail and I have forwarded the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a response within ten working days.

### **Industrial Relations**

580. **Deputy Mick Barry** asked the Minister for Transport, Tourism and Sport his views on the pay claims by Dublin Bus and Bus Éireann workers, given that they have not received a pay rise in eight years. [15871/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I am aware that both Dublin Bus and Bus Éireann and the trade unions have been, and are currently engaged, in a number of processes facilitated by the Workplace Relations Commission and the Labour Court with a view to reaching agreement on different issues including pay. Those processes will I am sure take cognisance of the particular circumstances of each individual case.

Both companies are operating with an accumulated deficit which in 2014 totalled €47m across both companies. It should be noted also that Bus Éireann's Expressway services operate within a highly challenging environment with resultant continued negative impacts on its overall financial position. Any agreement reached will have to take into account what is affordable and sustainable given each company's circumstances. The issue can only be resolved through open, constructive and realistic engagement between the companies and their employees.

Of course the State can assist where needed through the WRC and Labour Court and I am glad that both Dublin Bus and Bus Éireann and the trade unions are currently availing of the services of those bodies with a view to reaching agreement.

### **Regional Airports**

581. **Deputy Mary Butler** asked the Minister for Transport, Tourism and Sport the action he will take to support Waterford Airport following the ending by an airline (details supplied) of its Waterford to Luton service; his plans to extend the runway to accommodate larger aircraft; and if he will make a statement on the matter. [15878/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I understand that Waterford Airport is in detailed discussions with a number of airlines with a view to securing a replacement carrier to provide services on routes that have recently been lost.

Waterford Airport has received substantial Exchequer support under the Regional Airports Programme that is administered by my Department. This Programme also supports the other three regional airports in Counties Donegal, Mayo and Kerry in the implementation of necessary safety and security related projects.

Over the past five years, Waterford Airport has received €9.6 million in operational and investment support from my Department and in April of this year, a further €157,500 in grant aid was approved for a number of security related projects, including new X-Ray equipment, at the Airport.

Development projects which are designed to expand capacity are a commercial matter for the airports themselves. In the case of the proposed runway extension at Waterford, I understand that the Airport authorities are pursuing local interests for funding in relation to that

project.

### **Road Projects**

582. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport how Transport Infrastructure Ireland maintains the grass and embankments on the roads under its control. [15916/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual national road projects is a matter for the Transport Infrastructure Ireland (formerly known as the NRA) under the Roads Acts 1993-2015 in conjunction with the relevant local authority.

I have referred the Deputy's question to TII for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

### **Rail Services Provision**

583. **Deputy James Lawless** asked the Minister for Transport, Tourism and Sport when the Phoenix Park tunnel link on the Kildare rail line will open and be operational; the new services to be provided, including a late evening option; when a new timetable will be available; if the service for passengers continuing to travel to Heuston Station rather than onwards through the tunnel will be reduced; and if he will make a statement on the matter. [15917/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The upgrade to the Phoenix Park Tunnel, which is being funded by my Department through the National Transport Authority, will see commuters on the Kildare to Dublin Heuston line have the option of direct trains to Connolly, Tara Street, Pearse and Grand Canal Dock Stations.

I understand that services on the Kildare commuter line will be a mix of Kildare to Dublin Heuston and Kildare to Grand Canal Dock services, offering new connections to commuters. The works in question are well underway and it is envisaged that the new services will commence in Quarter 4, 2016.

Matters relating to scheduling and frequency of services on the Kildare route are a matter for Iarnród Éireann (IÉ) in consultation with the National Transport Authority. Noting IÉ's responsibility in the matter, I have referred your letter to the company for a more detailed reply. Please advise my private office if you don't receive a reply within 10 working days.

### **Road Projects**

584. **Deputy James Lawless** asked the Minister for Transport, Tourism and Sport the status of the trilogy of roads projects in the greater Naas area in County Kildare, specifically the Salins bypass, widening the M7 to three lanes and the new motorway interchange at Osberstown; the status, progress and timeline for these projects for design, construction and delivery (details supplied); and if he will make a statement on the matter. [15918/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the

national roads programme. The planning, design and implementation of individual road projects is a matter for the Transport Infrastructure Ireland (formerly known as the NRA) under the Roads Acts 1993-2015 in conjunction with Kildare County Council. Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for TII in accordance with Section 19 of the Roads Act.

As regards regional and local roads, responsibility for implementation of improvement projects rests with the relevant local authority which is Kildare County Council in this instance.

As you are aware the transport element of the Capital Plan provides that work will commence on several roads projects which are targeted at removing critical bottlenecks or upgrading inadequate sections of road, including the M7 widening and the Sallins Bypass. Kildare County Council is responsible for the construction of the Osberstown Interchange.

In view of the lead role of TII, in conjunction with Kildare County Council, in relation to these projects I have referred the Deputy's question to TII for direct reply. If a reply is not received within 10 working days please contact my office.

### **Road Projects**

585. **Deputy James Lawless** asked the Minister for Transport, Tourism and Sport the status of a second bridge for Celbridge in County Kildare (details supplied); if he or the National Transport Authority plans to address this; and if he will make a statement on the matter. [15920/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The improvement and maintenance of regional and local roads (including bridges) in Kildare is the statutory responsibility of Kildare County Council, in accordance with the provisions of Section 13 of the Roads Act 1993-2015. The initial selection and prioritisation of works to be funded is also a matter for the Council. Traffic management in its area is a matter for the local authority, in conjunction with An Garda Síochána.

The assessment of options in relation to a new bridge at Celbridge is, therefore, a matter for consideration by Kildare County Council.

### **North-South Ministerial Council**

586. **Deputy Peter Fitzpatrick** asked the Minister for Transport, Tourism and Sport the status of the proposed Narrow Water Bridge project following the meeting of the North-South Ministerial Council; and if he will make a statement on the matter. [15936/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Under the *Fresh Start Agreement*, the Northern Ireland Executive and the Government agreed to undertake a review of the proposed Narrow Water Bridge project with a view to identifying options for its future development, for consideration by the North South Ministerial Council (NSMC). The NSMC meeting scheduled for June 2016 was postponed but it is expected that the matter will be discussed at the next meeting of the Council.

### **Local Improvement Scheme**

587. **Deputy Niamh Smyth** asked the Minister for Transport, Tourism and Sport to reinstate the local improvement scheme in the interest of persons and businesses in rural areas of counties Cavan and Monaghan; and if he will make a statement on the matter. [15980/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Local Improvement Scheme (LIS) remains in place. This Scheme provides funding for private roads and laneways, the maintenance and improvement of which is, in the first instance, a matter for the relevant landowner. While the LIS does not have a ring-fenced allocation in 2016, local authorities may use a proportion of State grant funding (15% of the Discretionary Grant) for LIS should they wish to do so. In addition Councils can also provide monies from their own resources towards LIS.

The Programme for a Partnership Government provides that, as the economy recovers, the Government will promote increased funding for Local Improvement Schemes, on an annual basis. A major objective for the new Government will be to prioritise new investment in local and regional road maintenance and improvements, and LIS funding will be promoted in that context.

### **Road Projects**

588. **Deputy Niamh Smyth** asked the Minister for Transport, Tourism and Sport to increase funding for roads in counties Cavan and Monaghan; and if he will make a statement on the matter. [15981/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The improvement and maintenance of regional and local roads in its area is a statutory function of local authorities in accordance with the provisions of Section 13 of the Roads Act, 1993. Works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants. The initial selection and prioritisation of projects to be funded from these monies is a matter for each local authority.

In addition to the 2016 regional and local road allocations announced in January this year, which are available in the Oireachtas Library, my predecessor announced additional funding for regional and local roads in February this year as part of the Tranche 1 funding to local authorities to remedy damage caused by severe weather. On 27 May I approved a further allocation under Tranche 2 of the severe weather funding to local authorities as notified through Circular RW 9/2016. This brings the total regional and local road allocation for Cavan to €11,350,211 and for Monaghan to €12,313,432 for 2016. All available funding for 2016 has now been allocated.

When allocating grant funding, my Department has emphasised that the commitment of local authorities to contribute significantly from their own resources towards the cost of improving and maintaining the regional and local roads network is essential. Full consideration needs to be given to utilising the Local Property Tax to boost own resources expenditure on regional and local road maintenance and renewal.

### **Tourism Industry**

589. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport his plans to develop the tourism sector equally across the country, in particular utilising natural assets, scenery and tours to national monuments and historic sites; and if he will make a statement



on the matter. [16003/16]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Patrick O'Donovan):** Tourism continues to contribute significantly to Ireland's economy. CSO figures for 2015 show there were over 8.6 million overseas visits to Ireland, an increase of 13.7% on 2014.

This growth in overseas visits has been accompanied by strong growth in overseas tourism revenue with spending in Ireland by overseas visitors (excluding air fares or ferry charges) for 2015 increasing by 18.6% compared to 2014. This growth has continued into 2016 and the number of visits in the three month period of February to April was up 16% compared to the corresponding period in 2015.

In order to grow tourism nationally, the development of the sector is being progressed under the tourism brand experiences that have been developed by Fáilte Ireland, such as the "Wild Atlantic Way", "Ireland's Ancient East", and "Dublin - A Breath of Fresh Air". These geographically based propositions are brands of scale that have been developed for the purpose of promotion in international markets. They are also tailored to the most promising consumer segments in overseas source markets and designed to promote regional spread of visitors. In this regard, they utilise the natural and built assets of their region, such as scenery and historic sites to grow tourism in that region.

### **Tourism Industry**

590. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if Ireland competes effectively with other jurisdictions as a conference location; if conference tourism will grow in the next five years; and if he will make a statement on the matter. [16004/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The role of the Department of Transport, Tourism and Sport in relation to tourism lies primarily in the area of national policy. The development of conference and business tourism is an operational matter for the Board and Management of Fáilte Ireland.

Accordingly, I have asked Fáilte Ireland to reply to the Deputy directly in this regard. Please contact my private office if you do not hear from them within ten working days.

### **Hotel Accommodation**

591. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if he monitors the adequate availability of hotel and guest accommodation and of the ability of the sector to meet demand; the locations he has identified as being deficient in this regard; and if he will make a statement on the matter. [16005/16]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Patrick O'Donovan):** Fáilte Ireland monitors the performance of tourist accommodation, including hotels, through regular occupancy surveys of accommodation providers throughout Ireland. These surveys collect data on accommodation available and rooms/beds sold each month, as well as a breakdown of overseas and domestic guests.

The statistics indicate that while the country as a whole has sufficient stock of tourist accommodation to meet the needs of the industry, there are capacity constraints in areas of high tourist traffic at times of peak demand and additional capacity will be required in certain parts

of the country, particularly Dublin City Centre.

As Fáilte Ireland has operational responsibility for the collation and analysis of these tourist accommodation-related statistics, I have referred the Deputy's question to this agency for direct reply. Please contact my private office if a reply is not received within ten working days.

### **Sport and Recreational Development**

592. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if interest will grow in activity sports and recreation over the next five years; his plans for an initiative in this regard; and if he will make a statement on the matter. [16006/16]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Patrick O'Donovan):** Sport Ireland, which is funded by my Department, is the statutory body with responsibility for the promotion, development and co-ordination of sport, including the development of strategies for increasing participation in sport.

As this question is a matter for Sport Ireland, I have referred it to Sport Ireland for direct reply. I would ask the Deputy to inform my office if a reply is not received within 10 days.

### **Sports Funding**

593. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if he will identify the need for sporting and recreational facilities and continue his policy of allocating capital grants to such facilities so as to generate interest in sport and recreation; and if he will make a statement on the matter. [16007/16]

594. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport his plans for the allocation of major and minor capital sports grants; and if he will make a statement on the matter. [16008/16]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Patrick O'Donovan):** I propose to take Questions Nos. 593 and 594 together.

No decision has been made on the timing of any future rounds of the Sports Capital Programme.

Any interested group should register online now at [www.sportscapitalprogramme.ie](http://www.sportscapitalprogramme.ie) as this portal will be the only way to apply under any future rounds of the Programme.

### **Transport Infrastructure Provision**

595. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport his plans to identify areas which require investment in the road and rail network; to restore projects set aside during the economic downturn; and if he will make a statement on the matter. [16009/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The previous Government agreed a Capital Plan for 2016 to 2021 which set out a 7 year capital envelope for the Department of Transport, Tourism and Sport of over €10bn, representing almost 30% of the total spend envisaged. The transport element of this plan is predicated on three priorities which

are: to keep the existing road and rail network well maintained and operating efficiently and safely; to address urban congestion and ensure that the public transport system has the capacity to meet growing demand to support competitiveness, economic growth and quality of life; and to encourage modal shift in traffic patterns so as to support our emission reduction targets.

We are in the first year of the plan which will see a gradual return to the necessary levels of investment to maintain our existing road and rail network to protect those assets now and into the future. The plan will in time provide for a major transport project for north Dublin (Metro North) to tackle congestion in an area of the country due to experience rapid population growth. It will also see a schedule of investments to expand and improve the road network around Ireland, some of which are identified in the plan. Apart from projects specifically identified in the Capital Plan, such as Dart Underground and Metro North, there will be scope to consider the cost/benefit of restoring other projects which we were unable to progress during the economic downturn, as fiscal parameters allow.

### **Road Safety**

596. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if he has reviewed dangerous bridges or other accident black spots in order to prioritise and to set specific targets over the lifetime of the Government; and if he will make a statement on the matter. [16010/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The improvement and maintenance of regional and local roads, including the assessment of safety issues, is a statutory function of road authorities in accordance with the provisions of Section 13 of the Roads Act, 1993. Works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants. The initial selection and prioritisation of projects to be funded is a matter for the local authority.

My Department initiated a regional road bridge inspection programme in 2011 to assess the condition of bridges on the network and this has been followed up with a Bridge Rehabilitation Grant programme. Under the Bridge Rehabilitation Grant scheme local authorities submit a list of bridges in order of priority for consideration for funding.

As regards measures to address safety hazards, my Department operates a Safety Improvement Grant Programme which operates on a similar basis to the Bridge Rehabilitation Scheme with local authorities submitting a list of schemes in order of priority for consideration for funding.

Within the constraints of the overall roads budget, allocations are made to local authorities for both schemes each year.

As regards bridges and safety schemes on national roads, these are managed by Transport Infrastructure Ireland (TII) in conjunction with the relevant local authority. Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for TII in accordance with Section 19 of the Roads Act. I have, therefore, referred the Deputy's question to TII for direct reply. Please advise my private office if you don't receive a reply within 10 days.

### **Roads Maintenance**

597. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if he will liaise with Kildare County Council to identify dangerous and inadequate bridges in the county and to initiate a programme to upgrade, improve, realign or replace them; and if he will make a statement on the matter. [16011/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The improvement and maintenance of regional and local roads in Kildare (including bridges) is a statutory function of Kildare County Council in accordance with the provisions of Section 13 of the Roads Act, 1993. Works on such roads are a matter for the Council to be funded from its own resources supplemented by State road grants. The initial selection and prioritisation of projects to be funded is a matter for the Council.

My Department initiated a regional road bridge inspection programme in 2011 to assess the condition of bridges on the network and this has been followed up with a Bridge Rehabilitation Grant programme. Under the Bridge Rehabilitation Grant scheme local authorities submit a list of bridges in order of priority for consideration for funding. Within the constraints of the overall roads budget, allocations are made to local authorities for remedial bridge works. Kildare County Council was allocated €203,000 for bridge rehabilitation works in 2016.

As regards bridges on national roads, these are managed by Transport Infrastructure Ireland (TII) in conjunction with the relevant local authority. I have referred the Deputy's question to TII for direct reply. Please advise my private office if you don't receive a reply within 10 days.

### **Roads Maintenance**

598. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the status of his proposals to improve, realign or replace the bridge over the River Liffey at Celbridge, County Kildare, including if Kildare County Council has provided him with preliminary plans for this; and if he will make a statement on the matter. [16012/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As outlined previously to the Deputy, the improvement and maintenance of regional and local roads (including bridges) in Kildare is the statutory responsibility of Kildare County Council, in accordance with the provisions of Section 13 of the Roads Act 1993-2015.

The initial selection and prioritisation of works to be funded is also a matter for the Council. Assessment of options in relation to a new bridge at Celbridge is, therefore, a matter for consideration by Kildare County Council.

The Council has not submitted any proposals to my Department for a new bridge over the river Liffey in Celbridge.

### **Roads Maintenance**

599. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the deficiencies he has identified in the national primary and secondary road network and in its ability to cater for current and future traffic volumes; his plans for places where he has identified an under-capacity; and if he will make a statement on the matter. [16013/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road proj-

ects is a matter for the Transport Infrastructure Ireland (formerly known as the NRA) under the Roads Acts 1993-2015 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for TII in accordance with Section 19 of the Roads Act.

Noting the above position, I have referred the Deputy's question to TII for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

### **Regional Airports**

600. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport his plans to enhance and develop regional airports; and if he will make a statement on the matter. [16014/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The National Aviation Policy, published by my Department last August, acknowledges the role played by the regional airports in Donegal, Ireland West Airport Knock, Kerry and Waterford in promoting a level of international connectivity to support the tourism and business sectors in their regions.

The Policy also confirms that these four airports are being given the opportunity to grow to a viable, self-sustaining position. In this regard, my Department's latest Regional Airports Programme, which covers the period 2015 to 2019, was approved by the EU Commission last year under State aid rules and this Programme will continue to support safety and security measures at these airports where appropriate.

An extra €10 million in capital funding is provided in the Programme for Government for the regional airports. This is additional to the €28 million already provided for this purpose in the Capital Plan 2016 to 2022 and will enhance my Department's ability to further support the four airports.

It is of course a matter for the airports themselves to exploit all potential opportunities to develop air services at their facilities.

### **Swimming Pool Programme Funding**

601. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport his plans to provide capital funding for swimming pools; and if he will make a statement on the matter. [16015/16]

602. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if he will provide funding for a swimming pool in Maynooth, County Kildare, as envisaged jointly with the National University of Ireland Maynooth and Kildare County Council or independently through the council; if the university or the council has responded to him; and if he will make a statement on the matter. [16016/16]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Patrick O'Donovan):** I propose to take Questions Nos. 601 and 602 together.

The Local Authority Swimming Pool Programme (LASPP) provides for grant aid to local authorities towards the capital costs of new swimming pools or the refurbishment of existing pools.

I understand that my predecessor met with the Deputy, Kildare County Council and other local representatives last July. Following that meeting Kildare County Council was to write to the Department but no correspondence was received.

In January of this year, my Department contacted local authorities and sought expressions of interest in a limited round of swimming pool allocations, subject to funding becoming available from other projects where those projects would not be progressed. There were three expressions of interest received for new pools, two of which were valid and both in Dublin. The third was from Kildare County Council for a pool in Maynooth but this was invalid as the local authority do not have title to the proposed site. Having assessed existing commitments and the funding available, it was considered prudent to progress one additional new pool project at this time. Following consideration of the expressions of interest, and the two valid proposals for new pools, it was decided to include the proposal from South Dublin County Council (SDCC) for a new swimming pool in Lucan in the LASPP.

Details of the LASPP allocations under the special energy efficiency / enhanced disabled access initiatives from 2011 to 2015 inclusive can be found on the Department's website at the following link: <http://www.dttas.ie/sport/english/allocations-and-payments>.

### **Road Safety**

603. **Deputy Bobby Aylward** asked the Minister for Transport, Tourism and Sport the regulations in place to ensure that passengers on school buses wear their safety belts for the duration of the journey to and from school as a compulsory measure; and if he will make a statement on the matter. [16052/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Subject to certain exemptions, under Regulation 9(2) of the European Communities (Compulsory Use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006 - S.I. No. 240 of 2006, every adult and every child of 3 years of age or more occupying a seat in a category M2 or M3 vehicle, which includes school buses, is required to wear a safety belt or an appropriate child restraint system. A person (other than a person under 14 years of age) who fails to comply with this Regulation commits an offence.

Regulation 9(4) provides that the driver of a large public service vehicle is not obliged to carry a passenger who, without showing reasonable just cause, fails to comply with the aforementioned Regulation, while under Regulation 10(2) the owner of such a vehicle shall ensure that passengers are informed of the requirement to wear safety belts while they are seated and while the bus is in motion.

As with all Road Traffic legislation, enforcement of these Regulatory requirements is a matter for An Garda Síochána.

### **State Bodies Data**

604. **Deputy Jonathan O'Brien** asked the Minister for Jobs, Enterprise and Innovation the number of forensic accountants employed by the Office of the Director of Corporate Enforcement and the dates on which they commenced employment. [15888/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** The mission of the Office of the Director of Corporate Enforcement (ODCE) is to improve the com-

pliance environment for corporate activity in the Irish economy by encouraging adherence to the requirements of the Companies Acts, and bringing to account those who disregard the law. The Office's staff comprise a multi-disciplined team of accountants, administrators and lawyers and civil servants of my Department.

Staffing resources are sought and allocated across my Department and its Offices, including the ODCE, in the context of the requirement to manage the pay bill and staff numbers in accordance with Government policy, utilising available resources in the most effective and efficient manner as appropriate to business needs and priorities. On a day-to-day basis the HR Unit of my Department works with individual Business Units and the Department's Management Board team on the allocation of staff resources and this would include the ODCE. As an "Office" of my Department, this allows the Secretary General and his HR team the freedom to reallocate resources from one Business Unit to another as priorities change, always mindful that the pay-budget limits do constrain our capacity to grow staffing levels as well as having regard to strategic priorities captured through the workforce planning process, the latest iteration of which is currently under way in the Department.

In line with the current business needs of the ODCE, my Department and the ODCE have been working with the Public Appointments Service (PAS) on the recruitment of seven "Investigators" or professional forensic accountants. On foot of a recent competition, my Department has recently appointed three "Investigators" or professional forensic accountants to the ODCE, all of whom have commenced their assignments on 30 May 2016. One further forensic accountant is due to commence assignment in the ODCE on the 29 August 2016. My Department will continue to work with PAS on the remaining assignments.

### **Ministerial Responsibilities**

605. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation her role in formulating research and innovation policy at Government level. [15313/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** As Minister for Jobs, Enterprise and Innovation I have Government responsibility for the development, promotion and co-ordination of innovation, research and development policy and programmes. I am delegating responsibility for research and innovation policy and programmes to Minister of State, Mr Halligan, TD.

Innovation 2020, Ireland's new cross Government strategy for research and development, science and technology, was agreed by Government and launched by An Taoiseach in December 2015. The strategy, containing 93 actions for delivery up to 2020, was formulated by an Interdepartmental Committee chaired by my Department and comprising representatives from key Government Departments and the Higher Education Authority along with the Chief Scientific Adviser to the Government.

A cross departmental Implementation Group, chaired by my Department, has been established. The role of this group is to drive the implementation of Innovation 2020 and ensure that all actions are delivered within set timeframes.

### **National Minimum Wage**

606. **Deputy Niall Collins** asked the Minister for Jobs, Enterprise and Innovation the process involved for using the exemption under section 41(1) of the National Minimum Wage Act

2000; the number of times this exemption has been used since enactment; and if she will make a statement on the matter. [15362/16]

607. **Deputy Niall Collins** asked the Minister for Jobs, Enterprise and Innovation the number of times the exemption in section 41(1) of the National Minimum Wage Act 2000 has been used since its enactment; and if she will make a statement on the matter. [15381/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** I propose to take Questions Nos. 606 and 607 together.

I understand there have been no applications to the Labour Court under Section 41(1) of the National Minimum Wage Act 2000 since its enactment.

The National Minimum Wage Act, 2000 provides (in Section 41) that the Labour Court may exempt an employer from the obligation to pay an employee or employees entitlements otherwise payable to them under the Act. The exemption shall be for a period not exceeding one year and not less than three months. An employer can only avail of this provision on one occasion. The Act specifies that before granting an exemption the Labour Court must be satisfied that the employees of the employer have consented to the application for exemption being made and have given their consent also to abide by any decision the Labour Court may make in the matter.

The following documents must accompany the application for exemption:-

#### **1. EMPLOYEE AGREEMENT**

(1) Agreement in which the majority of the employees in respect of whom the exemption is sought, or their representative, consent to -

- the employer making the application for the exemption; and
- abide by any decision of the Labour Court on the application

**OR**

(2) Collective agreement covering the majority of the employees in respect of whom the exemption is sought whereby the employees consent to -

- the employer making the application for the exemption; and
- abide by any decision of the Labour Court on the application

**OR**

Where the employer only has one employee -

(3) Agreement with the employee or his/her representative in which consent is given to the employer to make the application and in which the employee consents to abide by the decision of the Labour Court on the application.

#### **2. EMPLOYEE DETAILS**

A list giving the names and occupations of all employees in respect of whom application for exemption is made.

**Completed applications, together with the documents specified at 1. and 2. should be returned to:-**

**Programming Section**



**The Labour Court**

**Tom Johnson House**

**Haddington Road**

**Dublin 4**

**Phone: (01) 6136608, 6136611, 6136610**

**Lo-call (if calling from outside the (01) area): 1890 220228**

### **Personal Injury Claims**

608. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the amount the injuries board paid in legal fees in each of the years 2011 to 2016 to date; and if she will make a statement on the matter. [15391/16]

609. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the number and percentage of applicants to the injuries board who chose to engage a solicitor in the claims process in each of the years 2006 to 2016 to date; and if she will make a statement on the matter. [15392/16]

612. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the average award the injuries board issued in each of the years 2011 to 2016 to date; and if she will make a statement on the matter. [15396/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** I propose to take Questions Nos. 608, 609 and 612 together.

The Personal Injuries Assessment Board (PIAB) is the statutory body responsible for the assessment of compensation for personal injuries, without the need for legal proceedings. Section 53(3) of the Personal Injuries Assessment Board Act 2003 provides that the Board shall be independent in the performance of its functions. I have no direct function in relation to the matters raised by the Deputy, which are part of the day-to-day operational work of the Board.

I have asked PIAB to supply the information requested directly to the Deputy.

### **Legislative Reviews**

610. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation her plans to review the Personal Injuries Assessment Board legislation; and the public consultations she will include. [15394/16]

611. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the concerns that have provoked a review of the Personal Injuries Assessment Board legislation; and if she will make a statement on the matter. [15395/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** I propose to take Questions Nos. 610 and 611 together.

In June 2014, Minister Bruton, the then Minister for Jobs, Enterprise and Innovation commenced a public consultation on the operation and implementation of the Personal Injuries As-

essment Board Acts, 2003 and 2007, with a view to identifying any areas relating to the scope, powers or operation of the legislation which might require change. The 2003 Act had been in force for over eleven years and it was considered timely to take stock of how the legislation is operating in practice.

Twenty-nine submissions were received from a range of interests including Government Departments and agencies, industry, insurance and legal interests, and individuals. The Department has been examining these submissions with a view to identifying whether there are areas which might require change. The General Scheme of the Bill is now being prepared and it is hoped to seek Government approval for the drafting of a Bill later this year. The review will seek to strengthen the legislation in terms of operational issues.

*Question No. 612 answered with Question No. 608.*

### **Departmental Expenditure**

613. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation the amount of money her Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if she will make a statement on the matter. [15419/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** My Department did not incur any expenditure in 2015 on purchasing copies of the Public Sector Times magazine. Copies of this publication are provided free of charge by the publisher for circulation amongst staff in the Department.

### **Departmental Expenditure**

614. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation the amount of money spent on daily newspapers in 2015; if this is an appropriate expenditure given the available and far cheaper online alternatives; and if she will make a statement on the matter. [15435/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** The total expenditure on hard copy newspapers by my Department and Offices in 2015 was €21,530. The newspapers were purchased in respect of the Offices of the Minister, Ministers of State, the Press Office, Office of the Secretary General, members of the Management Board and include a number of business newspapers for Divisional use. Also, in 2015, my Department purchased ten online subscriptions to three daily newspapers at a total cost of €2,139.

The purchase of hard copy and online subscriptions to daily newspapers was authorised in accordance with procedures that were introduced in the Department in 2008 that significantly reduced the annual expenditure on newspapers. My Department is mindful of the need to secure value for money and, accordingly, strives to keep costs to the minimum while ensuring that its business needs to purchases newspapers can be met in the most appropriate manner.

### **Departmental Staff Data**

615. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation the number of staff working in her human resources section. [15451/16]

617. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation the changes

in the numbers employed in her human resources section following the introduction of PeoplePoint. [15483/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** I propose to take Questions Nos. 615 and 617 together.

The Human Resources Unit is situated within the Corporate Services, EU Affairs and Trade Policy Division of my Department. The mission of Corporate Services is to further the development of staff, support structures and systems to assist the Department in achieving its objectives and in implementing a programme of continuous improvement. I have set out in tabular format the staffing of the Human Resources Unit both pre and post the introduction of PeoplePoint:

Human Resources Unit Staffing	Mar-15	Jun-16	Decrease
Personnel Officer (Principal Officer)	0.75	0.65	-0.1
Assistant Principal	1.2	1.1	-0.1
Higher Executive Officer	3.8	2.8	-1
Executive Officer	5	2	-3
Staff Officer	1	1	0
Clerical Officer	3	2	-1
TOTAL*	14.75	9.55	-5.2

*\*Full-time equivalent posts (for example 2 staff working 50% would equal 1 full-time equivalent post)*

### Ministerial Staff

616. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation the number of staff who work exclusively on constituency matters for her. [15467/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** Staffing limits in respect of Ministers' Offices are set out in "Instructions" issued by the Department of Public Expenditure and Reform (DPER). Within the current Instructions, two Clerical Officers have been assigned by my Department to work exclusively on constituency matters.

*Question No. 617 answered with Question No. 615.*

### Appointment of Receivers

618. **Deputy Michael McGrath** asked the Minister for Jobs, Enterprise and Innovation the qualifications that are necessary for a person to act as a receiver; the circumstances in which receivers are appointed and regulated; the information to which the borrower is entitled; and if she will make a statement on the matter. [15510/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** Receiverships arise as a result of private contractual relationships, normally between a company and a lending institution (the creditor). In the normal course, receivers are appointed on foot of a power contained in an instrument such as a debenture. It is thus a matter for the lender to determine the qualifications of the receiver when making the appointment. Section 433 of

the Companies Act 2014 sets out the categories of persons who are disqualified to act as the receiver of a company e.g. an undischarged bankrupt; an employee or an officer of the company concerned or a person who was such within the period of 12 months before the date of the commencement of the receivership; and certain specified family members of an officer of the company concerned.

Receivership is a remedy that derives from the courts of equity. The relevant law in relation to receivership is largely made up of rules which the courts have developed by applying general contract law and equitable principles. Under the Companies Act 2014 a receiver has specific statutory duties under section 439 which provides that:

(i) receivers must achieve the best price reasonably obtainable at the time of sale; and

(ii) the receiver must not sell by private contract a non-cash asset of a company to a person who is or who, within three years prior to the date of appointment of the receiver, has been, an officer of the company unless the Receiver has given 14 days' notice of his or her intention to do so to all creditors of the company who are known to him or her or who have been intimated to him or her.

These statutory duties make it imperative that the receiver obtains expert legal and valuation advice in relation to the sale of property, consistent with the duty "to obtain the best price reasonably obtainable". Breach of a receiver's statutory duties may result in the receiver being held personally liable for any loss incurred. Conferring statutory powers on receivers is intended to alleviate many of the problems which may arise from poorly drafted debentures. It should be noted that receivers also have a duty to provide certain information to the Registrar of Companies and the Office of the Director of Corporate Enforcement.

### **Semi-State Bodies Data**

619. **Deputy Noel Rock** asked the Minister for Jobs, Enterprise and Innovation the number of chief executive officers in semi-State companies under the aegis of her Department who are employed on a Hay contract and the number who are not. [15677/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** There are no commercial Semi-State companies under the aegis of my Department, and consequently no Chief Executive Officer on a Hay contract.

### **IDA Site Visits**

620. **Deputy Pat The Cope Gallagher** asked the Minister for Jobs, Enterprise and Innovation the number of visits IDA Ireland and Enterprise Ireland organised to County Donegal in each of the years 2014 to 2016 to date; and if she will make a statement on the matter. [15743/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** There were six IDA Ireland-sponsored site visits to Donegal in 2014 and five in 2015. In the first quarter of 2016, there was one visit to the county.

It is important to note that data on site visits is not an accurate measure of the level of Foreign Direct Investment (FDI) activity in a region or county. That is because approximately 70% of all FDI investment won by IDA Ireland comes from its existing client base, rather than new companies.

A prime example of this is the announcement last summer by Pramerica Systems Ireland of its intention to expand its operations in Donegal, with the creation of an additional 330 jobs and the construction of a new business campus.

As Enterprise Ireland's core focus is supporting the internationalisation of indigenous companies it does not arrange site visits of a similar type to IDA Ireland.

### **Departmental Funding**

621. **Deputy Mattie McGrath** asked the Minister for Jobs, Enterprise and Innovation the funding her Department provided to a company (details supplied) or to its parent company; and if she will make a statement on the matter. [15938/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** No grant funding has been paid by IDA Ireland to this company or to its parent company.

However in the period between 1971 and 2010 - when this company was in different ownership and trading under a different name - grant assistance of €5.986m was provided by the State in support of it. These grants were variously in respect of specific Capital, Research and Employment initiatives and helped to secure and develop the operation in Clonmel over many years.

### **Competition Law**

622. **Deputy Mattie McGrath** asked the Minister for Jobs, Enterprise and Innovation the measures in place to prevent so-called predatory pricing and the elimination of competition with the various sectors of the economy; and if she will make a statement on the matter. [15939/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** Predatory pricing describes conduct on a market whereby a dominant firm sells its goods or services below a defined benchmark cost of production, with the intent of forcing its existing competitors from the market, and dissuading potential competitors from entering the market. Predatory pricing may amount to an abuse of a dominant position in breach of section 5 of the Competition Act 2002, and/or Article 102 of the Treaty on the Functioning of the European Union (TFEU). By definition, a firm's conduct can only be "predatory" if the firm occupies a dominant position. A firm pricing below cost will not breach section 5 of the Act or Article 102 TFEU if it does not occupy a dominant position on a given market.

The Competition and Consumer Protection Commission is the statutory independent body responsible for the enforcement of domestic and EU competition law in the State. Section 9(5) of the Competition and Consumer Protection Act 2014 provides that the Commission is independent in the performance of its functions, including carrying out investigations of alleged anti-competitive practices. As investigations and enforcement matters generally are part of the day-to-day operational work of the Commission, I, as Minister for Jobs, Enterprise and Innovation have no direct function in the matter.

Should the Deputy be aware of any particular alleged breaches of competition law, I would urge him to bring the matter to the attention of the Competition and Consumer Protection Commission directly.

## **Enterprise Support Services Provision**

623. **Deputy Mattie McGrath** asked the Minister for Jobs, Enterprise and Innovation the status of the most recent engagement her Department has had with a company (details supplied) particularly in respect of its processing plant. [15940/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** In April, the indigenous enterprise agency of my Department, Enterprise Ireland met with a number of the senior executive team in the company concerned to discuss ways of supporting the sustainability of the plant in question. The challenges and opportunities of the sector concerned within the broader beverage industry were discussed and the company outlined their future plans for the site.

The biggest challenge experienced by the company in recent times has been the decline in the off trade business nationally and the difficulty of expanding their cider market share in established and competitive markets such as the UK. Seasonality is a big feature of the market and sales increase substantially when the weather is good, likewise there is a negative impact if the weather is bad.

Future plans include becoming a multi beverage manufacturing plant as the site concerned takes on the manufacture of bottled water, concentrate juices and cider products in addition to their own cider and beer production. 80 new positions will be created and it was hoped that a number of employees from the plant in Borrisoleigh which has closed will take on the new positions in the site concerned. A new warehousing facility is being built which will double existing capacity and will enable the business to increase their direct delivery service to their customers.

Enterprise Ireland outlined to the company the support provided to clients in relation to research and development, environmental improvements and achieving best practice through increased competitiveness. A follow up meeting with the company is currently being sought by Enterprise Ireland to progress discussions in these key areas.

## **Departmental Funding**

624. **Deputy Mattie McGrath** asked the Minister for Jobs, Enterprise and Innovation the funding support her Department offered to small businesses in each of the years 2013 to 2016 to date; and if she will make a statement on the matter. [15941/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** With regard to the Deputy's question, in the time available, it has not been possible for my officials to compile all of the information requested. Once the available information is collated, I will arrange for it to be forwarded to the Deputy.

## **Business Regulation**

625. **Deputy Mattie McGrath** asked the Minister for Jobs, Enterprise and Innovation the measures she is taking to safeguard business by tackling existing administrative burdens caused by regulation and legislation; the cost of such burdens to businesses; and if she will make a statement on the matter. [15942/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** The recent World Bank's Doing Business Report 2016 provides an assessment of a range of regula-

tions affecting SMEs throughout their life cycle. In this Report Ireland is ranked 17th for Ease of Doing Business, out of 189 countries. This places Ireland 4th in the Euro area and 7th in the EU. In the latest IMD World Competitiveness Yearbook 2016, Ireland is ranked 7th (out of 61 economies assessed), an improvement of 9 places from last year. This is a significant improvement on 2011 when Ireland was ranked 24th, and represents Ireland's highest ranking since 2001. Based on this report, Ireland is now the most competitive country in the Euro area and 3rd most competitive in the EU28.

The World Economic Forum's Global Competitiveness Report provides an assessment of the factors driving productivity and prosperity across 140 countries. In the 2015-16 report, Ireland is ranked 24th - an improvement of 1 place from last year, and up from 29th place in 2011.

Good regulation provides a stable base for economic activity and a level playing field for business, while also protecting workers, consumers and the environment. The goal of Better Regulation Policy is to ensure that the processes for generating new regulation, and for evaluating existing regulation, are as effective and efficient as possible. Regulation should achieve the policy goals underpinning it in the least costly manner possible, without undermining the protections that regulation provides.

To this end, my Department has worked for several years to identify administrative burdens on business and to reduce them wherever possible. Between 2008 and 2012, a project, driven by my Department, identified administrative costs faced by business arising from regulation across Government. My Department, the CSO, Revenue and the Department of Transport all met or exceeded the 25% reduction target that was set, and a reduction of more than 20% was achieved across Departments reducing the cost of administrative burdens for business by almost €320 million annually.

Since 2005, the High Level Group on Business Regulation, and its predecessor, the Business Regulation Forum, have worked directly with business and union representatives to identify the most important regulatory burdens faced by business and to find solutions, simplifications and clarifications from the relevant Departments, Offices and Agencies.

Other measures taken by my Department include:

- Reducing the time taken by businesses to find out about the regulations that affect them by developing the [businessregulation.ie](http://businessregulation.ie) portal, accessible from the front page of my Department's website, under the heading Making it Easier for Business;

- Running seven Taking Care of Business events, where up to thirty public bodies come together for a free half-day event to provide information and advice to more than 2,000 business people to date;

- Developing an Integrated Licensing Application Portal to help reduce the regulatory burden on the enterprise sector through the provision of a single portal for applying for, and renewing, a multiplicity of licences;

- Consolidating 17 Companies Acts into one in 2014, making it easier to operate a company in Ireland, reducing unnecessary bureaucracy and making company law obligations easier to understand; and

- The Workplace Relations Reform Programme, has led to the establishment of the Workplace Relations Commission to deliver a world-class workplace relations service and employment rights framework by merging the activities of several existing Bodies of First Instance and all existing appellate functions into an expanded Labour Court.

## **Trade Agreements**

626. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation the European Commission's plan to reinvigorate the Mercosur talks; if Ireland has an official position on these; and if she will make a statement on the matter. [9982/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** Negotiations between the EU and Mercosur had been in suspension for a number of years, but political developments in late 2015, particularly in Argentina and Brazil, generated a new momentum from the Mercosur side to make progress.

On May 11th 2016, the EU and Mercosur exchanged offers on access to their respective markets of goods, services and establishment and government procurement. This was the first exchange of offers since 2004. Significantly, and following representations made to the EU Commission by Ireland and other Member States, a Tariff Rate Quota (TRQ) for beef was excluded from the offer. Both sides will now examine the respective offers in more detail. The EU and Mercosur will hold a chief negotiators meeting before the summer break in order to take stock of the negotiation and to prepare a schedule of meetings for the second semester of the year.

Ireland has long been a supporter an open trade agenda. However, it is essential for Ireland, and indeed other Member States, to have full information so as to be able to assess the potential impacts, both positive and negative, from the various elements of any perspective agreement, to enable us to calibrate our position in the negotiations. Ireland, like a number of other Member States has very strong concerns in relation to agriculture to the EU beef sector, in particular.

I believe that the inclusion of a TRQ would have been extremely unhelpful at this early stage of the negotiations and should only be considered as part of the "end game", given the sensitivity of the issue. Furthermore, the cumulative impact of all the EU beef offers in Trade Agreements, both those completed and in development, will need to be assessed before a full evaluation of an offer to Mercosur, for this sector, can be considered.

Irish exporters are currently subject to trade tariffs, trade barriers and restrictions, when exporting to Mercosur countries. The EU-Mercosur Trade Agreement should reduce the cost of goods exported to the region which will make imports from Ireland more attractive and potentially increase demand for Irish goods. As in all the EU's modern Trade Agreements, the agreement will seek to make the trading environment transparent and more predictable, with common rules and access to public procurement markets.

## **Trade Agreements**

627. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation the status of the latest developments at European Union Council level on the Transatlantic Trade and Investment Partnership; and if she will make a statement on the matter. [10685/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** The Transatlantic Trade and Investment Partnership was discussed at the last EU Council of Trade Ministers on 13th May 2016, which I attended.

The Council was informed about the latest developments regarding the EU-US Transatlantic Trade and Investment Partnership negotiations. This included prospects for conclusion of the negotiations under the Obama administration. Member States considered that maintaining



a high level of ambition in these negotiations was just as important as the ambitious timetable. They urged the Commission to advance the negotiations, whilst fully respecting its negotiating mandate and the EU interests. While many complex and difficult issues remain to be resolved, both the EU and the US negotiators remain optimistic that a comprehensive and ambitious agreement can be concluded.

This trade deal is important for Ireland. Almost half (49%) of Irish exports outside of the EU end up in the US, compared to the combined average of 16% for all Member States. 25% of foreign direct investment (FDI) in Ireland comes from the US.

Ireland's enterprises are particularly well placed to take up opportunities to trade more easily with the US. This will build on our already rewarding economic relationship. It will also generate new opportunities to create employment and continue to grow our economy. Studies have shown that the benefits to Ireland will be proportionally greater than in the EU as a whole.

The Copenhagen Economic Report (2013) suggested that an ambitious EU-US Trade Agreement could boost GDP by 1.1%, grow Irish exports by almost 4%, increase investment by 1.5%, and increase real wages by 1.5%. It estimates a jobs gain of somewhere between 5,000 and 10,000 additional export related jobs could be created. The study predicts new opportunities for many Irish industry sectors including pharmaceuticals and chemicals, Agri-food (notably dairy and processed food), insurance and machinery. The findings are backed up in a comprehensive independent report contracted by the EU Commission, carried out by Ecorys Consultancy and published on 13th May 2016. The report estimates that a comprehensive EU-US trade agreement would boost Irish GDP by 1.4 per cent.

### **Zero-hour Contracts**

628. **Deputy Maurice Quinlivan** asked the Minister for Jobs, Enterprise and Innovation her plans to introduce legislation to implement the recommendations of the University of Limerick study, *A Study of the Prevalence of Zero Hour Contracts 2015*; and if she will make a statement on the matter. [16035/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** I am committed to considering an appropriate policy response to the report of the University of Limerick of their study of zero hour contracts and low hour contracts.

As Deputies will be aware, the University of Limerick (UL) was appointed in February 2015 to study the prevalence of zero hour contracts and low hour contracts and their impact on employees. The study, published in November, 2015, found that zero hour contracts as defined within current Irish employment rights legislation are not extensively used in Ireland. It found low working hours can arise in different forms in employment contracts. There are regular part-time contracts with fixed hours or a contract with "If and When" hours only or a hybrid of the two. If and when contracts are contracts where workers are not contractually required to make themselves available for work.

The UL report made a range of recommendations relating to contracts, hours of work and notice, minimum hours, how contracted hours should be determined, collective agreements, data gathering and wider contextual issues.

It is important to point out that the UL study was an independent study and the conclusions drawn and the recommendations made in it are those of UL. Therefore, it was essential to seek the views of stakeholders.

To this end, my Department sought submissions from interested parties by way of a Public Consultation. A large number of submissions were received in response to the consultation. The responses contain a variety of views both for and against the findings and recommendations as made by UL. These responses require, and are currently being given, careful consideration by my Department. The study and the responses to it will be considered by Government with a view to agreeing the actions that should be taken.

### **Gender Balance**

629. **Deputy Maurice Quinlivan** asked the Minister for Jobs, Enterprise and Innovation the measures she intends to take to increase female participation in the labour market and to deal with the issue of part-time underemployment; and if she will make a statement on the matter. [16037/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** Ireland's female seasonally-adjusted participation rate peaked at 54.7% before declining during the recession, dipping to 52.5% in 2012. Since then there has been a gradual recovery, with the figure reaching 52.9% in the first quarter of 2016.

Female participation rates have historically been relatively low in Ireland, even prior to the last economic downturn. Quality affordable childcare is seen as the single greatest obstacle to increasing the participation rate. The Programme for a Partnership Government agreed in May that childcare will not just be a priority for my colleague the Minister for Children and Youth Affairs, but across government. The Programme commits the Government to conducting and publishing an independent review of the cost of providing quality childcare in private and community settings, consistent with the principle of ongoing professionalisation of the sector. In addition the Pathways to work Strategy 2016-2020 includes a commitment to increase access to quality and affordable childcare for parents transitioning to employment. This strategy also confirms that in addition to focusing on people who are registered as unemployed, activation during a period of economic growth and recovery may seek to encourage other 'non-active' cohorts to participate in the labour market. This may be by means of supportive services (training, job search assistance, financial incentives etc.), by means of increased conditionality in relation to welfare entitlement or by a combination of both. Other efforts under the aegis of the Department of Children and Youth Affairs are ongoing.

The Deputy also referred to part-time underemployment. There has been a strong downward trend in the figures for part-time underemployment in recent years. After peaking at over 150,000 in 2012, this shrank to 99,100 in the first quarter of 2016. Significantly fewer people are now in a position where they would accept more work if it was available.

### **Job Creation Data**

630. **Deputy Maurice Quinlivan** asked the Minister for Jobs, Enterprise and Innovation to provide a detailed breakdown by sector of the employment status in terms of post, rate of pay, full-time and part-time, of the 3,500 new jobs supported by local enterprise offices in 2015; and if she will make a statement on the matter. [16038/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** The Local Enterprise Offices (LEOs) are the 'first-stop-shop' for providing advice and guidance, financial assistance and other supports to those wishing to start or grow their own business.

The purpose of the LEO Annual Employment Survey (AES) is to monitor the employment performance amongst micro enterprises employing 10 people or less that have received direct financial assistance through the LEOs. The results of the AES provide a statistical breakdown on a sectoral basis and the numbers of new full time and part time jobs supported by the LEOs in those sectors as set down in the table. The LEO AES does not monitor employee status or rates of payment in client companies.

Sector	Full Time	Part Time	Total
Business Services	362	90	452
Clothing & Fashion	62	21	83
Communications, Media & Entertainment Services	214	137	351
Craft	28	11	39
Customer Services	224	208	432
Electronics	34	-1	33
Engineering	274	33	307
Environment/Green Technologies	113	35	148
Food Manufacturing & Processing	330	160	490
Food Primary Sectors	79	17	96
Furniture/Light Consumer Goods Manufacture	70	17	87
Manufacturing Other	643	-8	635
Medical Devices Manufacture	11	5	16
Packaging Manufacturing	40	0	40
Software/IT	260	38	298
Unknown	28	-2	26
Grand Total	2772	761	3533

### Child and Family Agency Services

631. **Deputy John McGuinness** asked the Minister for Children and Youth Affairs the assistance she will provide to a person (details supplied) to obtain documents from the State; and if she will meet the person to progress matters. [15674/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The issue referred to by the Deputy is a matter for Tusla the Child and Family Agency and I have asked them to reply to the Deputy directly.

### Child and Family Agency Data

632. **Deputy Jonathan O'Brien** asked the Minister for Children and Youth Affairs the cost of increasing refuge spaces for women to 1.7 per 10,000 population. [16055/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The information sought by the Deputy has been requested from the Child and Family Agency. I will respond directly to the Deputy when the information is received.

## **HIQA Reports**

633. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs the action she is taking in relation to Health Information and Quality Authority's Annual Overview Report on the Inspection and Regulation of Children's Services 2015; in particular regarding timely access to full and appropriate assessments, the allocation of social workers and the timely reporting of alleged abuse to An Garda Síochána; and if she will make a statement on the matter. [15356/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I welcome the findings of the Health Information and Quality Authority's (HIQA) 2015 overview report of their independent inspections of the Child and Family Agency, Tusla, child protection and children in care services. The report stated that, overall, HIQA found standards across all three areas of residential, foster care and child protection to be good. There was professional social work practice with children and families in foster care and the child welfare and protection services. HIQA identified that Tusla required more social workers and needed to increase standardisation of services around the country to ensure that all children received an equitable provision of care. The report also noted the need for continuing development of national policies and ICT projects.

The Government has provided Tusla with funding of over €676 million in 2016 - this is an increase of €38 million on the provision for 2015 and this increase was widely acknowledged as representing a significant strengthening of Tusla's base funding level. The additional resources provided gives the Agency greater capacity to recruit social workers and other staff and to respond to identified risk and address areas of unmet need.

It is a positive sign that HIQA inspectors found that staff responded to the needs of children and focused on their rights and welfare. Children were encouraged to take part in decisions on their care, had access to advocates and were helped to keep positive attachments with their families. Children told inspectors that their lives had improved through contact with child protection social workers.

Tusla will continue its recruitment campaign to recruit the social work and social care staff to support families and to protect vulnerable children. The majority of HIQA findings related to standards that were deemed to require improvement. Tusla reports to my Department on the action plans they have put in place following inspections to deal with problems and areas needing quality improvement.

Tusla is engaged in a programme of service reform to ensure that a consistent quality of care is available to children and families across the country. I am confident that this process and the major recruitment campaign currently underway, will see a significant improvement in all child welfare and protection services.

## **Social Workers Recruitment**

634. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs the ratio of social workers to cases by county in each of the years 2013 to 2015; and if she will make a statement on the matter. [15357/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Tusla is implementing a national caseload management system which allows management to monitor caseloads in terms of both number and complexity. It is recognised that, from time to time, indi-

vidual cases can occupy a disproportionate amount of resources. The caseload management system gives managers a clearer insight into the pressures on staff. My Department continues to monitor the number of cases that are reported as awaiting the allocation of a social worker. The additional staff being recruited and the caseload management system will make an improvement in these figures.

The total number of additional social workers needed to deal with unallocated cases and keep within the caseload management system was estimated at 268, based on investment required over the next three years. At the end of March 2016, there were 1503.67 whole time equivalent social workers within Tusla. However, exact figures on the ratio of social workers to cases is not available, as these social workers work on a range of teams including Child Welfare & Protection Duty/Intake, Ongoing Child Protection work, Children in Care and Foster Care. A small number of social workers work in Adoption and other areas.

Tusla has been provided with additional funding of €38m in Budget 2016, including funding of over €6 million to reduce the number of cases awaiting allocation of a social worker. As part of its Business Plan for this year, Tusla has committed to a number of key targets to be achieved by the end of 2016. These targets include a 60% decrease of cases awaiting allocation; reducing the number of high priority cases awaiting allocation to less than 5% of the total number of unallocated cases; and ensuring that all children in foster care and residential care have an allocated social worker. Tusla has made progress in its targets.

The table below shows the number of cases allocated to a dedicated social worker between the 31st of December 2013 and the 31st March 2016, broken down by area level. The information requested is not available on a county basis.

No. of Cases Allocated by Area	31/12/2013	31/12/2014	31/12/2015	31/12/2016
Dublin South Central	1,131	782	752	988
Dublin South East/Wicklow	915	1,132	1,080	1,030
Dublin South West/Kildare/ West Wicklow	1,721	1,051	887	902
Midlands	1,008	1,099	1,153	1,143
DUBLIN MID LEINSTER	4,775	4,064	3,872	4,063
Dublin City North	1,933	1,552	1,594	1,662
Dublin North	1,162	1,454	1,940	2,379
Louth/Meath	902	831	1,209	1,125
Cavan/ Monaghan	462	342	353	408
DUBLIN NORTH EAST	4,459	4,179	5,096	5,574
Cork	2,881	3,109	3,690	3,686
Kerry	608	515	502	519
Carlow/Kilkenny/South Tipperary	1,398	1,486	1,088	926
Waterford/ Wexford	1,403	1,267	1,392	1,505
SOUTH	6,290	6,377	6,672	6,636
Mid-West	1,771	1,641	1,406	1,377
Galway/ Roscommon	1,517	1,210	1,347	1,304
Mayo	540	555	573	602
Donegal	794	722	547	617
Sligo/ Leitrim/ West Cavan	540	552	424	370
WEST	5,162	4,680	4,297	4,270
NATIONAL	20,686	19,300	19,937	20,561

## **Social Workers Recruitment**

635. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs the number of social workers currently required and that will be required in the next five to ten years to ensure that all necessary children and cases have a social worker allocated to them, with a manageable workload that allows for quality assessments and care plan implementation; the resources she will make available to Tusla, the Child and Family Agency to increase its staff and to reduce its ratios; and if she will make a statement on the matter. [15358/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Workforce planning is an essential tool for anticipating possible future developments and maintaining a well-structured workforce of an appropriate size, which is able to meet the changing needs of the public service in a cost-efficient manner. Tusla is currently engaged in developing its Workforce Planning capacity and has prepared an initial medium term analysis of social work resource requirements covering the period 2016 - 2018. No analysis of resource requirement beyond this has yet been conducted.

In that analysis, Tusla identified a requirement for a net increase of 268 social workers to address risk associated with unallocated cases. This process has already begun with additional funding of €6.1m provided in Budget 2016. Additional funding over the period 2017, 2018 and beyond will form part of the overall estimates process in each relevant year.

Regarding unallocated cases, I can assure the Deputy that, as additional social work resources are being put in place, all urgent and emergency child protection cases are dealt with immediately. Cases that are unallocated are closely monitored, supported and managed by the duty social work team under the supervision of the principal social worker. Cases are subject to on-going reviews and where appropriate, the level and nature of support being provided will change depending on the needs of the child.

## **Departmental Expenditure**

636. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the amount of money her Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if she will make a statement on the matter. [15411/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Department of Children and Youth Affairs did not incur any expenditure in relation to the Public Sector Times Magazine in 2015.

## **Departmental Expenditure**

637. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the amount of money spent on daily newspapers in 2015; if this is an appropriate expenditure given the far cheaper online alternatives available; and if she will make a statement on the matter. [15427/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The information is in the table.

Publication	No. Purchased
Irish Times	2 per day
Irish Independent	2 per day
The Examiner	2 per day
The Star	2 per day
The Sun	2 per day
Daily Mirror	2 per day
The Herald	2 per day
Daily Mail	2 per day

The amount paid in 2015 by my Department in respect of daily newspapers was €2819.71. These newspapers were supplied to my office and my Department's Press Office.

While I am aware of the range of online facilities available, and indeed my Department utilises some online news facilities, it is important to keep abreast of issues pertaining both to my Department's activities and to the Government of which I am a member.

### Departmental Staff Data

638. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the number of staff working in her human resources section. [15443/16]

640. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the changes in the numbers employed in her human resources section following the introduction of People-Point. [15475/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I propose to take Questions Nos. 638 and 640 together.

The Human Resources Unit of my Department has 11.23 whole-time equivalent staff assigned to it and has responsibility for managing the internal HR corporate function, including organisational design, workforce planning and learning & development. The HR Unit also has an external governance and oversight role relating to the agencies under its aegis with regard to public sector HR policies and procedures. The establishment of Tusla - the Child and Family Agency in 2014 has seen the external focus of the Unit change in scale i.e. from 327 whole time equivalent public servants at the end of 2013 to over 3,842 at end March 2016.

The Department has 164 whole-time equivalents directly employed by it at present. During 2013, Peoplepoint took over responsibility for many of the day to day transactional HR activities related to direct employees. This has led to a reduction of one whole-time equivalent assigned to managing internal operational related HR activities.

### Ministerial Staff

639. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the number of staff who work exclusively on constituency matters for her. [15459/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** At present there are two civil service members of staff working exclusively on constituency matters. In addition to this, I also have a Personal Assistant who also works on constituency matters on my behalf.

*Question No. 640 answered with Question No. 638.*

### **Child Care Services Provision**

641. **Deputy Niall Collins** asked the Minister for Children and Youth Affairs if she is aware of the potential closure of a company (details supplied); if she will assist in averting its closure; her responsibility when she becomes aware of the potential closure of such a company; and if she will make a statement on the matter. [15649/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The childcare facilities in question have been operated as private limited companies and my Department was made aware of the impending closure of these services late on Thursday June 2nd. My Department is aware of the difficulties the closures of the three Tic Toc Nursery Services have imposed on families and on staff who work there.

My Department funds 30 City and County Childcare Committees around Ireland to assist both parents and childcare providers in matters relating to childcare. In response to the closure of Tic Toc, Limerick County Childcare Committee immediately carried out an assessment of local availability of childcare places in other services in the proximity of the affected services and it is working with parents to assist them in making alternative childcare arrangements.

The Department understands that all children registered in the Early Childhood Care and Education (ECCE) free pre-school year at the three Tic Toc services have received their full entitlement for the 2015-2016 year. This represents the vast majority of children registered in the impacted services.

My Department is keen to ensure that the areas served by the Tic Toc facilities continue to have access to childcare. Where it is possible for replacement services to be established at, or close to, the sites in question, my Department, the CCC and Pobal will provide all possible assistance to potential new management. My Department understands that some preliminary discussions have already taken place in this regard.

My Department is working with the childcare sector to prepare for the significant expansion to pre-school provision under the Early Childhood Care and Education (ECCE) programme announced in Budget 2016, commencing September 2016. The Department is in the process of rolling out a number of measures to increase the supply of ECCE places across Ireland from that time. This expansion will see the number of children benefitting from the Programme rise from around 67,000 to around 127,000 in a given programme year. From September 2016 both the standard and higher rates of capitation for the ECCE programme will increase by €2 per child, per week; and the rules relating to higher capitation rates will also be reformed to enable more services to benefit from the higher rate.

My Department made detailed information available to the CCCs at the beginning of this year indicating the number of children, by every electoral division across the country, who would be eligible for an ECCE place in September 2016, January 2017 and April 2017. The Department is working closely with the CCCs, including Limerick, to match this data against reported capacity in the sector to meet the increase in demand, and to develop action plans for areas where a shortfall in supply may be identified.

### **Departmental Funding**



642. **Deputy Jonathan O'Brien** asked the Minister for Children and Youth Affairs the annual funding that was previously provided for a centre (details supplied) which has since been withdrawn; and the cost of reinstating this at appropriate levels. [15650/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** My Department provided funding of €300,000 for the Barnardos/One Family Child Contact Centres pilot project over a period of two years, i.e. from mid 2011 to mid 2013. Additional funding was provided by the Health Service Executive (€60,000), the Family Support Agency (€90,000) and Ballymun Regeneration (€90,000). This service was established on a pilot basis in 2011. Based on international experience, the intention was to test a model of service aimed at meeting the needs of children whose parents are separated and/or who are in care regarding contact with the non-custodial parent(s). The funding provided allowed the service to operate on a pilot basis in three locations in Dublin i.e. Ballymun, Clondalkin and Tallaght.

The pilot project was due to close at the end of July 2013. However, following successful engagement by Barnardos and One Family with the Family Support Agency (FSA) and other funders, additional funding was allocated to allow the service continue to December 2013. The Family Support Agency provided an additional €31,800 in this regard. Due to budget restrictions, the FSA were unable to continue funding the service beyond December 2013. Currently Family Resource Centres are used as venues for such contact and arrangements are made locally. Unfortunately, due to the constraints of the Family Resource Centre Programme budget for 2016, it was not possible to commit funding to the Barnardos/One Family Child Contact Centres this year.

It is worth noting that the families to be targeted included those involved in private family law proceedings or otherwise experiencing family breakdown as well as families where there were disputes regarding contact between non-custodial parents. The final evaluation report recommended that an integrated response by my Department, the Department of Justice and Equality, supported by their relevant agencies (i.e. The Child and Family Agency, the Courts Service, the Probation Service, the Legal Aid Board, the Family Mediation Service and COSC) would be the best approach to progressing the recommendations. I intend raising the matter with my colleague the Minister for Justice and Equality to suggest we review the evaluation report in light of the changing infrastructural arrangements such as the establishment of Tusla and the proposed Family Courts Service and to examine the potential for advancing further consideration of the Final Evaluation Report's recommendations in that context.

### **Adoption Records Provision**

643. **Deputy John McGuinness** asked the Minister for Children and Youth Affairs the assistance she can provide to a person (details supplied) in obtaining records on adoptions; if she will review certain correspondence; if Tusla, the Child and Family Agency will meet with the persons concerned; and if legislation is required to deal with such matters. [15747/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The issue referred to by the Deputy is a matter for Tusla the Child and Family Agency and I have asked them to reply to the Deputy directly.

### **Employment Rights**

644. **Deputy Kathleen Funchion** asked the Minister for Children and Youth Affairs her plans to introduce guidelines to protect child care workers in sporadic employment. [14842/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The terms and conditions of employment in the early years sector are matters to be agreed between employer and employee. My Department makes no recommendations in relation to these matters.

I have raised this issue with the Department of Jobs, Enterprise and Innovation (DJEI), within whose remit the issue of employment rights falls, and I understand that Ireland's body of employment rights legislation protects all employees who are legally employed on an employer-employee basis. Therefore, once it is clear that a person is working under a contract of employment (written or verbal), on a full-time or part-time basis, that person has the same protection under employment law as other employees.

Anyone with concerns regarding employment rights can contact the Workplace Relations Customer Service and Information Unit which provides information on employment, equality & industrial relations legislation. It can be contacted at Lo-call: 1890 80 80 90 or via its website [www.workplacerelations.ie](http://www.workplacerelations.ie).

### **Company Closures**

645. **Deputy Kathleen Funchion** asked the Minister for Children and Youth Affairs if she is aware that the rehabilitation facility in County Kilkenny is to close on 30 June 2016; and if she will make a statement on the matter. [15984/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I am not aware of the issue referred to by the Deputy.

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

646. **Deputy Kathleen Funchion** asked the Minister for Children and Youth Affairs if she is aware of the community child care facilities in County Clare that closed without notice in February 2016; the compensation measures she has put in place to assist children who have now missed out on their early childhood care and education scheme year as a result; and the status in this regard. [15985/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** My Department implements a number of childcare support programmes including the Early Childhood Care and Education (ECCE) programme, the Community Childcare Subvention (CCS) programme and the Training and Employment Childcare (TEC) programmes. Pobal works closely with this Department in implementing these programmes and undertakes a compliance process to verify, through on-site visits, that the conditions of the various programmes are being complied with. Pobal also carries out audits at the request of the Department.

Following an audit of the West Clare Early Years (WCEY) Group, Pobal submitted a report to West Clare Early Years (WCEY) in November 2015. This report identified major governance issues and the need for repayment of over-claimed childcare funding. The Board of WCEY accepted the findings of the report and, at a meeting with Pobal on February 10th, agreed to prepare an action plan to resolve the situation. However, the Board of WCEY subsequently took a decision on February 13th to liquidate the company and to close the childcare services under its management with immediate effect. Neither the Department nor Pobal were consulted about the decision to liquidate.

Since that time, Pobal and Clare County Childcare Committee have been working inten-

sively on behalf of my Department to implement sustainable solutions that will restore child-care provision in West Clare. As a result of this collaborative engagement, the majority of these services have now re-opened. Details surrounding the re-opening of services are as follows:

- Kilmihill Community Development School - opened 14 March 2016 with ECCE and CCS children in attendance and they have received payments in respect of both programmes.

- Kildysart Kidz - opened 4 April 2016 and they have received payment in respect of ECCE, CEC and CCS programmes.

- Lissycasey Laugh and Learn - opened 12 April 2016 and they have received payments in respect of ECCE and CCS programmes.

- Cairde Beaga Kilrush/ Cairde Beaga Kilkee (Both under Clare Local Development Company - CLDC) - Opened 13 June 2016. ECCE, CCS and TEC contracts for CLDC have been activated.

It has been agreed that services may extend their ECCE provision so that all children may avail of their full entitlement for the 2015/2016 year (i.e. 183 days).

In addition, an addendum to the Clare County Childcare Committee contract, for intensive support work with the West Clare services, was agreed to ensure services had the appropriate level of assistance during the early stages of service restoration.

### **Child and Family Agency**

647. **Deputy Mattie McGrath** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 684 of 8 June 2016, to provide the salary and remuneration packages of the board of Tusla, the Child and Family Agency over the past three years; if it is proposed that any member of the board of Tusla will exceed the general pay ceiling of €200,000 for future appointments to higher positions across the public service in 2016 to 2018; and if she will make a statement on the matter. [16022/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Child and Family Agency Act, 2013, provides for the appointment of a nine person Board consisting of a Chairperson, a Deputy Chairperson and seven ordinary members all appointed by the Minister for Children and Youth Affairs.

Tusla, the Child and Family Agency does not provide a salary and remuneration package for Board members. However, the fees payable to Tusla Board members who qualify for such payment are as follows:

- Chairperson - €20,520

- Ordinary Member - €11,970.

It should be noted that on appointment, all Board members are provided with the option to waive fees. In addition to this, in line with the 'One Person One Salary' principle, no public servant is entitled to receive remuneration in the form of board fees, save for situations that are provided for in statute.

### **Garda Vetting of Personnel**

648. **Deputy Lisa Chambers** asked the Taoiseach and Minister for Defence the reason for the long delays in Garda Síochána clearance of persons (details supplied); the progress of these applications; and when persons will receive a decision. [15384/16]

**Taoiseach and Minister for Defence (Deputy Enda Kenny):** Applicants to the Reserve Defence Force are vetted by the Garda Central Vetting Unit as part of the recruitment process. Processing times for vetting of applications on average can take up to 12 weeks. The Deputy will appreciate that, in some cases, additional enquiries may be necessary and this may result in processing times in excess of the average. For security and operational reasons the Defence Forces cannot comment on vetting processes in individual cases.

### **Defence Forces Recruitment**

649. **Deputy Lisa Chambers** asked the Taoiseach and Minister for Defence the number of applications to join the Reserve Defence Force; the number who completed the fitness test; the number of those who passed the fitness test; the number who completed the interview; the number who applied for Garda clearance; the number who received Garda clearance and within what timeframe they received it; the number who went on to complete medicals; the number who eventually enlisted and when they enlisted, by brigade and gender, in each of the years from 2014 to 31 May 2016 in tabular form; and if he will make a statement on the matter. [15385/16]

**Taoiseach and Minister for Defence (Deputy Enda Kenny):** I am aware that awaited material as indicated in responses to other similar questions asked by the Deputy are outstanding and the Department has raised the matter with the relevant military authorities. I am informed that the Defence Forces are currently collating the awaited material. It is the intention to provide the awaited material to the Deputy shortly.

### **Departmental Expenditure**

650. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence the amount of money his Department spent on purchasing copies of the Public Sector Times magazine in 2015; and if he will make a statement on the matter. [15413/16]

**Taoiseach and Minister for Defence (Deputy Enda Kenny):** There is no charge to Government Departments for the supply of this publication.

### **Departmental Expenditure**

651. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence the amount of money spent on daily newspapers in 2015; if this is an appropriate expenditure given the far cheaper online alternatives available; and if he will make a statement on the matter. [15429/16]

**Taoiseach and Minister for Defence (Deputy Enda Kenny):** The Department of Defence spent €7,164.65 on daily newspapers in 2015. A review of expenditure on newspapers was conducted in 2014 and expenditure in this area continues to be monitored closely by the Department of Defence.

### **Departmental Staff Data**

14 June 2016

652. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence the number of staff working in his human resources section. [15445/16]

**Taoiseach and Minister for Defence (Deputy Enda Kenny):** The number of staff employed in the Department's Human Resources Branch is 13.53 whole time equivalents.

This number is kept under constant review by the Department of Defence.

### **Ministerial Staff**

653. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence the number of staff who work exclusively on constituency matters for him. [15461/16]

**Taoiseach and Minister for Defence (Deputy Enda Kenny):** The Minister of State at the Department of Defence currently has no civil servants assigned to his office who work exclusively on constituency matters for him. The Minister of State's constituency office is staffed by his Personal Assistant and Personal Secretary who are assigned to the Minister of State by the Oireachtas.

### **Departmental Staff Data**

654. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence the changes in the numbers employed in his human resources section following the introduction of PeoplePoint. [15477/16]

**Taoiseach and Minister for Defence (Deputy Enda Kenny):** The number of staff employed in the Department's Human Resources Branch immediately prior to the transition of transactional HR matters to PeoplePoint was 15.53 whole time equivalents. Following the transition to PeoplePoint the number of staff now employed in HR is 13.53 whole time equivalents, a reduction of 2.

This number is kept under constant review by the Department of Defence.

### **Defence Forces Medicinal Products**

655. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence further to Parliamentary Question No. 308 of 2 June 2016, the reason he cannot obtain the information sought from the Health Protection Surveillance Centre (details supplied). [15551/16]

**Taoiseach and Minister for Defence (Deputy Enda Kenny):** Summary information in respect of notifications of infectious diseases is available from the Health Protection Surveillance Centre (HPSC) on their website. However, issues may arise in regard to the accuracy of such data in respect of Defence Force personnel, as situations may arise where the status of the individual as a member of the Defence Forces was either not recorded or not declared.

While members of the Defence Forces are encouraged to present to the military medical system, they may opt to present to a civilian general practitioner who may not be aware that they are a member of the Defence Forces. Equally, there may be members of the Defence Forces who contracted malaria while on holidays in other areas where risk of malaria exists.

Therefore, the Defence Forces are not in a position to corroborate the figures collected by

the HPSC attributed to Defence Force personnel.

### **Defence Forces Recruitment**

656. **Deputy Tony McLoughlin** asked the Taoiseach and Minister for Defence if he will accept applications in his recruitment to the Defence Forces from students who have not completed their studies but who wish to do so and then join the Army; and if he will make a statement on the matter. [15656/16]

**Taoiseach and Minister for Defence (Deputy Enda Kenny):** Induction into a Cadetship in the Permanent Defence Force cannot be deferred if a candidate has not completed their studies successfully. However, applications for all categories of Cadetships are invited from persons who have applied to sit for examinations in the competition year as will enable them to satisfy the minimum educational qualifications criteria. Original documentary evidence that a candidate meets the minimum educational qualifications must be presented to the relevant Interview Board Secretary on a date as specified in the Competition Terms & Conditions.

For General Service recruitment, no formal education qualifications are required to join the Defence Forces. However, applicants must satisfy the Interview Board and the Recruiting Officer that they possess a sufficient standard of education for service in the Permanent Defence Force.

The Government is committed to maintaining the stabilised strength of the Permanent Defence Force at 9,500 personnel, comprising of 7,520 Army, 886 Air Corps and 1,094 Naval Service as stated in the 2015 White Paper on Defence. The manpower requirement of the Defence Forces is monitored on an ongoing basis in accordance with the operational requirements of each of the three services, the establishment of the Permanent Defence Force and available resources.