

Written Answers.

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

Questions Nos. 1 to 12, inclusive, answered orally.

Property Tax

13. **Deputy Josepha Madigan** asked the Minister for Finance his plans to review the Thornhill report on property tax (details supplied); and if he will make a statement on the matter. [27541/16]

Minister for Finance (Deputy Michael Noonan): Under the LPT legislation the initial valuation of a property on 1st May 2013 was valid until 31 October 2016, and would not have been affected by any increase or decrease in property prices or other changes, including repairs or improvements made, during this period. The next valuation date would have fallen on 1st November 2016. During the passage of the Finance Bill in 2014 I gave a firm commitment that my Department would examine the LPT and any impacts on LPT liabilities due to increasing property prices.

Accordingly, I asked Dr. Don Thornhill to conduct a review to consider and make recommendations on the operation of the Local Property Tax, in particular, any impacts on LPT liabilities due to property price developments.

Dr. Thornhill made a number of recommendations in his report on his review of the Local Property Tax. His central recommendation is for a revised system whereby a minimum level of LPT revenues in each local authority area would be determined by Government, ideally having regard to the apportionment between local authority areas of the historic yield. This in turn would allow for the estimation of LPT rates for each local authority area and the application of these by taxpayers and Revenue. Local authorities could adjust this rate upwards by a factor of up to 15%. This new system was recommended by Dr. Thornhill with a possible interim deferral of the next valuation date until November 2018 or November 2019.

In my Budget 2016 statement, I announced that I would be proposing to Government that the revaluation date for the LPT be postponed from 2016 to 2019. This postponement means that home owners will not be faced with significant increases in their LPT in 2017 as a result of increased property values. The postponement also gave sufficient time for the other recommendations in Dr. Thornhill's report to be considered. The Finance (Local Property Tax) (Amendment) Act 2015 gives effect to the postponement of the revaluation date of residential property for LPT purposes, and also to two of the recommendations in Dr. Thornhill's report, involving LPT relief for properties affected by pyrite and relief for properties occupied by persons with disabilities (recommendations numbers 11 and 12 respectively).

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

Tax Code

14. **Deputy Brendan Griffin** asked the Minister for Finance if he will consider a farm management deposit scheme, as proposed by ICMSA; and if he will make a statement on the matter. [27532/16]

Minister for Finance (Deputy Michael Noonan): A comprehensive review of tax measures in the farming sector was announced in Budget 2014, as a joint initiative between the Department of Finance and the Department of Agriculture, Food and the Marine. The review focused on three key policy objectives for agri-taxation policy, including:

- increasing mobility and productive use of land

- assisting succession, and

- complementing wider agriculture policies and schemes, such as supporting investment to enhance competitiveness, environmental sustainability, alternative farming models such as farm partnerships and responses to increasing income volatility.

Following on from this review, a significant number of measures were introduced, retained or refocused in the last two Finance Acts. These formed a comprehensive tax package to support the farming sector, including but not limited to:

- Extension of income averaging from 3 to 5 years

- Broadening of CGT retirement relief so that, for example, individuals can now lease out their land for up to 25 years prior to disposal and still be eligible for CGT retirement relief

- Extension of stamp duty relief for non-residential land transfers between certain close relatives

- Extension of general stock relief, stock relief for certain young trained farmers and stock relief for registered farm partnerships and

- Extension of the stamp duty exemption for young trained farmers.

In addition, a new “succession transfer partnership” proposal was introduced in Finance Act 2015.

A public consultation was held as part of the agri-tax review. Proposals put forward from this consultation were considered and a number of meetings were held with stakeholders, including the ICMSA. A number of respondents suggested a tax deposit scheme similar to the farm management deposit scheme put forward by the ICMSA. Such a scheme is essentially a tax deferral scheme, where farmers lodge money tax free and pay tax on withdrawal after a number of years. The idea is based on similar schemes in Australia and New Zealand, which are not subject to EU State Aid rules and which do not have a system of direct payments.

The Agri-tax working group concluded that a scheme such as this would not be compatible

with EU State Aid rules which preclude supports to falling farm incomes arising from low commodity prices in the market place.

Accordingly, it would not be possible to introduce such a scheme.

Motor Insurance Regulation

15. **Deputy Robert Troy** asked the Minister for Finance if he will provide an update on actions taken by his Department to reduce insurance costs for customers in the Irish market and the efforts being taken to increase competition across the market by his Department. [27627/16]

71. **Deputy Robert Troy** asked the Minister for Finance the actions taken by his Department to reduce insurance costs for customers in the Irish market; and the efforts that have been made to increase competition across the market by his Department. [27798/16]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 15 and 71 together.

The Cost of Insurance Working Group, which I chair, is undertaking a review of the factors which are influencing the increased cost of motor insurance.

The Working Group brings together all the relevant Departments and Offices involved in the process. Its objective is to identify immediate and longer term measures which can address increasing costs, while bearing in mind the need to maintain a stable insurance sector.

The core areas to be examined by the Working Group in this first phase are:

- The motor insurance sector generally, at present and in recent years
- The effects of legal costs and litigation processes on insurance costs
- The current claims compensation arrangements and the cost of claims
- Insurance data and information
- The impact of accident rates
- The impact of unlawful activity on the insurance sector
- Other market issues.

Because the issue of the cost of insurance is complex and in order to get to the heart of these issues as soon as possible, I have established four subgroups to review them in detail. Chairs have been appointed to these subgroups and work has commenced. The subgroups are meeting weekly and their outputs are feeding into the meetings of the Working Group.

Separate to the work of the Cost of Insurance Working Group, the Competition and Consumer Protection Commission (CCPC) has informed me that it has formally opened an investigation in August 2016 concerning suspected breaches of competition law in the motor insurance sector. The investigation relates to industry participants openly signalling up-coming increases in motor insurance premiums in the State.

The CCPC is the independent statutory body responsible for enforcement of competition and consumer protection legislation across the economy. Its investigation is separate from the issues being considered by the Cost of Insurance Working Group and does not interfere with the

important work being undertaken there.

By the end of October the Working Group will provide the Minister for Finance with an update report which will set out the priority actions required. From November to December, the Working Group will then develop an action plan to enable the relevant Government Departments and Offices to commence the implementation of these priority actions. In this regard I will be consulting regularly with Government colleagues.

Corporation Tax Regime

16. **Deputy Maureen O'Sullivan** asked the Minister for Finance his plans to reform the corporate tax structure; and if he will consider introducing a financial transaction tax following the recent agreement on a commitment to the highest international standards in transparency in taxation of the corporate sector. [27556/16]

Minister for Finance (Deputy Michael Noonan): On 2 September 2016, the Government decided that a motion would be put forward to the Dáil to support an appeal in the Apple State Aid case. At that time the Government also decided as follows:

- to commit to the highest international standards in transparency in the taxation of the corporate sector;

- to affirm its commitment to the 12.5% corporation tax rate; the Research and Development credit and Knowledge Development Box; and

- to commit to arrange for a review of Ireland's corporation tax code by an independent expert; the review will exclude any possibility of a change to the 12.5% corporation tax rate.

I am currently in the process of drawing up the terms of reference for the review. I expect that the terms of reference will be announced at Budget time.

It is good practice to undertake periodic reviews of key areas of Government policy. The last review of corporation tax policy took place in 2014. Since then a wide range of new international developments have emerged in international taxation, such as BEPS. We need to ensure that Ireland's corporation tax code meets these new standards while remaining competitive as the economy continues to grow.

Ireland continues to take an active role in global work to reform the international corporate tax system and will engage constructively with any measures to work towards international tax reform.

In relation to the financial transactions tax, on 17th June 2016 the ECOFIN Council discussed the current state of play with regard to the proposal of a number of Member States to introduce a financial transaction tax. In the context of this discussion, ten of the original eleven Member States (Estonia has indicated that it no longer supports the proposal), issued a statement setting out their agreement on the core design principles of an FTT. The statement indicates that further reassurances were needed on two issues in particular, for which two task forces will be immediately set up. First, taxation of derivatives should not have a negative impact on public borrowing costs. Second, tax collection should be cost-effective. The outcome of these two task forces was to be discussed in September. I understand the task forces have had some discussions but that significant differences of opinion remain.

Much uncertainty remains therefore as to the form the FTT might take and more detail

would be needed on the final shape of the tax before a definitive conclusion could be reached about its impact on Irish taxation revenue.

Motor Insurance Regulation

17. **Deputy Seán Barrett** asked the Minister for Finance if he is satisfied with the licensing arrangements currently in place in relation to insurance companies transacting motor insurance; and if he will make a statement on the matter. [27540/16]

Minister for Finance (Deputy Michael Noonan): Motor insurance companies are authorised under the European Union (Insurance and Reinsurance) Regulations 2015. This regulation transposes the EU regulatory framework for insurance and reinsurance known as Solvency II into Irish law.

It provides that the authorisation and the day-to-day responsibility for the supervision of insurance companies is a matter for the Central Bank of Ireland which is statutorily independent in the exercise of its regulatory functions.

The European Union (Insurance and Reinsurance) Regulations 2015 ensure that a rigorous and robust authorisation process takes place and they provide the appropriate safeguards to ensure that only companies that meet the necessary governance and capital requirements can be approved by the Central Bank. In this regard, the regulations clearly outline the information that must be provided by companies seeking an authorisation to conduct business in Ireland. In addition, the Central Bank has published guidelines to assist applicant firms and publishes a register of authorised non-life insurance firms in the Registers section of its website.

The Central Bank has advised that its Insurance Supervision Directorate is responsible for the prudential supervision of insurance and reinsurance undertakings authorised in Ireland. In carrying out this role, the Insurance Directorate monitors the risks posed by undertakings along with issuing standards, policies and guidance which undertakings are expected to meet.

In addition, the Solvency II Directive provides for the ‘passporting’ of services into Ireland from other European and EEA countries. ‘Passporting’, which is the establishment of a branch or operation by way of freedom of services, is a right of EU-authorised firms under the single market. Passporting is notified to the Central Bank by the home state regulator which is responsible for supervision of its foreign business.

In relation to such foreign business, it should be noted that the Central Bank has indicated that supervisory authorities across the European Union co-operate and share relevant information to achieve the objectives of insurance supervision and, in particular, financial stability and adequate protection of policyholders and other stakeholders.

Question No. 18 answered with Question No. 11.

NAMA Investigations

19. **Deputy Clare Daly** asked the Minister for Finance his views on the serious allegations and revelations regarding NAMA’s activities both North and South; the steps he has taken to address these matters; his plans to freeze all NAMA activity until such time as a full and thorough inquiry into all aspects of NAMA’s work has concluded; and if he will make a statement on the matter. [27542/16]

41. **Deputy Paul Murphy** asked the Minister for Finance if he will support a full investigation into all of NAMA's major portfolio sales in view of the recent concerns regarding the sale of NAMA's Northern Ireland portfolio; and if he will make a statement on the matter. [27619/16]

50. **Deputy Mick Barry** asked the Minister for Finance if, in view of the ongoing investigations of the sale of NAMA's Northern Ireland portfolio, he favours halting any more sales of NAMA portfolios; and if he will make a statement on the matter. [27621/16]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 19, 41 and 50 together.

I assume that the Deputy is referring to allegations of wrongdoing regarding conduct of certain individuals in relation to Project Eagle and in relation to unrelated allegations of disclosure of confidential information. In each case criminal investigations are being conducted by the appropriate authorities. Any such allegations are of course very concerning and I fully support the full investigation by the appropriate authorities of any alleged illegal behaviour. However, I am unaware of any allegations of wrongdoing against NAMA itself.

It is important to recognise that in no way have the integrity of NAMA or the NAMA Board or the integrity of its decisions been brought into question and so I have no intention of halting NAMA's activities. To do so would irreparably damage NAMA's positive contribution to our recovery and damage our reputation as a credible, open and transparent market. By extension, any such interference would be detrimental to the interests of Irish taxpayers. In particular, it would likely:

- constitute the State taking direct control of NAMA and bringing NAMA debt onto the State's balance sheet;

- imply a u-turn for the Irish sovereign in the eyes of the rating agencies and the sovereign bond and broader investor community, potentially increasing the cost of government debt, damaging confidence in the recovery of our economy;

- raise competition concerns which may limit the State's flexibility in ultimately recovering value from NAMA's assets;

- reduce the surplus currently projected by NAMA to ultimately be returned to the exchequer; and

- negatively impact NAMA's ability to fund the delivery of residential and commercial units on a commercial basis.

As regards the recent value for money review of Project Eagle conducted by the C&AG, the public disagreement over the opinions expressed by the C&AG in his report are being examined by the Public Accounts Committee. Today, the C&AG and NAMA are appearing before the PAC regarding this report. The PAC is the appropriate forum for consideration of the C&AG report and for the exercise of public accountability in these matters.

It is also important to remember that this value for money report was effectively an accelerated module of the C&AG's normal Section 226 review of NAMA required under the NAMA Act. As already provided for in the NAMA Act, in 2015 the C&AG committed to reviewing a broad sample of NAMA's sales and investment decisions as the focus of his next Section 226 report.

The Government also recognises that it has its own responsibilities regarding all matters of public concern around the functions of an important public body such as NAMA. The Taoise-

ach has met with opposition party leaders with a view to seeking agreement on issues of public concern that may require further investigation and the most appropriate nature and terms of reference for such an investigation. Subject to the outcome of those discussions, the matter will then be the subject of a Dáil debate. The Government's objective is to ensure that all matters of public concern are addressed in a speedy and effective manner.

Stability and Growth Pact

20. **Deputy David Cullinane** asked the Minister for Finance the discussion he has had with European partners with regard to a possible loosening of the fiscal rules in cases of public capital investment. [19806/16]

26. **Deputy Imelda Munster** asked the Minister for Finance his plans to seek greater flexibility in the fiscal rules for expenditure on capital investment and to achieve change at an EU level so that these rules no longer constrain the State from investing in essential infrastructure and public services; and if he will make a statement on the matter. [27531/16]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 20 and 26 together.

The fiscal rules - formally known as the Stability and Growth Pact (SGP) - have direct application through a number of EU regulations. Changes to these regulations would have to follow the normal EU approach starting with a proposal from the Commission before consideration by Member States and the European Parliament.

Having said that, it is important to note that there are existing provisions in the fiscal rules that are designed to promote public investment. For instance, within the expenditure benchmark pillar of the rules, public investment is granted favourable treatment - as a result of four-year capital smoothing, only one quarter of the increase in public investment must be funded in the first year from within the fiscal space. This provision means capital spending for housing and other purposes can be leveraged within the EU rules.

It should also be noted that there are also certain more explicit flexibility provisions within the rules, particularly with a view to encouraging public investment. These take the form of what is known as the investment clause and structural reform clause. Specifically, these provisions allow for temporary deviations from the required structural budgetary adjustment if spending on capital investment can be shown to qualify for either the investment clause or the structural reform clause. Both of these provisions are subject to strict conditions; and while Ireland has not yet been in a position to apply given where we are in the business cycle, the situation is kept under constant review by my officials.

The Government is very conscious of the need to boost the supply of critical infrastructure. Investment in public infrastructure is vital for the medium and long-term competitiveness of the economy as well as for underpinning social cohesion through the provision of vital services to people in the form of schools, public transport, housing, etc. The public capital plan provides for €42 billion of capital investment over the 2016-2021 period and the Government remains committed to this. Further to this the Government set out in the SES proposals an additional cumulative €5.1 billion in capital spending over the period 2017-2021. This additional capital spending is aimed at addressing infrastructural bottlenecks, particularly regional infrastructural shortages.

In addition, the Government has been exploring the objective to create 'off-balance' mechanisms that bring investment into social housing which is additional to the funding being pro-

vided directly by the State. There is ongoing engagement with a broad array of domestic actors and European authorities to explore achievable solutions.

Finally, I would point out that we are still running a deficit and our public debt remains high by international standards. The answer, therefore, is not simply about spending more; it is about getting more from each euro of taxpayers' money that is spent.

Tax Avoidance

21. **Deputy Thomas P. Broughan** asked the Minister for Finance the estimated annual levels of tax expenditure overseen by his Department since 2008 and his priorities in closing off tax avoidance loopholes in the forthcoming Finance Bill; and if he will make a statement on the matter. [27554/16]

Minister for Finance (Deputy Michael Noonan): I am informed by Revenue that it publishes cost estimates and numbers claiming for a wide range of tax expenditures on the Revenue website, up to 2014 or 2015 (the most recent year available depends on the relief). Updates for later years will be published in due course as newer data becomes available. I am advised that there are some other tax expenditures, not included in the above, for which estimates of costs are not readily available.

I would also note that my Department, alongside the last two Budgets, has published reports on tax expenditures, including overall costings similar to the Revenue tables noted above, guidelines for the evaluation of tax expenditures and detailed evaluations of a number of different expenditures. These reports are available on the Budget website. The Deputy may also wish to be aware that the latest version this report will be published next month, probably on Budget Day.

In relation to tax avoidance, where information is brought to my attention I will not hesitate to close off abuses of the tax code. The Deputy will understand that it is not generally the practice to supply details of such measures in advance. However, he will be aware I have already published draft proposals in relation to abuses that have come to light concerning section 110 companies. Details of the proposed amendment to section 110 may be found in my press release on my Department's website. The amendment as published is not finalised and may be subject to further refinements to clarify certain aspects of the provision.

The rationale for publishing said proposal was to ensure appropriate feedback is received on a technical and complex section of the Taxes Acts. As is standard practice when a technically complex piece of legislation is being examined, officials from the Department of Finance and the Revenue Commissioners have held meetings with a broad range of stakeholders including meeting with members of the Irish Debt Securities Association, the body that represents the securitisation industry and other members of the accounting, law and tax professions. My officials are currently in consultation to clarify certain aspects of the provision and to ensure the proposal successfully carries out the intention for which it was created. This is an ongoing process and I would like to reiterate that we welcome input from all stakeholders, including Deputies.

State Aid Investigations

22. **Deputy Paul Murphy** asked the Minister for Finance if, following the judgment from the European Commission concerning a company (details supplied), an analysis as to the extent

to which other multinational corporations may be liable for taxes to the State or to other jurisdictions has been undertaken; if this amount has been quantified; and if he will make a statement on the matter. [27618/16]

Minister for Finance (Deputy Michael Noonan): On 30 August 2016, the European Commission issued a negative decision in the Apple State Aid case.

The Government profoundly disagrees with the Commission's analysis in the Apple case and will now challenge the decision before the European Courts. Dáil Éireann has also passed a motion supporting the Government's decision to appeal the European Commission's decision.

Ireland has a period of two months and 10 days to bring an appeal. The appeal process may take several years. Apple also has indicated that it will exercise its right of appeal. An appeal to the European Courts takes the form of an application to the General Court of the European Union, asking it to annul the decision of the Commission.

Ireland's position remains that the full amount of tax was paid in this case and no State aid was provided. Ireland did not give favourable tax treatment to Apple. Ireland does not do deals with taxpayers.

Notwithstanding the negative decision, no fine or penalty has been imposed on the State.

The European Commission has stated that "This decision does not call into question Ireland's general tax system or its corporate tax rate". No other companies are subject to this decision by the European Commission.

On foot of the Commission's decision, Ireland is required to recover up to €13bn of alleged state aid from the company covering a ten year period. Notwithstanding the right of appeal, Ireland is legally obliged to recover the alleged state aid from Apple in the interim. Given that this money may ultimately have to be returned to the company in the event of a successful appeal, the money can be held in escrow until the case has concluded.

The Commission has stated that:

- The amount of unpaid taxes to be recovered by the Irish authorities would be reduced if other countries were to require Apple to pay more taxes on the profits recorded by Apple Sales International and Apple Operations Europe for this period.

- The amount of unpaid taxes to be recovered by the Irish authorities would also be reduced if the US authorities were to require Apple to pay larger amounts of money to their US parent company for this period to finance research and development efforts.

This illustrates the contradiction at the heart of the European Commission's decision. While requiring Ireland to recover the tax sums, the Commission is also acknowledging that the sums may in fact be taxable in other jurisdictions.

Economic Statements

23. **Deputy David Cullinane** asked the Minister for Finance the reason his Department is ready to oversee a reduction in Government income as a percentage of gross domestic product, as shown by the summer economic statement figures, given the serious issues facing public infrastructure. [19805/16]

Minister for Finance (Deputy Michael Noonan): In the Summer Economic Statement,

estimates of tax revenues and appropriations-in-aid show a projected nominal increase of €13.1 billion from 2016 to 2021. When expressed as a percentage of GDP, there is a small decline to 24.4% from 25.9%. These forecasts take account of €2.54 billion of fiscal space allocated to proposed tax reductions to be implemented over this period.

It is worth noting that forecast tax revenues from 2016 to 2021 remain relatively flat as a share of GDP, whereas the forecast for appropriations-in-aid drops by over 1% of GDP over the same period.

Almost 80% of the current appropriations-in-aid for 2016 relate to the Social Insurance Fund and the National Training Fund. The Social Insurance Fund is funded by PRSI receipts. With both funds in surplus, the gross expenditure and appropriations-in-aid for the funds are assumed to net off in arriving at the Exchequer Balance. Additional revenue forecast for both funds for the period to 2021 is then reflected in the General Government Balance. If the surplus receipts in these funds were included in the forecast of receipts in table 3 of the Summer Economic Statement, the overall estimate of appropriations-in-aid, as a percentage of GDP, would have reduced only slightly from 2016 to 2021.

The allocation of fiscal space in the Summer Economic Statement is consistent with the Programme for Partnership Government (PfPG) which outlines a split of at least two-to-one in favour of expenditure. This reflects the priority the Government attaches to re-growing public expenditure in a sustainable way while also addressing the need to reward work and support enterprise and employment.

In the PfPG, there is a commitment to ask the Oireachtas to continue to phase out the USC as part of a wider medium-term income tax reform plan that keeps the tax base broad, reduces excessive tax rates for middle income earners, and limits the benefit for high earners. Reductions will be introduced on a fair basis with an emphasis on low and middle income earners.

In terms of public infrastructure, the Government is conscious of the need to increase capital expenditure in order to boost the supply of critical infrastructure. The public capital plan, published in September 2015, provided for €42 billion of capital investment out to 2021 and the PfPG contained a commitment not only to protect this level of investment, but to increase it by a further €4 billion.

The level of capital expenditure provided for in the Summer Economic Statement allows for an additional €5.14 billion over the 2017 to 2021 period in excess of the additional €4 billion commitment given in the Programme. This emphasises the importance the Government places on continued investment in the public infrastructure.

In summary, therefore, the Government is prioritising infrastructural investment in order to support and broaden the economic recovery.

VAT Registration

24. **Deputy Maureen O'Sullivan** asked the Minister for Finance his views on whether the tax system would be fairer if self-employed persons were allowed to earn a modest income before registering for VAT, as the current threshold of €37,500 turnover does not equate to that sum in income, and that this threshold could be interpreted as problematic. [27555/16]

Minister for Finance (Deputy Michael Noonan): The registration thresholds is a special scheme for small enterprises. In general, there are two thresholds: the goods threshold, which is currently €75,000, and the services threshold, which is €37,500. Different VAT registration

thresholds for the supply of goods and services are a feature of the EU VAT Directive and Irish VAT legislation and reflect the profound difference between the two supplies; in general, the value added in relation to the supply of goods will be much smaller relative to turnover compared with a supply of services.

In the absence of this special scheme very small enterprises would be required to register for VAT, charge VAT on supplies and make periodic VAT returns and payments. In many cases, the compliance burden on such small enterprises would exceed the VAT payments to the Exchequer. In general, a person or company who exceeds the thresholds must register and account for VAT where their annual income exceeds the services threshold of €37,500, or the goods threshold of €75,000. For income tax purposes the income earned by a self-employed person is treated in the same manner as income earned by any other taxpayer.

VAT is governed by the EU VAT Directive (Council Directive 2006/112/EC), with which Irish VAT law must comply. The EU VAT Directive provides that VAT registration thresholds may only be raised by Member States to maintain their value in real terms, that is, they may only be increased in line with inflation. The VAT thresholds were increased to their current values on 1 May 2008. As the Central Statistics Office figures show the consumer price index is below the level it reached in 2008, it is not possible to increase the thresholds. I would point out, however, that Ireland's VAT registration threshold for small enterprises supplying services is the seventh highest in the EU while the goods threshold is the third highest.

Mortgage Arrears Proposals

25. **Deputy Bernard J. Durkan** asked the Minister for Finance if, directly or through the Central Bank, it has been found possible to exert influence on lenders who have applied compound interest in respect of mortgages in arrears thereby shifting responsibility for excessive borrowing onto the borrower, notwithstanding the fact that the lenders themselves greatly contributed to the banking crisis; if efforts have been or can be made to discourage the imposition of compound interest especially where borrowers are making reasonable efforts to make payments within their means in respect of the family home; and if he will make a statement on the matter. [27622/16]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware that the lending institutions in Ireland, including those in which the State has a significant shareholding, are independent commercial entities and that relationship frameworks are in place with the State owned banks which provide that the State will not intervene in the day-to-day operations of the banks or their management decisions. These frameworks are required to ensure that the banks are run on a commercial, cost effective and independent basis to ensure the value of the banks as an asset for the State. In addition, the Deputy will be aware that the Central Bank is independent in the carrying out of its supervisory functions of regulated financial institutions.

The Central Bank's Consumer Protection Code sets down the obligations that regulated entities must fulfil before an offer of a mortgage is made to a borrower, including inter alia, details of the associated interest rate and other costs. Under the same code, lenders are obliged to inform personal borrowers of any proposed changes to the interest rate on a loan. In the case of a mortgage where a revised repayment arrangement has been put in place in accordance with the Code of Conduct for Mortgage Arrears (CCMA), the notification must clearly indicate the revised repayment amount required. All regulated entities must comply with the Consumer Protection Code. However, the Central Bank does not regulate the rate of interest charged by lending institutions.

Generally, the terms governing the interest payable on a mortgage will be provided for in the loan contract. In respect of a mortgage on a primary residence, provision 11 of the CCMA places a restriction on regulated entities ‘from imposing charges and/or surcharge interest on arrears arising on a mortgage account in arrears’ to which the CCMA applies, unless the borrower is not co-operating. Therefore, I would encourage anyone who is experiencing difficulty in meeting the contractual repayment requirements of their mortgage to engage with their lender to address their difficulty and in turn, I would ask lenders to put in place sustainable repayment arrangements to deal with a mortgage repayment difficulty in the best interests of consumers.

In conclusion I would reassure the Deputy that the CCMA is designed to provide appropriate and effective consumer protection measures and to ensure that borrowers are treated in a fair and transparent manner. It applies to all regulated mortgage lenders operating in the State when dealing with borrowers facing or in mortgage arrears on their primary residence, including any mortgage lending activities outsourced by these lenders. Lenders are required to comply with all aspects of the CCMA and non-compliance with the CCMA is enforceable against regulated entities by the Central Bank.

Question No. 26 answered with Question No. 20.

State Aid Investigations

27. **Deputy Mick Barry** asked the Minister for Finance if, in view of the European Commission’s findings that the State breached EU rules regarding the tax treatment of a company (details supplied), he has identified any other corporations which are based here for tax purposes that may have a similar tax liability; if so, the number of corporations that have been identified and the amount of the liability involved; and if he will make a statement on the matter. [27620/16]

Minister for Finance (Deputy Michael Noonan): On 30 August 2016, the European Commission issued a negative decision in the Apple State Aid case.

The Government profoundly disagrees with the Commission’s analysis in the Apple case and will now challenge the decision before the European Courts. Dáil Éireann has also passed a motion supporting the Government’s decision to appeal the European Commission’s decision.

Ireland has a period of two months and 10 days to bring an appeal. The appeal process may take several years. Apple also has indicated that it will exercise its right of appeal. An appeal to the European Courts takes the form of an application to the General Court of the European Union, asking it to annul the decision of the Commission.

Ireland’s position remains that the full amount of tax was paid in this case and no State aid was provided. Ireland did not give favourable tax treatment to Apple. Ireland does not do deals with taxpayers.

Notwithstanding the negative decision, no fine or penalty has been imposed on the State.

The European Commission has stated that “This decision does not call into question Ireland’s general tax system or its corporate tax rate”. No other companies are subject to this decision by the European Commission.

On foot of the Commission’s decision, Ireland is required to recover up to €13bn of alleged state aid from the company covering a ten year period. Notwithstanding the right of appeal, Ireland is legally obliged to recover the alleged state aid from Apple in the interim. Given that

this money may ultimately have to be returned to the company in the event of a successful appeal, the money can be held in escrow until the case has concluded.

Small and Medium Enterprises Supports

28. **Deputy Maurice Quinlivan** asked the Minister for Finance the way in which the Government plans to deliver €1 billion per year to assist local business and new start-ups to access finance; and if he will make a statement on the matter. [22825/16]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware, small and medium sized businesses play a central role in the sustainable recovery of the Irish economy. To facilitate this, Government policy is focused on ensuring that all viable SMEs have access to an appropriate supply of credit from a diverse range of bank and non-bank sources. Officials from my Department regularly meet industry bodies to discuss issues around access to finance and to help inform the development of policy on SME credit.

The Programme for a Partnership Government sets out the Government's commitment to the SME sector, which involves my Department working with other relevant Departments and Agencies. My Department is monitoring the availability of bank and non-bank credit on both a macro and sectoral basis to ensure SMEs can reach their full potential in terms of growth and employment generation.

Furthermore, the Action Plan for Jobs 2016 includes a dedicated chapter and an associated integrated set of actions to support financing for growth for SMEs. In addition, the State Bodies Group, chaired by the Department of Finance, provides a forum for the development and implementation of policy measures to enhance SMEs' access to a stable and appropriate supply of finance. The State Bodies Group is now considering finance for growth actions for the Action Plan for Jobs 2017.

Some of the main policies introduced to date on which progress can be built include:

- The Supporting SMEs Online Tool, which lists the available Government supports for small businesses.

- The Strategic Banking Corporation of Ireland ensures that SMEs are provided with sufficient finance for growth at a lower cost and on more flexible terms.

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

- The Microenterprise Loan Fund provides support in the form of loans for up to €25,000, available to start-up, newly established, or growing micro enterprises, with viable business propositions.

- The Irish Strategic Investment Fund has committed to a number of SME Fund investments in Ireland, including the SME Credit and Equity Funds.

- Enterprise Ireland's Seed and Venture Capital Scheme.

- The Credit Review Office helps SME or Farm borrowers who have had an application for credit of up to €3 million declined or reduced by the main banks.

Insurance Costs

29. **Deputy Clare Daly** asked the Minister for Finance the steps he is taking to address spiralling insurance costs and the allegations that price signalling by insurance companies is leading them to increase insurance costs to a point that those costs are threatening the capacity of many small businesses to continue in operation. [27543/16]

Minister for Finance (Deputy Michael Noonan): The Cost of Insurance Working Group, which I chair, is undertaking a review of the factors which are influencing the increased cost of motor insurance.

The Working Group brings together all the relevant Departments and Offices involved with the process. Its objective is to identify immediate and longer term measures which can address increasing costs, while bearing in mind the need to maintain a stable insurance sector.

The core areas to be examined by the Working Group in this first phase are:

- The motor insurance sector generally, at present and in recent years
- The effects of legal costs and litigation processes on insurance costs
- The current claims compensation arrangements and the cost of claims
- Insurance data and information
- The impact of accident rates
- The impact of unlawful activity on the insurance sector
- Other market issues.

Because the issue of the cost of insurance is complex and in order to get to the heart of these issues as soon as possible, I have established four subgroups to review them in detail. Chairs have been appointed to these sub-groups and work has commenced. The subgroups are meeting weekly and their outputs are feeding into the meetings of the Working Group.

Separate to the working of the Cost of Insurance Working Group, the Competition and Consumer Protection Commission (CCPC) has informed me that it has formally opened an investigation in August 2016 concerning suspected breaches of competition law in the motor insurance sector. The investigation relates to industry participants openly signalling upcoming increases in motor insurance premiums in the State.

The CCPC is the independent statutory body responsible for enforcement of competition and consumer protection legislation across the economy. Its investigation is separate from the issues being considered by the Cost of Insurance Working Group and does not interfere with the important work being undertaken there.

By the end of October the Working Group will provide the Minister for Finance with an update report which will set out the priority actions required. From November to December, the Working Group will then develop an action plan to enable the relevant Government Departments and Offices to commence the implementation of these priority actions. In this regard I will be consulting regularly with Government colleagues.

Departmental Meetings

30. **Deputy Richard Boyd Barrett** asked the Minister for Finance if he will provide details of meetings held between his Department officials and vulture funds during his terms as Minister for Finance; if he or his officials suggested to these funds that they might benefit from tax loopholes such as section 110 of the Taxes Consolidation Act or any other tax loopholes for the purposes of minimising their tax contributions; and if he will make a statement on the matter. [27595/16]

Minister for Finance (Deputy Michael Noonan): While the term vulture fund is not recognised in the Taxes Acts, a small number of structures that have been using section 110 TCA 1997 to avoid paying tax on Irish property transactions have been brought to my attention. To address these concerns, on 06 September, I published a proposed amendment which tackles any misuse of the current section 110 regime in relation to Irish property. Details may be found in my press release on my Department's website regarding Section 110s. The amendment as published is not finalised and may be subject to further refinements to clarify certain aspects of the provision.

In the context of the State's interests in NAMA, IBRC, the banks and other financial institutions, my officials would have met with representatives of companies that would have been involved in bidding for and purchasing loan books. However, at no stage would my officials have been in a position to suggest any mechanisms regarding the minimisation of tax.

The rationale for publishing said proposal was to ensure appropriate feedback is received on a technical and complex section of the Taxes Acts. As is standard practice when a technically complex piece of legislation is being examined, officials from the Department of Finance and the Revenue Commissioners have held meetings with a broad range of stakeholders including meeting with members of the Irish Debt Securities Association, the body that represents the securitisation industry and other members of the accounting, law and tax professions. My officials are currently in consultation to clarify certain aspects of the provision and to ensure the proposal successfully carries out the intention for which it was created. This is an ongoing process and I would like to reiterate that we welcome input from all stakeholders, including Deputies, on the matter.

Motor Insurance Regulation

31. **Deputy Pearse Doherty** asked the Minister for Finance the legislative and regulatory steps he will implement to tackle inordinate motor insurance prices. [27535/16]

Minister for Finance (Deputy Michael Noonan): 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 Minister for Finance is responsible for the development of the legal framework governing financial regulation. The EU framework 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.

While the provision and pricing of insurance policies is a commercial matter for insurance companies, this does not preclude the Government from introducing measures which may lead to a better claims environment and reduce costs. The Cost of Insurance Working Group, which I chair, is undertaking a review of the factors which are influencing the increased cost of motor insurance. This is a complex matter to address and it involves a number of Government Departments, State Bodies and private sector organisations.

The Working Group brings together all the relevant Departments and Offices involved with the process. Its objective is to identify immediate and longer term measures which can address increasing costs, while bearing in mind the need to maintain a stable insurance sector.

The core areas to be examined by the Working Group in this first phase are:

- The motor insurance sector generally, at present and in recent years
- The effects of legal costs and litigation processes on insurance costs
- The current claims compensation arrangements and the cost of claims
- Insurance data and information
- The impact of accident rates
- The impact of unlawful activity on the insurance sector
- Other market issues

Because the issue of the cost of insurance is complex and in order to get to the heart of these issues as soon as possible, I have established four subgroups to review them in detail. Chairs have been appointed to these sub-groups and work has commenced. The subgroups are meeting weekly and their outputs are feeding into the meetings of the Working Group.

By the end of October the Working Group will provide the Minister for Finance with an update report which will set out the priority actions required. From November to December the Working Group will then develop an action plan to enable the relevant Government Departments/Offices to commence the implementation of these priority actions. Any proposed measures will be contained in this action plan. In this regard, I will be consulting regularly with Government colleagues.

Question No. 32 answered with Question No. 10.

Ireland Strategic Investment Fund Investments

33. **Deputy Michael McGrath** asked the Minister for Finance if he is satisfied with the mandate of the Ireland Strategic Investment Fund; if he would like to see greater investments being made; his plans to introduce changes to the fund; and if he will make a statement on the matter. [27550/16]

Minister for Finance (Deputy Michael Noonan): The Ireland Strategic Investment Fund (ISIF) was established in December 2014. Given ISIF's new and unique mandate as a sovereign development fund, and because of the uncertainty regarding the investment opportunities in Ireland, it was agreed that a formal review of the ISIF investment strategy would take place after 18 months. This was to allow for a sufficient period of time having elapsed before considering the operations and impact of the Fund.

The investment strategy review will play an important role in examining the performance and impact of ISIF. The review includes an appraisal of the success of ISIF's mandate to date and will involve interactions with both my Department and the Department of Public Expenditure and Reform as part of the review process. The NTMA (ISIF) inform me that preparatory work in respect of the review has commenced and the review itself is due for completion by year end.

I am sure the Deputy shares my view that ISIF's 'double bottom line' mandate - to invest on a commercial basis in a manner designed to support economic activity and employment in Ireland represents a unique strategic opportunity for the Ireland. That mandate is designed to ensure that ISIF's investment generates a return, attracts investors and recycles funds. Whilst not wanting in any way to pre-empt the review that is currently underway, I am greatly encouraged by the quality and impact on the Irish economy of its investments. ISIF has built up momentum already, including through its future pipeline.

ISIF has already committed €2.4 billion and it acts as a catalyst for other investors to invest in Irish projects. Its ability to attract co-investment from the private sector means that €5.8 bn of total investment has been committed to date.

It is apparent from the investments already in the public domain that, as envisaged at inception, ISIF is utilising its unique investment characteristics scale, long-term perspective and flexibility - to target high economic value investment in Ireland in a way that other funds cannot. This, along with the fact that the proceeds of ISIF investment unlike State spending can be recycled again and again to support future economic activity in Ireland, illustrates the potential that the ISIF model offers, and which ISIF is currently delivering on.

Interest Rates

34. **Deputy Pearse Doherty** asked the Minister for Finance the status of his engagement with the State-backed banks and other banks to achieve a reduction in the standard variable rates for mortgages; and if he will make a statement on the matter. [27538/16]

Minister for Finance (Deputy Michael Noonan): The issue of standard variable mortgage rates is a significant one for this Government and it has made it clear that it is not acceptable for lenders to charge excessive rates on such mortgages. The Programme for a Partnership Government, therefore, has set out a range of measures which seek to provide for greater transparency and competition in the mortgage market. These actions include establishing a new code of conduct for switching mortgage provider, which will be administered by the Central Bank, and the development of a new, easy-to-use standardised and dedicated mortgage switching form.

In addition, the Government will request the Competition and Consumer Protection Commission to work with the Central Bank to set out the options for the Government in terms of market structure, legislation and regulation to lower the cost of secured mortgage lending and to improve the degree of competition and consumer protection. Also the recent transposition of the Mortgage Credit Directive, which is intended to develop a more pan European mortgage market consistent with a high level of consumer protection, into Irish law should help contribute to this process over the medium term. The primary objective of this approach by Government, therefore, is to develop an overall banking policy that encourages more entrants and a vibrant banking sector with real competition in order to provide more choice to mortgage holders but without giving rise to potential negative consequences that could impact on the supply of residential mortgage credit.

I had a series of formal meetings with the main mortgage lenders last year where I outlined the Government's opinion that the standard variable rate being charged, to both existing and new Irish mortgage customers, was too high. The banks have since reviewed their rates and subsequently reduced them which has been evidenced in the latest Central Bank statistical release on retail interest rates for July 2016. Nevertheless, this is a policy area that the Government will keep under active review in our ongoing engagement with mortgage lenders and in implementing the Programme for Government.

Property Tax Rate

35. **Deputy Richard Boyd Barrett** asked the Minister for Finance if he will change the requirement of local authorities to make a decision on the rate of local property tax by the end of September each year in advance of the local authorities receiving information regarding the other moneys that will be available to them from central government; and if he will make a statement on the matter. [27592/16]

Minister for Finance (Deputy Michael Noonan): Section 20 of the Finance (Local Property Tax) Act 2012 (as amended) allows a Local Authority to increase or decrease the basic rate of Local Property Tax (LPT) by up to 15% in respect of residential properties situated within their respective areas.

Regulations made in 2014 by the Minister for Housing, Planning, Community and Local Government specify certain procedures that must be followed in relation to when and how a Local Authority can change the basic rate of LPT and the period for which the new rate can apply. Such procedures involve engaging in a public consultation and passing a special resolution at a meeting of the elected council members.

A Local Authority that has passed a special resolution to vary the rate of LPT must notify Revenue of its decision by 30 September (preceding year) to allow appropriate time to arrange timely implementation of the changes. Any slippage in implementing the changes could result in incorrect notices issuing to property owners and/or incorrect phased payment mandates operating from the beginning of the due year.

To ensure all notifications and payment mandates are correctly calculated and issued on a timely basis, the latest date by which Revenue must complete the necessary adjustments is early October. This is the reason that the 30 September deadline in respect of the Local Authority notifications is so important for the efficient administration of LPT.

The scale of the task for Revenue in calculating varied rate changes for some Local Authorities while maintaining the basic rate for others within such a short period of time is very considerable. The task includes ensuring the calculations are correct for over 1.9 million properties, which includes issuing written notifications in respect of approximately 800,000 properties, ensuring correct deductions in respect of almost 360,000 Direct Debit mandates and 220,000 Deduction at Source salary or pension instructions and setting up correct mandates for almost 350,000 Single Debit Authority payments.

Given the scale of the LPT case base and the number of Local Authorities that exercise their right to vary the base rate each year (14 in 2015 and 11 in 2016), Revenue has confirmed that any further narrowing of the 30 September deadline would have adverse implications for the ongoing efficient administration of LPT.

At my request Dr Don Thornhill carried out a review of the operation of the Local Property Tax in 2015. Following the receipt of Dr Thornhill's report, a number of measures arising from the recommendations in the Report were implemented in the Finance (Local Property Tax) (Amendment) Act 2015, including the deferral of the revaluation process to 2019. My Department will be considering issues relating to the implementation of the remaining recommendations in Dr Thornhill's Report. The issue raised by the Deputy can be considered further in that context.

Departmental Expenditure

36. **Deputy Richard Boyd Barrett** asked the Minister for Finance the amount of money his Department expects to spend on appealing the European Commission's decision on a company (details supplied); and if he will make a statement on the matter. [27591/16]

Minister for Finance (Deputy Michael Noonan): This is a legal process that could take several more years to conclude. It is therefore not possible to provide a comprehensive estimate of expected further expenses at this time. As it is an important issue for the State, the case will continue to be appropriately resourced.

Climate Change Policy

37. **Deputy Thomas Pringle** asked the Minister for Finance the way he is responding to the commitment, taking into account the Paris Agreement which commits the states to making finance flows consistent with a pathway towards low emissions and climate resilient development; if he will consult with the Minister for Communications, Climate Action and Environment in the upcoming review of the investment strategy of the Irish Strategic Investment Fund in this context; and if he will make a statement on the matter. [27545/16]

Minister for Finance (Deputy Michael Noonan): My Department is participating, in accordance with its functions, in a whole-of-Government approach led by the Minister for Communications, Climate Action and Environment, to develop and articulate Ireland's policy position under the United Nations Framework Convention on Climate Change. This includes implementation of the Paris agreement. Article 2 of the Agreement includes a broad commitment to make finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development. Parties to the agreement will be expected to collectively develop a series of measures to meet this objective. The Paris Agreement itself, was signed by the EU and all its Member States, including Ireland, in April this year but has yet to come into force.

In relation to the ISIF investment strategy, the National Treasury Management Agency (Amendment) Act 2014, which established ISIF on a statutory basis, provides that ISIF shall review its investment strategy after 18 months of operation. The Act provides that, in reviewing its investment strategy, ISIF shall consult with the Minister for Finance and the Minister for Public Expenditure and Reform. The Act also provides that the Minister for Finance may consult with other Government Ministers, including the Minister for Communications, Climate Action and Energy, as appropriate.

The ISIF investment strategy states that ISIF's energy allocation will include a significant element of renewables investment. In that light, ISIF has been seeking investments that are consistent with broader Government policy and, in particular, with the theme of decarbonisation. ISIF has a close working relationship with the Department of Communications, Climate Action & Environment and is committed to investing in the energy sector in a manner that is consistent with the State's commitment to make the transition to a low carbon, climate resilient and sustainable economy.

Departmental Legal Cases

38. **Deputy Michael McGrath** asked the Minister for Finance the status of the State's preparations for the submission of an appeal to the European Courts against the European Commission's ruling concerning a company (details supplied) ; his plans for the escrow account which will hold the funds pending the outcome of the appeal; and if he will make a statement

on the matter. [27548/16]

Minister for Finance (Deputy Michael Noonan): The Government has authorised me to arrange for annulment proceedings to be brought before the General Court of the European Union in the Apple State case.

The Attorney General has been requested to prepare the legal grounds in support of those proceedings and to take all other steps incidental to the conduct of those proceedings.

Ireland has two months and 10 days to lodge its appeal.

Notwithstanding the right of appeal, Ireland is legally obliged to recover the alleged state aid from Apple in the interim. My officials are engaging with the Commission as part of this recovery process. As the amounts are subject to legal proceedings, the sums may be placed in a ring-fenced escrow account, pending the outcome of the European Court process.

State Aid

39. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he and his Department continue to examine the implications in respect of the European Commission's decision to impose responsibility on this jurisdiction for the collection of taxes on income earned in other jurisdictions by multinational corporations with interests here; if it is recognised that this decision is clearly intent on dissuading foreign direct investment here, is in breach of EU treaties and, together with Brexit, will have a devastating effect on employment here; and if he will make a statement on the matter. [27623/16]

Minister for Finance (Deputy Michael Noonan): On 30 August 2016, the European Commission issued a negative decision in the Apple State Aid case.

The Government profoundly disagrees with the Commission's analysis and will now challenge the decision before the European Courts. Ireland did not give favourable tax treatment to Apple. Ireland does not do deals with taxpayers.

No other companies are covered by the European Commission decision or the recovery order. The European Commission has explicitly stated that "this decision does not call into question Ireland's general tax system or its corporate tax rate".

However, the decision creates uncertainty for business and foreign direct investment in the European economy, both in its novel interpretation of longstanding rules and their unfair retro-active application.

The Government's appeal is therefore necessary to defend the integrity of our tax system; to provide tax certainty to business; and to challenge the encroachment of EU state aid rules into the sovereign Member State competence of taxation.

The Commission has stated that:

- The amount of unpaid taxes to be recovered by the Irish authorities would be reduced if other countries were to require Apple to pay more taxes on the profits recorded by Apple Sales International and Apple Operations Europe for this period.

- The amount of unpaid taxes to be recovered by the Irish authorities would also be reduced if the US authorities were to require Apple to pay larger amounts of money to their US parent company for this period to finance research and development efforts.

This illustrates the contradiction at the heart of the European Commission's decision. While requiring Ireland to recover the tax sums, the Commission is also acknowledging that the sums may in fact be taxable in other jurisdictions.

Mortgage Arrears Proposals

40. **Deputy Pearse Doherty** asked the Minister for Finance the progress on the programme for Government commitments on tackling mortgage arrears; and if he will make a statement on the matter. [27539/16]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware of the publication in July of the Action Plan for Housing and Homelessness by the Minister for Housing, Planning, Community and Local Government. This Action Plan sets out how the Government plans to meet the challenging commitments made in the Programme for a Partnership Government in respect of dealing with homelessness, including how it will address the high level of mortgages currently in arrears. Implementation of this plan is being overseen by the Cabinet Committee on Housing and Homelessness.

One action on mortgage arrears relates to a commitment to work with the Central Bank to amend the Code of Conduct on Mortgage Arrears. I have written to the Governor of the Central Bank in this regard to request that an assessment be undertaken of the range of available sustainable restructure solutions offered by banks and non-bank entities. I have asked that this assessment should consider in particular how the available options may impact on the distressed borrower's capacity to remain in their primary residence. Other actions to support the position of borrowers in arrears and to adjust the legal framework are being advanced separately by the Department of Social Protection and the Department of Justice and Equality.

The Deputy may have seen the latest Central Bank statistical bulletin on residential mortgage arrears, published on 13th September, which presents data to end-June 2016. This release shows the continuing improvement in the level of mortgage accounts with associated arrears, for example, 89 per cent of PDH mortgage accounts have no mortgage arrears. It is very welcome that the numbers in mortgage arrears have continued to decline across the various maturity categories and those in arrears for more than two years have declined for the fourth consecutive quarter. However, there are still large numbers with long-term arrears, despite the various borrower supports that have been put in place. Therefore, it is important that we now concentrate our efforts to ensure that those who remain in arrears engage with their lender to resolve their difficulties. I understand that this will be a major focus for the Mortgage Arrears Resolution Service, being established on foot of the Action Plan for Housing and Homelessness. I am hopeful that this new service will be instrumental in addressing and resolving those remaining cases in mortgage arrears.

Question No. 41 answered with Question No. 19.

Small and Medium Enterprises Supports

42. **Deputy Joan Burton** asked the Minister for Finance if his attention has been drawn to the study carried out for a pilot local public bank to be established along the lines of the Sparkassen in Germany; his proposals to enable the establishment of such a local public bank, in line with the commitment in the programme for Government to investigate the German Sparkassen model for the development of local public banks that operate within well defined regions; and if he will make a statement on the matter. [27544/16]

Minister for Finance (Deputy Michael Noonan): In 2015, the Sparkassenstiftung für Internationale Kooperation (Savings Banks Foundation for International Cooperation - SBFIC), with the support of the Public Banking Forum of Ireland, submitted a proposal to the Department of Finance regarding the development of a local public banking system in Ireland. At that time, the proposal was considered in detail by officials in my Department and there was engagement with Sparkassenstiftung für Internationale Kooperation, the Public Banking Forum of Ireland and Irish Rural Link on the issue.

Local or public Banks, such as Sparkassen in Germany, focus on the needs of SMEs in their catchment area rather than profit maximisation. This is very similar to the business model of the Strategic Banking Corporation of Ireland. It is encouraging to note that to the end of June 2016, €347 million has been lent through the SBCI to 8,619 SMEs across Ireland in a wide variety of sectors and all regions. Additionally, the Government has to date delivered a number of initiatives that already support increased access to finance for SMEs such as: the Supporting SMEs Online Tool, the Credit Guarantee Scheme, Microenterprise Loan Fund, Local Enterprise Offices and the Credit Review Office. Given the significant SME supports that have already been put in place by the Government to support SME financing it was not clear, when my Department considered the proposal, how local public banks could create a distinct product offering that would avoid replicating both regional and national supports that are already available.

The current Programme for Government contains a commitment to investigate the German Sparkassen model for the development of local public banks that operate within well-defined regions and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (DAHRRG) are the lead department in respect of this commitment. As the department with primary responsibility for this matter, they are now tasked with considering the issue further within the parameters of the Programme for Government.

Credit Union Lending

43. **Deputy Michael McGrath** asked the Minister for Finance if he will consider an amendment to the legislation governing credit unions that would specifically allow them lend to approved housing bodies and local authorities for social and affordable housing; and if he will make a statement on the matter. [27552/16]

Minister for Finance (Deputy Michael Noonan): The agreed Programme for a Partnership Government recognises the potential role that credit unions can play in housing finance and supports the efforts of the Registrar of Credit Unions at the Central Bank to gradually lift current lending restrictions as appropriate, including for housing. The Programme further provides that it will investigate with all stakeholders how credit unions can support the delivery of social housing.

The Department of the Environment, Community and Local Government is the Department primarily responsible for the formulation and implementation of policy and preparation of legislation in relation to housing

The Registrar of Credit Unions at the Central Bank is the independent regulator of credit unions. Officials from my Department and from the Department of the Environment have jointly met with the Central Bank to provide information of a technical nature regarding social housing funding arrangements and to consider the potential regulatory and legislative implications of credit union involvement in social housing funding. Regular updates on progress are received by my Department. from the Department of the Environment.

However, the lending framework for credit unions is provided for under section 35(2) of the Credit Union Act 1997 which stipulates that a credit union can only lend to its members. Section 17 of the 1997 Act stipulates that all members of a credit union must hold the common bond set out in the rules of the credit union. Section 6 of the 1997 Act sets out the objects of the credit union, one of those objects being the creation of sources of credit for the mutual benefit of its members at a fair and reasonable rate of interest.

On 29 June 2016, the Credit Union Advisory Committee (CUAC) presented me with a Review of Implementation of the Recommendations in the Commission on Credit Unions Report. This Review makes many recommendations, one of which is a full review of lending and concentration limits, including the basis of the calculation of those limits together with the associated liquidity limits. Detailed consideration and a policy paper will also be developed on the Common Bond. It is intended that an Implementation Group is established shortly to ensure implementation of all recommendations in CUAC's Review.

Insurance Coverage

44. **Deputy Michael McGrath** asked the Minister for Finance the status of the flood insurance models considered by his Department; the preferred option and timeframe for its implementation; and if he will make a statement on the matter. [27551/16]

Minister for Finance (Deputy Michael Noonan): The provision of insurance cover 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.

Government policy in relation to flooding is focused on the development of a sustainable, planned and risk-based approach to dealing with flooding problems, with a view to addressing the increased availability of flood insurance.

To achieve this aim the Office of Public Works (OPW) is carrying out assessments of 300 areas under the Catchment Flood Risk Assessment and Management (CFRAM) programme and each area is on target to have a Flood Risk Management Plan (FRMP) by the end of 2016. Decisions on future investment in relation to flood risk management will be informed by the FRMPs.

This strategy is complemented by a Memorandum of Understanding between the OPW and Insurance Ireland which provides for the exchange of data in relation to completed flood defence schemes.

An Inter-Departmental Flood Policy Co-ordination Group has been established to examine the issue of flooding, and to ensure a whole of Government approach in the area of Flood Policy. This Group is chaired by me with special responsibility for the OPW and Flood Relief. The OPW are the lead agency and have responsibility for co-ordinating and submitting the final report of the group to Government.

As an input to the Inter-Departmental Group's work the Department of Finance has carried out a review of flood insurance with a particular focus on the strategies that other jurisdictions have implemented to increase the availability of flood insurance cover. This work examined a number of policy options and has made certain recommendations. The report has been provided to OPW to feed into the final report of the Inter-Departmental Group. A further meeting of the Interdepartmental Group was held earlier this week to finalise the report which is expected to be brought to Government in the coming weeks.

Credit Unions

45. **Deputy Robert Troy** asked the Minister for Finance the level of engagement he and his officials have had with the Irish League of Credit Unions regarding proposals to utilise its existing reserves on deposit for investment in public infrastructure improvements. [27628/16]

72. **Deputy Robert Troy** asked the Minister for Finance the level of engagement he and his officials have had with the Irish League of Credit Unions regarding proposals to utilise their existing reserves on deposit for investment in public infrastructure improvements. [27799/16]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 45 and 72 together.

In the Programme for Partnership Government, we stated that we will investigate with all stakeholders how credit unions can support the delivery of social housing.

My Department has received a number of different proposals from the Irish League of Credit Unions (ILCU) and from the Credit Union Development Association (CUDA). Proposals from both representative bodies, in relation to the funding of social housing, are at various stages of development.

However, the Department of the Environment, Community and Local Government is primarily responsible for the formulation and implementation of policy and for the preparation of legislation in relation to housing. Also, the Registrar of Credit Unions at the Central Bank is responsible for the regulation and supervision of the credit union sector. Earlier this year the Central Bank amended regulations to allow for investments to be made by credit unions in projects of a public nature, to include but not limited to investments in social housing.

The ILCU has submitted a proposal setting out a means by which funding could be provided to Approved Housing Bodies by credit unions, for the development of social housing. CUDA has also submitted a proposal in respect of the funding of social housing. For credit union investment to work in providing additional investment it has to be off-balance sheet. Credit unions cannot simply hand over money to the State to build social housing. This would effectively be Government borrowing by another name and would end up on the State's balance sheet. The credit union bodies themselves will therefore have to put in place the necessary financial structure for investing in the delivery of social housing by the AHBs. Both representative bodies are working on these structures with the Department of Environment providing necessary technical advice and support.

Officials from my Department and officials from the Department of the Environment have met jointly with the Central Bank to provide information and to discuss issues arising from these proposals. The Department of the Environment provides updates on progress and has been in ongoing contact with the credit union representative bodies. I have been informed that the most recent meeting between Department of Environment officials and the ILCU was on 12 July. It was agreed that the representative bodies would progress their proposals, with both Departments indicating their availability should any assistance be required regarding technical advice or further information.

Ultimately, any funding mechanisms will have to be put in place in the first instance by the credit unions themselves, with the support of their members, and these must be sanctioned by the Central Bank.

Both myself and Minister Coveney are happy for our officials to continue to contribute to this process by providing necessary technical advice and support as required.

Stability and Growth Pact

46. **Deputy Imelda Munster** asked the Minister for Finance if Ireland will be in full compliance with the fiscal rules for 2016; and if he will make a statement on the matter. [27530/16]

Minister for Finance (Deputy Michael Noonan): The fiscal rules to which Ireland is subject, including as part of the Stability and Growth Pact (SGP), are designed to ensure stable public finances that underpin sustainable economic growth. The Government's medium term fiscal strategy is to 'balance the books', which is defined in structural terms as a deficit of 0.5 per cent of GDP. This is Ireland's medium term objective or MTO and it should be achieved in 2018.

The European Commission makes a recommendation to each Member State on the appropriate improvement required on an annual basis in the structural balance to reach its MTO. This analysis takes account of the debt-to-GDP ratio, the size and sign of the output gap and whether the economy is growing faster than potential GDP growth. Currently, Ireland is required to improve its structural balance by 0.6 per cent of GDP per annum. My Department's latest forecasts, as published in the Summer Economic Statement, indicate that Ireland will achieve a structural balance improvement of 0.5 percentage points this year. Whilst this preliminary ex ante estimate falls slightly short of the required adjustment, it is not considered a significant deviation under the SGP framework. Furthermore, on the basis of this outlook, Ireland remains on track to achieve its MTO in 2018.

The purpose of the expenditure benchmark is to keep expenditure growth in line with the trend growth rate of the economy after taking account of discretionary revenue measures. It is designed to ensure that the level of spending is sustainable and can continue to be supported by the economy. Thanks in part to Eurostat's decision to classify an AIB banking transaction in 2015 as general government expenditure, my Department's preliminary ex ante estimates suggest Ireland will be compliant with the benchmark in 2016.

Assessment of compliance with the preventive arm of the SGP is undertaken by the European Commission and is based on overall assessment, taking account of both pillars (the expenditure benchmark and the balanced budget rule). As part of the Budget 2017 process, there will be a detailed re-assessment of both pillars in respect of both 2016 and 2017. The final assessment of compliance with the rules in 2016 on an ex post basis will take place once data outturns are confirmed in the context of the European Commission's Spring 2017 forecast.

VAT Rate Application

47. **Deputy Brendan Ryan** asked the Minister for Finance his views on whether any decision to continue the reduced 9% VAT rate for the hospitality and tourism sector should be contingent on those industries complying with Government policy in respect of collective bargaining and wage-setting mechanisms, such as joint labour committees. [22551/16]

Minister for Finance (Deputy Michael Noonan): The 9% reduced VAT rate for tourism related services was introduced in July 2011 as part of the Government Jobs Initiative. The measure was designed to boost tourism and create additional jobs in that sector. The tourism sector is a key sector in the Irish Economy and the introduction of the 9% VAT rate was aimed at reducing costs during a very challenging time for the sector. The objective was to boost tourism and create additional jobs. While the VAT rate was due to revert to 13.5% in 2014, I retained the 9% rate on tourism activity in Budget 2014 because the initiative had proved to be a major success. Between the second quarter of 2011 and first quarter of 2016, on a seasonally adjusted

basis, the number of people working in the Accommodation & Food Services Sector nationally increased by 31,000, taking total employment from 114,900 to 145,900. This increase of 27% compares to an increase of 7.2% in overall employment over the same period indicating that the measure may have been successful in terms of job creation and has made a significant impact on the competitiveness of the tourism product.

The Government, in the Programme for Partnership Government, has committed to increasing revenue from overseas visitors, growing employment in the tourism sector and increasing the number of visits to Ireland, through the retention of the 9% VAT rate on tourism related services, among other measures, providing that prices remain competitive. With reports of rising prices within the tourism sector, particularly in Dublin, it is incumbent on the industry to ensure that this relief continues to be passed through fully to the consumer. My Department will continue to monitor developments in this regard.

With regard to employment within the sector, Ireland has a robust suite of employment rights legislation to protect all workers, including minimum wage legislation. These rights apply across all sectors. Other wage setting frameworks include joint labour committees, registered employment agreements and sectoral employment orders which are underpinned by recent legislation. Engagement in these frameworks is voluntary on the part of the stakeholders concerned.

Illicit Trade

48. **Deputy Mattie McGrath** asked the Minister for Finance the efforts he is making to counter cross-Border smuggling of illegal goods; the estimated financial cost of this illicit trade in 2015; and if he will make a statement on the matter. [19085/16]

Minister for Finance (Deputy Michael Noonan): I am advised by Revenue, who are responsible for combatting smuggling, that action against this criminal activity is, and will continue to be, a central element of their work.

I am advised that estimating the scale of any illegal activity and the tax loss to which it gives rise is necessarily difficult and that it is not possible, therefore, to attribute a value to the overall losses associated with smuggling.

Revenue has introduced wide ranging initiatives to tackle fuel fraud over the last number of years. Revenue and Her Majesty's Revenue and Customs undertook a joint initiative to find a more effective fiscal marker for use in marked fuels which was implemented in Ireland and the United Kingdom from the beginning of April 2015.

Revenue is also tackling the illicit trade in tobacco and cigarettes. Various operations undertaken by the Revenue have yielded significant success in seizures. Revenue has seized just under 40 million cigarettes in 2016 so far.

Revenue has recently conducted a review of the Alcohol Product Tax regulatory framework in relation to alcohol fraud. Revenue in conjunction with HMRC developed Operation Shard which resulted in six significant seizures in the United Kingdom and the closure of a French tax warehouse.

Revenue continues to meet its obligations under the National Drugs Strategy. Revenue has primary responsibility for the prevention, detection, interception and seizure of controlled drugs intended to be smuggled or illegally imported into /exported from the State.

Revenue maintains an excellent working relationship with An Garda Síochána, HM Revenue and Customs, National Crime Agency and U.K. Border Agency/Force with a view to countering the activity of those involved in importing drugs. Revenue's Customs service were involved in a number of joint operations with An Garda Síochána Drugs & Organised Crime Bureau which involve criminal activity with a cross border element.

Revenue along with An Garda Síochána and the Health Products Regulatory Authority (HPRA) who have primary responsibility for enforcing regulations in respect of medicines, run regular operations countering the activities against those involved in the importation of illicit products.

For my part, I have, over recent years, taken action through the Finance Acts to ensure that Revenue has all the powers necessary to combat these forms of criminal activity.

Tax Reliefs Costs

49. **Deputy Richard Boyd Barrett** asked the Minister for Finance if he has fully quantified the lost revenue to the Exchequer as a result of the exploitation by special purpose vehicles, SPVs, of the section 110 corporate tax loophole and other tax loopholes between 2007 and 2015; his plans to close all these loopholes; and if he will make a statement on the matter. [27594/16]

Minister for Finance (Deputy Michael Noonan): I have recently published a proposed amendment to section 110 TCA 1997 which I intend to introduce in the Finance Bill. I am informed by Revenue that it is not yet possible to accurately cost the measure. This proposal was published on 6 September 2016, in draft form, in order to obtain constructive feedback and views from interested bodies.

It should be noted that the tax returns and financial statements for 2015 are due to be filed from the end of next month, after which Revenue will have the opportunity to examine the activities for 2015 in full. Until a larger number of accounts covering a number of years are fully examined it will be difficult to estimate the likely impact of the proposed amendment. It is Revenue's intention to conduct a thorough investigation of companies availing of section 110 who have acquired Irish distressed debt.

The matters being reviewed concern complex transactions and the appropriate accounting treatment for such transactions. Where a company acquires a loan book there will be three possible sources of profits which are: the interest payments that are made by the borrowers; the capital repayments made by the borrowers that exceed the capital cost of the loan book to the lender; and any gain arising on the disposal of a loan or any property on which a loan is secured.

In addition, to accurately estimate the full impact of the measure would require ex ante knowledge of any behavioural changes on the part of taxpayers as a consequence of the amendment. Revenue would not therefore be in a position to anticipate the extent and impact of any such behavioural changes or corresponding impact on the tax yield. The proposed amendment is in draft form and not yet finalised which also leads to difficulties predicting any potential yield.

Question No. 50 answered with Question No. 19.

State Aid Investigations

51. **Deputy Joan Burton** asked the Minister for Finance the discussions he had with the

European Commission and Heads of Government with reference to the ruling concerning a company (details supplied). [27228/16]

Minister for Finance (Deputy Michael Noonan): On 30 August 2016, it was announced that the Commission had concluded their single investigation in Ireland and had issued a negative decision in the Apple State Aid case.

The investigation was a priority matter for the State. Over the course of the three year investigation, detailed and comprehensive responses were 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. This engagement included meetings both at political and official level, including a meeting between myself and Commissioner Vestager in July 2016.

The Government remains of the view that there was no breach of State Aid rules in this case and that the legislative provisions were correctly applied. By appealing the Decision the Government is taking the necessary course of action to vigorously defend the Irish position.

Member States have legal standing to intervene in all cases that go before the European courts and do so from time-to-time if it is considered that the case raises points of relevance for their country.

It is the view of the Government that our appeal is necessary to defend the integrity of our tax system; to provide tax certainty to business; and to challenge the encroachment of EU state aid rules into the sovereign Member State competence of taxation.

At the informal ECOFIN meeting in Bratislava earlier this month, I updated fellow Finance Ministers on the case from an Irish perspective.

If other Member States found that the issues we are raising are of relevance for their tax system, I would welcome their support for the Irish appeal.

Garda Station Closures

52. **Deputy Joan Burton** asked the Tánaiste and Minister for Justice and Equality if her attention has been drawn to the fact that the Garda intelligence headquarters, Harcourt Street, Dublin 2, was recently sold to a REIT that wishes to redevelop the complex; if suitable accommodation has been secured for the staff; the length of time it will take to relocate these offices; and if she will make a statement on the matter. [27851/16]

55. **Deputy Joan Burton** asked the Tánaiste and Minister for Justice and Equality the number of staff accommodated in the Garda intelligence headquarters, Harcourt Street, Dublin 2; her plans to accommodate its offices in future in view of the recent sale of the building to an REIT that wishes to redevelop the Garda intelligence headquarters; if new suitable accommodation has been secured for the staff; the length of time it will take to relocate these offices; and if she will make a statement on the matter. [27850/16]

Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 52 and 55 together.

The Deputy will be aware that the programme of replacement of Garda accommodation around the country is progressed by the Garda authorities working in close co-operation with the Office of Public Works, which has primary responsibility for the provision of Garda accom-

modation and I, as Minister, have no direct role in these matters.

I am advised by the Garda authorities that there are some 1,000 members of staff located in the Harcourt Square complex. I am further advised that matters relating to the leases of the complex are at present before the Courts and, in the circumstances, it would not be appropriate for me to comment further on the matter.

Asylum Support Services

53. **Deputy Donnchadh Ó Laoghaire** asked the Tánaiste and Minister for Justice and Equality her views on the current status of the McMahon report on direct provision; the number of recommendations that have been implemented; her plans to implement the remainder of the recommendations; the further actions she will take towards the ending of or reform of the direct provision system; and if she will make a statement on the matter. [27804/16]

Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald): I refer the Deputy to my response to Parliamentary Question No. 114 of 27 September 2016 which details the progress to date on the implementation of the recommendations of the McMahon report on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers.

The Programme for a Partnership Government contains a commitment to reform the Direct Provision system, with particular focus on families and children and to this end the recommendations of the Working Group are being implemented.

European Arrest Warrant

54. **Deputy Alan Farrell** asked the Tánaiste and Minister for Justice and Equality the number of European arrest warrant requests received from other European Union member states and made by Ireland on an annual basis since its introduction; and if she will make a statement on the matter. [27848/16]

Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald): The information sought by the Deputy is set out in a table.

Year	No. of warrants received by Ireland	No. of warrants issued by Ireland
2004	28	18
2005	67	29
2006	127	43
2007	173	35
2008	198	40
2009	326	33
2010	374	51
2011	384	71
2012	313	88
2013	224	70
2014	183	79

Section 6(6) of the European Arrest Warrant Act 2003 provides that the Central authority for the EAW shall prepare an annual report to the Oireachtas on the operation of the Act in the preceding year. In this regard, I expect that the annual report in respect of 2015 will be laid before the Oireachtas shortly.

Question No. 55 answered with Question No. 52.

Direct Provision Data

56. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Justice and Equality the location of each direct provision centre, in tabular form; the name of the companies managing the centres; the amount paid by the RIA to each company in 2016; the number of persons currently housed in the centres, whether or not the centres are State-owned; and if she will make a statement on the matter. [27895/16]

Minister of State at the Department of Justice and Equality(Deputy David Stanton): The information requested by the Deputy in relation to details of centre location, contractor and occupancy is set out in the table.

RIA Direct Provision Accommodation at end August 2016

COUNTY	CENTRE	ADDRESS	CURRENT		
OCCUPAN- CY	CONTRAC- TOR	STATE / PRIVATE OWNED			
Clare	Knocka- lisheen	Meelick	193	Campbell Catering Ltd t/a Aramark Ireland	State Owned
Cork	Ashbourne Hse	Glounthaune	63	Barlow Prop- erties	Private Owned
	Kinsale Road	Cork City	194	Campbell Catering Ltd t/a Aramark Ireland	State Owned
	Glenvera	Wellington Road	100	Bideau Ltd	Private Owned
	Millstreet	Millstreet	208	Millstreet Equestrian Services	Private Owned
	Clonakilty Lodge	Clonakilty, Co. Cork	71	D and A Ltd	Private Owned
Dublin	The Towers	The Ninth Lock, Clondalkin, D.22	202	Fazyard Ltd	Private Owned

COUNTY	CENTRE	ADDRESS	CURRENT		
	Georgian Court	77-79 Lower Gardiner St. Dublin 1	63	Old George Ltd	Private Owned
	Staircase	21 Aungier Street, Dublin 2	20	Mo Bhaile Ltd	Private Owned
	Hatch Hall	28 Lower Hatch Street, Dublin 2	128	East Coast Catering (Ireland)	Private Owned
	Balseskin	St. Margarets, Finglas, Dublin 11	198	East Coast Catering (Ireland)	Private Owned
	Watergate House	11-14 Usher's Quay, Dublin 8	47	Maison Builders Ltd	Private Owned
Galway	Eglinton	The Proms, Salthill	168	Maplestar Ltd	Private Owned
	Great Western House	Eyre Square	139	Shaun Hennelly	Private Owned
Kerry	Atlas House (Killarney)	Killarney	60	OFM Limited	State Owned
	Atlas House (Tralee)	Tralee	92	OFM Limited	State Owned
	Johnston Marina	Tralee	53	OFM Limited	State Owned
	Park Lodge	Killarney	40	OFM Limited	State Owned
Kildare	Eyrepowell	Newbridge	58	Peachport Ltd	Private Owned
Laois	Montague	Emo, Portlaoise	187	Fazyard Ltd	Private Owned
Limerick	Hanratty's	Glentworth Street, Limerick	94	Birch Rentals Ltd	Private Owned
	Westbourne	Dock Road	80	Westbourne Holiday Hostel Ltd	Private Owned
	Mount Trenchard	Foynes, Co. Limerick	63	Baycaster Ltd	Private Owned
Longford	Richmond Court	Richmond Street, Longford	65	Mint Horizon Ltd	Private Owned
Louth	Carroll Village	Dundalk	52	East Coast Catering (Ireland)	Private Owned
Mayo	The Old Convent	Ballyhaunis	144	Bridgestock	Private Owned

COUNTY	CENTRE	ADDRESS	CURRENT		
Meath	Mosney	Mosney	580	Mosney PLC	Private Owned
Monaghan	St. Patricks	Monaghan	147	Tattonward Ltd	Private Owned
Sligo	Globe House	Chapel Hill	162	Bridgestock	Private Owned
Tipp. South	Bridgewater House	Carrick-On-Suir	37	Millstreet Equestrian Services	Private Owned
Waterford	Atlantic House	Tramore, Co. Waterford	63	Atlantic Blue Ltd	Private Owned
	Ocean View	Tramore, Co. Waterford	62	Ocean View Accommodation Ltd	Private Owned
	Birchwood	Ballytruckle Road	87	Stompool Investments Ltd	Private Owned
	Viking House	Coffee House Lane	68	Millstreet Equestrian Services	Private Owned
Westmeath	Athlone	Athlone	215	Campbell Catering Ltd t/a Aramark Ireland	State Owned

Information on the amount paid by RIA to each company contracted to provide direct provision accommodation is only available up to and including 2013. This information can be found on the RIA website www.ria.gov.ie under the 'Contract Values 2000 - 2013 inclusive (January 2016)' section of the website. Also available on the website is the RIA policy on the release of Financial Information on contract values which sets out the reasons why this information is only available up to 2013 at this point in time.

Independent Review Mechanism

57. **Deputy John McGuinness** asked the Tánaiste and Minister for Justice and Equality if she will confirm a date for the commencement of the promised statutory inquiry relative to a person (details supplied); if contact has been made with the person to agree the terms of reference of the inquiry; the action taken since the announcement to establish the inquiry; and if she will make a statement on the matter. [27901/16]

Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald) (Deputy Frances Fitzgerald): The matter to which the Deputy refers was considered by the Independent Review Mechanism (IRM) set up by the Government to review complaints of Garda misconduct which had been made to the Taoiseach and myself. Counsel on the panel of the IRM recommended that an inquiry be set up to consider this complaint.

I accepted counsel's recommendation and decided to establish an inquiry under section 42 of the Garda Síochána Act 2005. Officials in my Department are continuing to consult with the

Office of the Attorney General with regard to matters concerning the establishment of this and a number of other section 42 inquiries. These matters include the setting of appropriate terms of reference for each inquiry and naming the person who will carry it out.

I hope to have the terms of reference settled with the Attorney General shortly. I should point out that section 42 (3A) of the Garda Síochána Act 2005, as amended, requires me to consult with the Policing Authority with regard to these terms of reference.

I will be in contact with the relevant person as soon as the terms of reference have been settled.

Departmental Agencies Board Appointments

58. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the date her Department requested the Bar Council to appoint nominees to the Legal Services Regulatory Authority; and the date they were given to have the names of the nominees submitted. [27953/16]

Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald): The formal letters seeking nominations for membership of the new Legal Services Regulatory Authority were issued by my Department to the Bar Council and to the nine other nominating bodies prescribed under the Legal Services Regulation Act 2015 on 14 January 2016. Under these letters nominations were sought on or before Thursday 28 January 2016. A reply was received at my Department from the Director of the Bar Council on 29th January 2016 which conveyed the names of the Council's primary and secondary nominees for membership of the new Legal Services Regulatory Authority.

Garda Síochána Ombudsman Commission Investigations

59. **Deputy Clare Daly** asked the Tánaiste and Minister for Justice and Equality the date on which she referred the matter of the conflict between the evidence given to the O'Higgins inquiry by two senior Garda and a person (details supplied) regarding a meeting that took place between them in Mullingar to GSOC; the expected timeframe of the investigation; and if the report will be published. [27955/16]

Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald) (Deputy Frances Fitzgerald): The Garda Commissioner wrote to me on 19 May 2016 asking that I use the legal powers available to me to request the Garda Síochána Ombudsman Commission (GSOC) to investigate matters alleged to have occurred in relation to a meeting in Mullingar involving certain Garda officers.

On 16 June 2016, having consulted with the Attorney General and having sought additional information from the Garda Commissioner, I requested GSOC in accordance with section 102 (5) of the Garda Síochána Act 2005, to investigate the matter.

It is, of course, a matter for GSOC, which is independent, to carry out that investigation and, accordingly, I am not in a position to indicate a time frame. I will examine GSOC's report when it is to hand and decide how best to proceed in relation to it.

Departmental Investigations

60. **Deputy Micheál Martin** asked the Tánaiste and Minister for Justice and Equality her views on the recent reports of allegations of sex abuse in Waterford being known well before arrests were made; if her Department will examine the complaints; if she will discuss the complaints with the Garda Commissioner; and if she will make a statement on the matter. [27956/16]

Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald): I can advise the Deputy that I have very recently received correspondence expressing concerns in relation to the case referred to by him and have, in the first instance, sought the views of the Garda Commissioner on the issues raised, following receipt of which I will be in a position to consider this matter further.

Naturalisation Eligibility

61. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the current position in relation to the determination of eligibility for naturalisation in the case of a person (details supplied); if all documentation has been received in her Department; and if she will make a statement on the matter. [27979/16]

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 processing of the application for a certificate of naturalisation from the person referred to by the Deputy is ongoing and will be submitted to me for decision as expeditiously as possible. No further information is required from the person at this time.

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

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

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

Residency Permits

62. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the most appropriate procedure to be followed to regularise residency in this country in the case of a person (details supplied); and if she will make a statement on the matter. [27980/16]

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 this person should be informed to make an application in writing to the Residence Division in INIS

in reference to their immigration status in the State.

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

Naturalisation Eligibility

63. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the current position in regard to determination of eligibility for naturalisation in the case of a person (details supplied); and if she will make a statement on the matter. [27981/16]

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 processing of the application for a certificate of naturalisation from the person referred to by the Deputy is ongoing and will be submitted to me for decision as expeditiously as possible.

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

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Deportation Orders Re-examination

64. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality if she will revoke the proposed deportation order in the name of persons (details supplied) having particular regard to the medical evidence available; and if she will make a statement on the matter. [27990/16]

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 persons concerned are a husband and wife who are the subjects of deportation orders made on 11th March, 2005.

Both persons were deported from the State some years ago; however, according to information received from their legal representatives, they returned to this State the year after they were

deported.

Representations were received from the persons concerned pursuant to the provisions of Section 3 (11) of the Immigration Act 1999 (as amended), to have the deportation orders revoked. The Deputy might wish to note that the decision to ensue from any such consideration will be to 'affirm' or to 'revoke' the existing deportation orders. In the meantime, the deportation orders remain valid and in place and, as such, the persons concerned are legally obliged to comply with any reporting requirements placed on them by the Garda National Immigration Bureau.

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.

Garda Investigations

65. **Deputy Jim O'Callaghan** asked the Tánaiste and Minister for Justice and Equality if she has received from An Garda Síochána a report written by a senior Garda official which outlines significant developments relating to the treatment of a person (details supplied); her views on whether the contents of the report might affect public confidence in the force; and if she will publish the report. [28012/16]

Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald): I assume that the Deputy is referring to media reports claiming that a senior Garda Official had written a report for my attention on matters relating to a Garda whistleblower.

In the first instance, I must point out that the preparation of reports under section 41 of the Garda Síochána Act 2005 is a matter for the Garda Commissioner and, accordingly, the question of my receiving such a report from anyone other than the Garda Commissioner or Acting Garda Commissioner does not arise.

However, it is the case that towards the end of August the then Acting Garda Commissioner, under section 41 of the Act, sent to the Department a copy of a note prepared by the Garda Síochána Executive Director Human Resources and People Development.

Taking into account legal issues, the right of confidentiality which must be afforded to persons named within, and, as there is ongoing correspondence between the Department and the Garda authorities about this matter (including receipt in a recent days of a related further report) it is not possible to put any further information into the public domain at present.

Legal Aid Applications

66. **Deputy Peter Burke** asked the Tánaiste and Minister for Justice and Equality if she will expedite an application for free legal aid for a person (details supplied); and if she will make a statement on the matter. [28019/16]

Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald): The Deputy will be aware that the Legal Aid Board provides civil legal aid and advice pursuant to the Civil Legal Aid Act 1995 and Regulations made thereunder. The Act provides that the Board is

independent of the Minister in the performance of its functions.

The Deputy will appreciate as a result that I am not in a position to make a decision on whether civil legal aid is granted in relation to any particular case. The Deputy will also appreciate that for client confidentiality and data protection reasons the Board is unable to disclose information in relation to any individual client.

I am conscious that there are significant demands on the Board and that this gives rise to waiting times for certain services at most of the Board's law centres. However, waiting times have been markedly reduced over the past couple of years due to measures introduced by the Board and the Deputy will be glad to know that the Board's budget was increased by €1.6m in 2016 in addition to €750,000 ring-fenced to assist persons at risk of losing their home on account of mortgage arrears.

I know that the Board is extremely conscious of the fact that delays in service can lead to further difficulties not just for the client but also for children, the wider family and even the community as well as the courts system. In this regard, the Board continues to provide a priority service in respect of a number of areas such as domestic violence, child abduction and child care issues.

Ministerial Meetings

67. **Deputy Micheál Martin** asked the Minister for Finance if he has written to or spoken to President Juncker since the ruling on a company (details supplied) on 30 August 2016; and if he will make a statement on the matter. [27951/16]

Minister for Finance (Deputy Michael Noonan): I have not had any formal meetings or correspondence with President Juncker on the Apple case since it was announced that the Commission had concluded their single investigation in Ireland and had issued a negative decision in the Apple State Aid case on 30 August 2016.

The investigation was a priority matter for the State. Over the course of the three year investigation, detailed and comprehensive responses were 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. This engagement included meetings both at political and official level, including a meeting between myself and Commissioner Vestager in July 2016.

The Government remains of the view that there was no breach of State Aid rules in this case and that the legislative provisions were correctly applied. By appealing the Decision the Government is taking the necessary course of action to vigorously defend the Irish position.

House Prices

68. **Deputy Eamon Ryan** asked the Minister for Finance his views on whether the support for first-time buyers being mooted will have an inflationary effect on house pricing consequently defeating the purpose of the proposal in the first place. [27879/16]

Minister for Finance (Deputy Michael Noonan): A key priority for this Government is to develop a fully functioning housing market that responds adequately to the needs of our citizens. To this end the Deputy will be aware that the Government launched 'Rebuilding Ireland - The Action Plan for Housing and Homelessness' last July. Implementation of the plan is being

led by the Minister Coveney at the Department for Housing, Planning, Community and Local Government, with cross Departmental support including from my Department.

This comprehensive Action Plan takes a holistic approach in addressing the many interacting structural constraints affecting the housing market in areas such as planning and land use, as well as regulation and skills deficits in the construction sector. While the primary focus of the Action Plan is to tackle structural constraints, fiscal supports can play a supporting and time-bound role in addressing the current problems in the housing sector.

It is in this context that the proposed help-to-buy scheme should be considered. Its role would be to complement the other measures in the Action Plan. The extent to which the scheme could lead to an increase in residential property prices will very much depend on the speed and efficiency with which structural supply constraints are eliminated and residential building activity increases. Therefore, the impact of the help-to-buy scheme on property prices cannot be considered in isolation from the impact of other measures contained in the Action Plan, which are primarily designed to increase supply.

Stability and Growth Pact

69. **Deputy David Cullinane** asked the Minister for Finance if he agrees that the fiscal rules are too rigid, inflexible and a that one size fits all solution is clearly not working. [19808/16]

Minister for Finance (Deputy Michael Noonan): The fiscal rules, which apply under the Stability and Growth Pact (SGP), are intended to promote budgetary discipline. These rules were also given domestic legal effect through the Fiscal Responsibility Act 2012 following the passage of a constitutional referendum in May 2012 in which the Irish people supported accession to the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union.

The rules are designed to ensure that increases in public expenditure are suitably financed and do not rely on cyclical or windfall revenues. The deteriorating international outlook illustrates the need for caution and prudent economic and fiscal policies. These rules do not per se limit spending. They do, however, require that any additional spending is financed through sustainable revenue raising measures. Through adhering to the requirements of the SGP Ireland's economic and fiscal situation has improved as illustrated by the abrogation of the Excessive Deficit Procedure earlier this year.

However an area with limitations under the rules is the harmonised methodology for calculating the economic cycle used in the implementation of the SGP. My Department has secured useful changes to this methodology over the years by consistently raising concerns and objections at European level. These changes have partially compensated for the reality that the harmonised methodology is not suitable for small open economies. My Department continues to advocate for improvements in the harmonised methodology and will continue to engage constructively on this and other relevant technical issues.

Finally I would point out that fiscal sustainability is a pre-requisite for economic growth.

Economic Growth Rate

70. **Deputy Richard Boyd Barrett** asked the Minister for Finance if he has read the Central Statistics Office, CSO, report containing figures of 26% growth in the economy. [22768/16]

Minister for Finance (Deputy Michael Noonan): The Central Statistics Office (CSO) published the National Income and Expenditure results for 2015 in July which show that the economy grew by 26.3 per cent.

This substantial upward revision is largely related to the activities of a small number of large multinational firms and reflects a number of exceptional factors which have limited impact on actual activity in the Irish economy.

The main channels through which these factors affect Irish GDP figures include:

- The effect of ‘contract manufacturing’ where Irish headquartered multinationals contract the production of goods to third party companies abroad but these products are recorded in Ireland’s trade balance;

- The relocation of intellectual property-related assets or patents to Ireland. Ceteris paribus, this will reduce the level of royalty imports and as result increase Irish GDP;

It is important to note that these factors do not reflect activity levels we are seeing on the ground. Although these revisions have significantly boosted investment and net export growth, they do not have a direct bearing on employment and wealth creation for Irish citizens.

It is important to stress that whilst these headline GDP figures have clearly been distorted and are exaggerated in an Irish context, more concrete indicators of the underlying levels of economic activity point to a continuation of a now firmly-rooted recovery. Specifically, indicators such as consumer spending, tax trends and labour market developments all confirm that Ireland’s economic fundamentals remain strong.

It is also important to stress that the figures published by the CSO are compiled in accordance with best international practice and statistical standards. They measure what they are supposed to measure. However, in a small, open and very globalised economy such as Ireland, it is clear that relevance of these figures as a metric by which underlying economic trends and changes in living standards can be assessed is considerably less than elsewhere.

With this in mind, the Central Statistics Office has put together a group of experts to provide guidance on how a more relevant indicator could be produced and published alongside these figures in the future. My Department is represented on this group. It is expected that this group will publish a report detailing their findings later this year.

Question No. 71 answered with Question No. 15.

Question No. 72 answered with Question No. 45.

Home Renovation Incentive Scheme Administration

73. **Deputy Michael McGrath** asked the Minister for Finance if, in relation to the current rules that apply to the home renovation incentive scheme, in a circumstance where a person has planning permission in place before 31 December 2016, commences the construction work after 1 January 2017 and has the work fully completed and paid for by 31 March 2017, the person can avail of the incentive scheme; and if he will make a statement on the matter. [27812/16]

Minister for Finance (Deputy Michael Noonan): As the Deputy will be aware, HRI provides a tax relief by way of an income tax credit on repair, renovation or improvements works on principal private residences or rental properties carried out by tax compliant contractors. HRI came into operation on 25 October 2013, with rental properties being brought within its

scope from 15 October 2014. The scheme will run until 31 December 2016.

In circumstances where an individual has been granted planning permission on or before 31 December 2016, commences the construction work after 1 January 2017 and has the work fully completed by 31 March 2017, the work is deemed to be carried out in 2016 and the individual can avail of the relief providing they meet the other qualifying conditions.

I am advised by Revenue that full details on the operation of the HRI scheme are available on their website at <http://www.revenue.ie/en/tax/it/reliefs/hri/index.html>.

Tax Code

74. **Deputy Michael McGrath** asked the Minister for Finance the position in relation to the public consultation exercise undertaken in 2015 by his Department on the tax treatment of expenses of travel and subsistence for employees and office holders; his plans to introduce any changes to legislation governing the area; and if he will make a statement on the matter. [27821/16]

Minister for Finance (Deputy Michael Noonan): My officials and their Revenue colleagues examined the responses received to this consultation exercise and one particular issue raised by a large proportion of the respondents was that of the non-resident non-executive director whose expenses were taxable. I was given to understand that this created considerable problems for the FDI community, out of proportion to the financial aspects of the matter. Therefore I was satisfied that, while being cognisant of the longstanding principles governing the taxation of expenses of travel, it was appropriate to make an exception in this case and I introduced the relevant change via Finance Act 2015. This Act also included a change to exempt certain expenses of State Examinations Commission examiner staff from taxation.

Following further review of the submissions other legislative changes were not identified as immediately necessary. However I note that a number of new submissions on the tax treatment of expenses have now been received and these are being examined by my officials in the context of the current Budget and Finance Bill process.

Tax Exemptions

75. **Deputy Paul Kehoe** asked the Minister for Finance if persons (details supplied) qualify for the retirement relief exemption when transferring their land to their son; and if he will make a statement on the matter. [27827/16]

Minister for Finance (Deputy Michael Noonan): Land which has been let prior to being disposed of can qualify for capital gains tax (CGT) retirement relief in certain situations. One of these situations is where land has been let by an individual at any time in the period of 25 years before the disposal and the disposal is to a child of the individual. In order to qualify for relief, the land must have been owned by the individual and have been used by him or her for the purposes of farming carried on by him or her for a period of not less than 10 years immediately before the letting of the land commenced.

Where the individual is aged between 55 and 65, full relief from CGT applies. Where the individual is aged 66 or over, relief is capped at €3m where the market value of the land disposed of exceeds that amount.

I am advised by the Revenue Commissioners that based on the details outlined by the Dep-

uty, and on the assumption that the father and mother are aged 55 or over, they would qualify for relief in respect of a transfer of their share of the land to their son.

Credit Union Regulation

76. **Deputy Michael McGrath** asked the Minister for Finance if the registrar has received proposals from credit unions for business model changes since the new regulation making powers came into effect; and the number of amendments the regulations been made to facilitate these. [27880/16]

Minister for Finance (Deputy Michael Noonan): The provision of regulation making powers to the Central Bank provides flexibility to allow the Central Bank in the future to review and update regulations as appropriate, on a timely basis following consultation. I have been informed by the Central Bank that they are keen to ensure that regulations remain appropriate for the credit union sector and in the future, where credit unions set out a clear path on how they wish to develop, consideration will be given to any amendments to regulations that may be appropriate. The Central Bank informs me that to date no amendments to the regulations have been made.

The Registry of Credit Unions at the Central Bank recognises the strategic challenges facing the sector, the need to revitalise business models and to find ways of doing business to better serve members while delivering on their expectations. The Registry is committed to engaging with credit unions on their business model development proposals and is currently engaging with both credit unions and their Representative Bodies in relation to business model development. As part of their engagement process, in November 2015 the Central Bank established Sector Stakeholder Dialogues to facilitate engagement with credit unions. This was done with a view to gaining a better understanding of how credit unions want to develop their business model and to identify any changes that may be required to the regulatory framework to facilitate prudent development. Since the establishment of the Sector Stakeholder Dialogues six meetings have taken place.

While no concrete business model development proposals have yet been received, the Central Bank further informed me that to date the main focus of discussions has been on the following areas:

- Longer term lending;
- Additional services framework; and
- Publication of sectoral data.

Credit Union Regulation

77. **Deputy Michael McGrath** asked the Minister for Finance if, in view of the fact that extensive powers were devolved to the registrar in the Credit Union Act 1997 (Regulatory Requirements) Regulations 2016, he will consider providing for an appeals mechanism; and if he will make a statement on the matter. [27881/16]

Minister for Finance (Deputy Michael Noonan): My role as Minister for Finance is to ensure that the legal framework for credit unions is appropriate for the effective operation and supervision of credit unions.

The Registrar of Credit Unions at the Central Bank is the independent regulator for credit unions. Within her independent regulatory discretion, the Registrar acts to support the prudential soundness of individual credit unions, to maintain sector stability and to protect the savings of credit union members.

Since 1 August 2013, under section 14 of the Credit Union and Co-operation with Overseas Regulators Act 2012, part VIIA of the Central Bank Act, 1942 has applied to credit unions. This provides credit unions with the right to appeal certain decisions of the Central Bank to the Irish Financial Services Appeals Tribunal (IFSAT). Appealable decisions include:

- certain decisions in the Credit Union Act, 1997 (1997 Act);
- refusal of approval under the Central Bank Reform Act 2010; and
- findings or orders of an inquiry under the Administrative Sanctions Procedure.

Under section 84A of the Credit Union Act, 1997 the Central Bank, before making regulations, is required to consult with:

- The Minister and the Credit Union Advisory Committee;
- Any other body that appears to the Bank to have expertise or knowledge of credit unions generally; and
- Any other body that the Bank considers appropriate to consult in the circumstances.

The Consultation Protocol for Credit Unions, published by the Central Bank in 2012, indicates that the Central Bank will consult on new regulations that will, in the view of the Central Bank, potentially have a significant impact on the business of credit unions.

Under section 32M of the Central Bank, 1942 the Central Bank is required at least every 4 years to make arrangements for a peer review of the Central Bank's performance of its regulatory functions. A review of the Central Bank performance of its regulatory functions in relation to credit unions was carried out in July 2015 by the International Credit Union Regulators' Network (ICURN).

Credit Union Regulation

78. **Deputy Michael McGrath** asked the Minister for Finance if, in view of the fact that credit unions compete with banks and the State has a declared interest in ensuring that Irish banks remain viable and profitable, he will consider the establishment of an oversight body to ensure that the regulations are being implemented in a proportionate, fair and equitable manner.

[27882/16]

Minister for Finance (Deputy Michael Noonan): My role as Minister for Finance is to ensure that the legal framework for credit unions is appropriate for the effective operation and supervision of credit unions.

The Registrar of Credit Unions at the Central Bank is the independent regulator for credit unions. Within her independent regulatory discretion, the Registrar acts to support the prudential soundness of individual credit unions, to maintain sector stability and to protect the savings of credit union members.

Credit unions in Ireland operate under credit union specific legislation in the Credit Union

Act 1997 and the Credit Union and Co-operation with Overseas Regulators Act 2012, with recommendations of the Commission on Credit Unions forming the basis for the 2012 Act and new regulations implemented.

There are currently a number of measures in place which provide input by relevant stakeholders into new regulations and to provide oversight of the regulatory functions of the Central Bank in relation to credit unions. Before making regulations, under section 84A of the Credit Union Act 1997, the Central Bank must consult with the Minister for Finance and the Credit Union Advisory Committee and any other body the Central Bank considers has credit union expertise or knowledge or that the Central Bank considers appropriate to consult. There is also a Consultation Protocol in place between the Central Bank and credit unions which ensures that the Central Bank consults on new regulations that will, in the Central Bank's view, have a significant impact on the business of credit unions. Also, under section 32M of the Central Bank Act 1942 the Central Bank is required, at least every 4 years, to make arrangement for a peer review of the performance of its regulatory functions in relation to credit unions. The International Credit Union Regulators' Network carried out such a review of the Central Bank in 2015.

In June 2016 CUAC produced a significant report, reviewing the Implementation of the Recommendations of the Commission on Credit Unions fulfilling one of the key credit union objectives as outlined in the Programme for Partnership Government. The Report provides an in-depth analysis of the sector from a financial perspective and includes various stakeholder views, thus ensuring a balanced report. It provides focused and effective recommendations under seven specific headings; tiered regulation, section 35, consultation and engagement with the Central Bank, governance, restructuring, business model development and additional matters. On establishment of an Implementation Group consisting of credit union stakeholders, each of those recommendations will be considered in depth prior to implementation in a cohesive manner.

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

Credit Union Services

79. **Deputy Michael McGrath** asked the Minister for Finance the number of credit unions that have expressed an interest in providing mortgages to members; and if the Central Bank has any knowledge of the type of demand there might be for mortgages from credit union members. [27883/16]

Minister for Finance (Deputy Michael Noonan): My role as Minister for Finance is to ensure that the legal framework for credit unions is appropriate for the effective operation and supervision of credit unions.

The Registrar of Credit Unions at the Central Bank is the independent regulator for credit unions. Within her independent regulatory discretion, the Registrar acts to support the prudential soundness of individual credit unions, to maintain sector stability and to protect the savings of credit union members.

I have been informed by the Central Bank that currently credit unions may provide mortgages to members subject to the maturity limits contained in the Credit Union Act 1997 (Regulatory Requirements) Regulations 2016 (2016 Regulations) which sets out the percentage of a

credit union's loan book that can be outstanding for periods exceeding both five years and ten years, as well as limits on the maximum outstanding liability to an individual member. Under the 2016 Regulations, issued at the beginning of January, credit unions continue to be allowed to lend up to 30% of their loan book over five years and up to 10% of their loan book over 10 years, subject to a maximum maturity of 25 years. In addition, credit unions can apply to the Central Bank for an extension to their longer term lending limits (up to 40% of their loan book over 5 years and up to 15% of their loan book over 10 years). Approval is subject to conditions set by the Central Bank. I have been informed that 12 credit unions have been approved for an extension to their longer term lending limit.

Credit unions are not required to seek specific approval from the Central Bank to provide mortgages, thus the Central Bank does not have specific data on the number of credit unions that have an interest in providing mortgages. However, there is some anecdotal evidence that credit unions may have an interest in providing such loans. Credit unions may express an interest in providing mortgages in the context of on-going engagements with the Central Bank. Additionally, discussions in the Sector Stakeholder Dialogue have indicated an interest in this area.

As the Central Bank does not engage directly with credit union members it therefore would not have knowledge as to what kind of demand there might be for mortgages from credit union members.

The Central Bank considers that credit unions must have appropriate systems, controls and expertise to undertake such lending and is of the view that scale is an important factor in determining whether a credit union can put these in place and offer mortgages as a viable business line. The Central Bank informs me that there are currently some sectoral initiatives in relation to the provision of mortgages being discussed with sector stakeholders.

Credit Union Data

80. **Deputy Michael McGrath** asked the Minister for Finance the amount of surplus funds credit unions have available to lend at the moment; the amount permissible under current term limits as mortgages with terms less than ten years; and if he will make a statement on the matter. [27884/16]

Minister for Finance (Deputy Michael Noonan): My role as Minister for Finance is to ensure that the legal framework for credit unions is appropriate for the effective operation and supervision of credit unions.

The Registrar of Credit Unions at the Central Bank is the independent regulator for credit unions. Within her independent regulatory discretion, the Registrar acts to support the prudential soundness of individual credit unions, to maintain sector stability and to protect the savings of credit union members.

I have been informed by the Central Bank that based on information provided by credit unions in the 30 June 2016 Prudential Returns to the Central Bank the sector has total assets of €15.6bn with €4.04bn in loans and €11.3bn in investments.

The Credit Union Act, 1997 (1997 Act) and the Credit Union Act 1997 (Regulatory Requirements) Regulations 2016 (2016 Regulations) (which set out services exempt from additional services requirements) set out the services that a credit union may provide to its members.

Currently credit unions may provide mortgages to members subject to the maturity limits contained in the 2016 Regulations which set out the percentage of a credit union's loan book

that can be outstanding for periods exceeding both five years and ten years, as well as limits on the maximum outstanding liability to an individual member. Under the 2016 Regulations, credit unions continue to be allowed to lend up to 30% of their loan book over five years and up to 10% of their loan book over 10 years, subject to a maximum maturity of 25 years. In addition, credit unions can apply to the Central Bank for an extension to their longer term lending limits (up to 40% of their loan book over 5 years and up to 15% of their loan book over 10 years). Approval of an extension to longer term lending limits is subject to conditions set by the Central Bank.

Credit Union Services

81. **Deputy Michael McGrath** asked the Minister for Finance if his attention has been drawn to the fact that some financial institutions have already started charging credit unions for holding their funds. [27885/16]

Minister for Finance (Deputy Michael Noonan): My role as Minister for Finance is to ensure that the legal framework for credit unions is appropriate for the effective operation and supervision of credit unions.

The Registrar of Credit Unions at the Central Bank is the independent regulator for credit unions. Within her independent regulatory discretion, the Registrar acts to support the prudential soundness of individual credit unions, to maintain sector stability and to protect the savings of credit union members.

While both this Government and the Central Bank are supportive of credit unions, the board of directors at a credit union has responsibility for the general control, direction and management of the affairs, funds and records of the credit union.

In addition, under section 43 of the Credit Union Act, 1997 credit unions are required to manage their investments to ensure that they do not involve undue risk to members' savings. The Central Bank also informs me that credit union investments must also fall within the classes of investments set out in the Credit Union Act 1997 (Regulatory Requirements) Regulations 2016 (the Regulations) and the maturity and concentration limits set out in the Regulations. Credit unions must continue to adhere to these requirements in the current low interest rate environment. While adhering to these measures, a credit union has discretion as to where it chooses to deposit or invest its own funds.

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

Credit Union Regulation

82. **Deputy Michael McGrath** asked the Minister for Finance if his attention has been drawn to the fact that progressive credit unions who have the necessary skills and infrastructure to issue mortgages and who have evidence of significant demand are restricted in the amount they can lend as mortgages under the new regulations to just 5% of their current member shares. [27886/16]

Minister for Finance (Deputy Michael Noonan): My role as Minister for Finance is to

ensure that the legal framework for credit unions is appropriate for the effective operation and supervision of credit unions.

The Registrar of Credit Unions at the Central Bank is the independent regulator for credit unions. Within her independent regulatory discretion, the Registrar acts to support the prudential soundness of individual credit unions, to maintain sector stability and to protect the savings of credit union members.

The Credit Union Act, 1997 (the 1997 Act) and the Credit Union Act 1997 (Regulatory Requirements) Regulations 2016 (which set out services exempt from additional services requirements) (2016 Regulations) set out the services that a credit union may provide to its members. Currently credit unions may provide mortgages to members subject to the maturity limits contained in the 2016 Regulations which sets out the percentage of a credit union's loan book that can be outstanding for periods exceeding both five years and ten years, as well as limits on the maximum outstanding liability to an individual member. Under the 2016 Regulations, issued at the beginning of January, credit unions continue to be allowed to lend up to 30% of their loan book over five years and up to 10% of their loan book over 10 years, subject to a maximum maturity of 25 years. In addition, credit unions can apply to the Central Bank for an extension to their longer term lending limits (up to 40% of their loan book over 5 years and up to 15% of their loan book over 10 years). Approval of this extension is subject to conditions set by the Central Bank. The 2016 Regulations do not provide for a specific limit of 5% of current member shares.

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

Ministerial Meetings

83. **Deputy Micheál Martin** asked the Minister for Finance the issues discussed at his meeting with Chancellor Hammond in London on 22 September 2016; if any actions will be taken; and if he will make a statement on the matter. [27939/16]

Minister for Finance (Deputy Michael Noonan): I met with the UK Chancellor of the Exchequer in London on 22 September 2016.

At this meeting, I set out the key issues for Ireland arising from the UK referendum on EU membership, while fully respecting the agreement at EU level that there will be no negotiations until the UK has triggered Article 50.

The key issues for Ireland have been articulated on numerous occasions by me and other members of the Government and relate to the close economic relationship with the UK and the interconnectedness of our trade, the potential economic and political impact on North-South relations, the Common Travel Area and the EU itself.

In terms of actions, substantial work has already been undertaken across Government to identify the key strategic, policy and operational risks arising. Following the referendum outcome, this work has been intensified and prioritised across all Government Departments and agencies. In any future negotiations, our primary objective remains to protect and advance this country's interests.

House Prices

84. **Deputy Micheál Martin** asked the Minister for Finance if he or his Department have received any reports outlining concerns regarding the impact assisting first-time buyers will have on the property market; if he has concerns regarding any changes to assistance being provided; if it is being examined by his Department before any announcement is made; and if he will make a statement on the matter. [27940/16]

Minister for Finance (Deputy Michael Noonan): A key priority for this Government is to develop a fully functioning housing market that responds adequately to the needs of our citizens. To this end the Deputy will be aware that the Government launched ‘Rebuilding Ireland - The Action Plan for Housing and Homelessness’ last July. Implementation of the plan is being led by the Minister Coveney at the Department for Housing, Planning, Community and Local Government, with cross Departmental support including from my Department.

This comprehensive Action Plan takes a holistic approach in addressing the many interacting structural constraints affecting the housing market in areas such as planning and land use, as well as regulation and skills deficits in the construction sector. While the primary focus of the Action Plan is to tackle structural constraints, fiscal supports can play a supporting and time-bound role in addressing the current problems in the housing sector.

It is in this context that the proposed help-to-buy scheme should be considered. Its role would be to complement the other measures in the Action Plan. The extent to which the scheme could lead to an increase in residential property prices will very much depend on the speed and efficiency with which structural supply constraints are eliminated and residential building activity increases. Therefore, the impact of the help-to-buy scheme on property prices cannot be considered in isolation from the impact of other measures contained in the Action Plan, which are primarily designed to increase supply.

Property Tax Exemptions

85. **Deputy Bernard J. Durkan** asked the Minister for Finance if a person (details supplied) qualifies for exemption from local property tax; and if he will make a statement on the matter. [27995/16]

Minister for Finance (Deputy Michael Noonan): The qualifying criteria in respect of the exemption from Local Property Tax (LPT) on foot of significant pyritic damage was modified by the Finance (Local Property Tax) (Amendment) Act 2015.

The modifications were introduced by me on foot of recommendations made by Dr. Don Thornhill following a review of LPT in 2015. The revised criteria includes properties where;

1. a certificate of damage has been completed by a competent person as set down in I.S. 398-1.2013 or,
2. the property has been accepted into the pyrite remediation scheme operated by the Pyrite Resolution Board or,
3. an insurance company has remediated the property or provided sufficient funds to carry out the remediation or,
4. the person who built the property has remediated it or provided sufficient funds to carry out the remediation.

The 2015 LPT Amendment Act does not provide any entitlement to an exemption from LPT on foot of pyritic damage where the property was remediated prior to the commencement of LPT.

The person in question claimed the pyrite exemption in 2013 but the supporting documentation that was subsequently provided to Revenue confirmed that the property was remediated in 2012. On that basis the person is not entitled to the relief and Revenue has no choice but to withdraw the exemption in accordance with the law.

However it is accepted that the person incorrectly claimed the pyrite exemption in good faith and Revenue has assured me that it will work with him to agree a mutually acceptable payment arrangement in respect of the arrears that have accumulated.

The Deputy should advise the person to make contact with the LPT team at telephone number 065- 6849292 as soon as possible so that the necessary arrangements can be finalised.

Mortgage Arrears Proposals

86. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which the lending institutions are expected to accommodate, by way of an extension of the mortgage repayment period, borrowers in arrears in respect of their family homes, having particular regard to that fact that all borrowers and taxpayers have had to contribute to the bailout of the lending institutions; and if he will make a statement on the matter. [27996/16]

Minister for Finance (Deputy Michael Noonan): I would remind the Deputy that the lending institutions in Ireland, including those in which the State has a significant shareholding, are independent commercial entities and that relationship frameworks are in place with the State owned banks which provide that the State will not intervene in the day-to-day operations of the banks or their management decisions. These frameworks are required to ensure that the banks are run on a commercial, cost effective and independent basis to ensure the value of the banks as an asset for the State.

The Code of Conduct on Mortgage Arrears (CCMA) sets out a process, called the Mortgage Arrears Resolution Process (MARP). Under the MARP, each lender must explore all of the options for alternative repayment arrangements offered by his company and must document its consideration of each option examined including the reason(s) why the option(s) offered to the borrower is/are appropriate and sustainable for his/her individual circumstances and why the option(s) considered and not offered to the borrower is/are not appropriate and not sustainable for the borrower's individual circumstances. This requirement ensures that if 'extending the term of the mortgage' is one of the alternative repayment arrangements offered by the lender then he must consider whether this option is appropriate and sustainable for the borrower and if he concludes that it is not then he must inform the borrower of the reasons for this conclusion.

The CCMA applies to the mortgage lending activities and credit servicing activities in respect of mortgage loans of all regulated entities, except credit unions, operating in the State. It provides a strong consumer protection framework to protect borrowers struggling with mortgage repayments, ensuring that they are treated in a fair and transparent manner by their lender. The CCMA recognises that it is in the interests of borrowers and regulated entities to address financial difficulties as speedily, effectively and sympathetically as circumstances allow.

The Deputy will be aware that the Action Plan For Housing and Homelessness sets out how the Government plans to meet the challenging commitments made in the Programme for a Partnership Government in respect of dealing with homelessness, including how it will address the

high level of mortgages currently in arrears for more than two years. Implementation of this plan is being overseen by the Cabinet Committee on Housing and Homelessness. One action on mortgage arrears relates to a commitment to work with the Central Bank to amend the Code of Conduct on Mortgage Arrears to include an obligation on providers of mortgage credit to provide a range of sustainable arrears solutions. I have written to the Governor of the Central Bank in this regard to request that an assessment be undertaken of the range of available sustainable restructure solutions offered by banks and non-bank entities. I have asked that this assessment should consider in particular how the available options may impact on the distressed borrower's capacity to remain in their primary residence. Other actions to support the position of borrowers in arrears and to adjust the legal framework are being advanced separately by the Department of Social Protection and the Department of Justice and Equality.

State Aid Investigations

87. **Deputy Bernard J. Durkan** asked the Minister for Finance if the decision by the European Commission in respect of the requirement that income earned by foreign direct investors in other EU and non-EU states is liable for tax here, if applied broadly, will require an amendment to EU treaties; and if he will make a statement on the matter. [27997/16]

88. **Deputy Bernard J. Durkan** asked the Minister for Finance the number and location of countries other than Ireland in respect of which profits made by a company (details supplied) which are likely to be deemed taxable here in the event of the EU courts ruling in favour of the European Commission; and if he will make a statement on the matter. [27998/16]

89. **Deputy Bernard J. Durkan** asked the Minister for Finance the basis on which members of the competition and taxation committee of the European Parliament and members of the European Commission can claim to speak authoritatively regarding the outcome of any EU court decision on the European Commission's decision relating to the profits by a company (details supplied) earned in other jurisdictions being eligible for taxation here; and if he will make a statement on the matter. [27999/16]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 87 to 89, inclusive, together.

On 30 August 2016, the European Commission issued a negative decision in the Apple State Aid case.

The Government profoundly disagrees with the Commission's analysis in the Apple case and will now challenge the decision before the European Courts. Dáil Éireann has also passed a motion supporting the Government's decision to appeal the European Commission's decision.

Ireland has a period of two months and 10 days to bring an appeal. The appeal process may take several years. An appeal to the European Courts takes the form of an application to the General Court of the European Union, asking it to annul the decision of the Commission.

Ireland's position remains that the full amount of tax was paid in this case and no State aid was provided. Ireland did not give favourable tax treatment to Apple. Ireland does not do deals with taxpayers.

Notwithstanding the negative decision, no fine or penalty has been imposed on the State.

The European Commission has stated that "This decision does not call into question Ireland's general tax system or its corporate tax rate". No other companies are subject to this deci-

sion by the European Commission.

On foot of the Commission's decision, Ireland is required to recover up to €13bn of alleged state aid from the company covering a ten year period. Notwithstanding the right of appeal, Ireland is legally obliged to recover the alleged state aid from Apple in the interim. Given that this money may ultimately have to be returned to the company in the event of a successful appeal, the money can be held in escrow until the case has concluded.

The Commission has stated that:

- The amount of unpaid taxes to be recovered by the Irish authorities would be reduced if other countries were to require Apple to pay more taxes on the profits recorded by Apple Sales International and Apple Operations Europe for this period.

- The amount of unpaid taxes to be recovered by the Irish authorities would also be reduced if the US authorities were to require Apple to pay larger amounts of money to their US parent company for this period to finance research and development efforts.

This illustrates the contradiction at the heart of the European Commission's decision. While requiring Ireland to recover the tax sums, the Commission is also acknowledging that the sums may in fact be taxable in other jurisdictions.

Budget 2017

90. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he expects to be in a position in the forthcoming budget to combine prudent fiscal management with the need to accommodate the issues which affect the general population in terms of the economic downturn; and if he will make a statement on the matter. [28000/16]

Minister for Finance (Deputy Michael Noonan): Significant progress have been made in returning the public finances to a sustainable footing. Last year, the underlying deficit was reduced to 1 per cent of GDP, thereby facilitating Ireland's successful exit from the excessive deficit procedure.

It is important that the public finances are maintained in a sustainable position. In this regard, our new fiscal anchor is to achieve a structural deficit of 0.5 per cent of GDP. Based on the revised trajectory and assumptions set out in the recent Summer Economic Statement, we are on track to achieve this medium term objective, of a balanced budget in structural terms, by 2018.

Once this goal is achieved, it will provide us with more flexibility to increase expenditure on priorities over the medium term. In the short term, the estimated indicative fiscal space for 2017 is around €1 billion, with the cumulative available fiscal space over the period 2017 to 2021 projected to be around €11.3 billion. This is the amount that remains after providing for pre-committed policies such as demographics etc., while still complying with the fiscal rules.

Expenditure increases in the order of €0.6 billion in current expenditure and €0.25 billion in capital expenditure are expected from the fiscal space available for Budget 2017. These increases will allow targeted improvements in the public services, with a particular focus on health, housing, education, disability and child development and care.

One third of the available fiscal space in Budget 2017 will be allocated to taxation measures. I have long said that the burden of income tax in Ireland is too high and that I would seek to

reduce it as soon as it is prudent to do so. I introduced measures to reduce this burden in both Budgets 2015 and 2016, with a particular focus on low and middle income earners.

In the Programme for Partnership Government there is a commitment to ask the Oireachtas to continue to phase out the USC as part of a wider medium-term income tax reform plan that keeps the tax base broad, reduces excessive tax rates for middle income earners, and limits the benefit for high earners. Reductions will be introduced on a fair basis with an emphasis on low and middle income earners.

Seperately, my colleague the Minister for Public Expenditure and Reform Pascal Donohoe is considering budgetary expenditure proposals which will be subject to a seperate announcement on Budget day.

Economic Competitiveness

91. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he remains satisfied that Ireland remains a competitive economy and is attractive to indigenous investors and foreign direct investors; and if he will make a statement on the matter. [28001/16]

Minister for Finance (Deputy Michael Noonan): Significant progress has been made in recent years in improving Ireland's competitiveness. The latest figures from the Central Bank of Ireland, show that Ireland's real harmonised competitiveness indicator (a widely used measure of competitiveness in Europe) has improved by over 20 per cent since 2008.

The gains in Irish competitiveness achieved since 2008 have been hard-won through productivity improvements and wage and price moderation. These gains, along with the stabilisation of the public finances, have helped ensure that Ireland remains an attractive location for investment. Indeed, rapid growth in both domestic and foreign direct investment in recent years is testament to investor confidence in the Irish economy.

As a small open economy it is essential that we remain a competitive, strategically important location for trade and investment as we work to expand our exports and continue to build the foundations for a solid and sustained recovery going forward. In this regard we must be cognisant that favourable exchange rate movements can reverse, as can be seen for example in the recent strengthening of the euro against sterling. Similarly gains from the fall in oil prices may unwind in the future. This highlights the importance of maintaining competitiveness-oriented policies to help weather emerging uncertainties.

Mortgage Interest Rates

92. **Deputy Bernard J. Durkan** asked the Minister for Finance his views on whether the banks here are justified in charging higher mortgage interest rates than throughout the rest of Europe, given that taxpayers here are instrumental in bailing out the lending institutions; and if he will make a statement on the matter. [28002/16]

Minister for Finance (Deputy Michael Noonan): A healthy and commercially sustainable banking system that is in a position to provide mortgage and other credit to customers while also being resilient to economic and financial market shocks is important for Ireland's economy.

In relation to the market for residential mortgage credit, it should also be borne in mind that this market has a number of diverse aspects and comprises, *inter alia*, fixed interest rate loans,

loan to value managed variable rate mortgages, trackers and restructured mortgages of various types. Therefore, the residential mortgage market cannot be assessed solely by looking at standard variable rate mortgages and any overall assessment of mortgage rates would need to consider the large number of different factors that influence interest rate pricing for different aspects of the overall mortgage market. Nevertheless, as the Deputy is aware, the issue of standard variable mortgage rates is a significant one for this Government and it has made it clear that it is not acceptable for lenders to charge excessive rates on residential mortgages.

On my request the Central Bank produced a report on this issue entitled, 'Influences on Standard Variable Mortgage Pricing in Ireland'. You will find this report available at the following link: <http://www.finance.gov.ie/sites/default/files/Influences%20on%20SVR%20Pricing%20in%20Ireland.pdf>. This research identified three main reasons for higher mortgage interest rates in Ireland. Firstly, the pricing of loans needs to reflect credit risks. In Ireland these risks are elevated due to high levels of non-performing loans and the lengthy and uncertain process around collateral recovery. Second, competition is weak. This is not unrelated to credit risks since high credit risk deters new players from entering the market. Third, bank profitability is still constrained by legacy issues. As indicated, profitability is essential to ensure banks build up adequate capital buffers to meet increasing regulatory requirements and to withstand future adverse shocks and thereby make a positive contribution to the overall economy.

As the Deputy will be aware, I had a series of formal meetings with the main mortgage lenders last year where I outlined the Government's opinion that the standard variable rate being charged, to both existing and new Irish mortgage customers, was too high. The banks have since reviewed their rates and subsequently reduced them which has been evidenced in the latest Central Bank statistical release on retail interest rates for July 2016. Nevertheless, this is a policy area that the Government will keep under active review in our ongoing engagement with mortgage lenders and in implementing the Programme for Government.

The Government is of the opinion that real competition among lenders is the best way to ensure that retail lending rates are driven down in a sustainable way for the market as a whole without giving rise to potentially unforeseen and undesirable consequences for new mortgage lending. In line with this general approach, the Programme for a Partnership Government indicates that the Government will take all necessary action to tackle high variable interest rates including through establishing a new code of conduct for switching mortgage provider to be administered by the Central Bank of Ireland and also requesting the Competition and Consumer Protection Commission to work with the Central Bank to set out options for Government in terms of market structure, legislation and regulation to lower the cost of secured mortgage lending and improve the degree of competition and consumer protection. Therefore, the primary policy approach of this Government in this area is to develop an overall banking policy that encourages more entrants and a vibrant banking sector with real competition in order to provide more choice to mortgage holders. In this context, the Deputy will be aware that the Central Bank has carried out research which showed the scope for borrowers to save money by switching mortgages and the Competition and Consumer Protection Commission has launched a mortgage switching tool for consumers which itself notes the findings of the Central Bank research of cases where borrowers could make savings.

Economic Growth

93. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he remains satisfied that all economic indicators remain stable and consistent with requirements; and if he will make a statement on the matter. [28004/16]

Minister for Finance (Deputy Michael Noonan): Recent indicators have generally been positive, indicating that the economic recovery is continuing in a sustainable manner.

GDP grew by 4.1 per cent in the second quarter of this year on an annual basis. This follows on from annual growth of 3.9 per cent in the first quarter.

Importantly, economic activity is now more balanced between domestic and external sources of growth. While the recovery in economic performance was initially led by the export sector, domestic demand is now making a strong contribution with personal consumption up 3.5 per cent in the first half of this year on an annual basis.

The economic recovery is most clearly evident in the labour market. Employment grew by 2.9 per cent (+56,200) over the year to Q2 2016, the fifteenth successive quarter of employment growth. The increase in employment remains broad based with gains recorded in 12 of the 14 sectors reported by the CSO.

Recent data published indicate that:

- The volume of retail sales increased by 5.2 per cent year-on-year in August 2016. Core sales (excluding motor trades) were up by 4.1 per cent over the same period.

- New cars licensed for the first time were up 20 per cent to end-August year-on-year.

- Expansion in the construction sector continued in August with the Purchasing Managers' Index for the sector recording its thirty-sixth successive month of expansion.

- The Consumer Sentiment Index recovered most of July's post-Brexit fall as it rose to 102.7 in August 2016, from 99.6 in July. The index remains well above its long run average.

- The seasonally-adjusted monthly unemployment rate for August was 8.3 per cent, down from 9.1 per cent in August 2015. As a result, the unemployment rate has fallen by almost 7 per cent since its peak of over 15 per cent in early-2012.

However, there are several sources of uncertainty including the UK's decision on EU membership to which the Irish economy is particularly exposed. In the short-term, the increased uncertainty and volatility in the financial markets could undermine confidence while the depreciation of sterling has led to a loss of competitiveness.

In addition, weaker than expected trading partner growth would negatively impact on Irish growth through reduced exports. Growth in Emerging Market Economies (EMEs) disappointed in 2015, and there are concerns regarding the growth transition in China. EMEs have been an important growth engine in recent years, and while Ireland's direct trade exposure remains relatively small, the Irish economy would be exposed to a more generalised slowdown in the world economy.

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

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

In summary, I am satisfied that the economic indicators remain stable although the full impact of the UK's decision is yet to be seen. In this regard it is critical that appropriate policies are implemented and that is what the Government intends to do.

Questions - Written Answers
Banking Sector Regulation

94. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he can ensure compliance with full Irish and European banking regulations by the purchasers of distressed or other loan books from the banking sector; and if he will make a statement on the matter. [28005/16]

Minister for Finance (Deputy Michael Noonan): As Minister for Finance, I am responsible for the development of the legal framework governing financial regulation which includes transposing into Irish law certain European Directives and Regulations.

This legal framework provides for Irish and EU consumer protections when a consumer takes out a loan from a regulated lender (“the original lender”). If that loan is subsequently sold onto a regulated entity, the relevant Irish and EU consumer protections continue to apply.

In the past, if the original lender sold a loan to another person who was not regulated by the Central Bank (“an unregulated firm”), the consumer could lose the protections they previously had under the various Central Bank Statutory Codes of Conduct. In July 2015, the Consumer Protection (Regulation of Credit Servicing) Act 2015 (“the 2015 Act”) was introduced to fill the consumer protection gap where loans are sold by the original lender to an unregulated firm.

Under the 2015 Act if the firm who bought the loans from the original lender is an unregulated firm, then the loans must be serviced by a ‘credit servicing firm’ (Credit Servicing Firms are typically firms that manage or administer credit agreements such as mortgages or other loans on behalf of unregulated entities). Credit Servicing Firms are required to obtain authorisation from the Central Bank in order to conduct credit servicing activities as defined in the 2015 Act. As a result, all firms who either currently operate in this area or intend to operate in this area (and meet the definition of a Credit Servicing Firm) require authorisation by the Central Bank.

Credit servicing firms must act in accordance with Irish financial services law that applies to ‘regulated financial service providers’. This ensures that consumers, whose loans are sold to another firm, maintain the same regulatory protections that they had prior to the sale, including under the various statutory Codes of Conduct issued by the Central Bank including;

- the Consumer Protection Code 2012 (‘the Code’);
- the Code of Conduct on Mortgage Arrears 2013 (‘the CCMA’);
- the Central Bank (Supervision and Enforcement) Act 2013 (Section 48) (Lending to Small and Small and Medium-Sized Enterprises) Regulations 2015;
- the Minimum Competency Code 2011 (‘the MCC’);
- Part V of the Central Bank Act 1997; and
- Fitness and Probity Regulations and Standards issued under Part 3 of the Central Bank Reform Act 2010.

I would note that if a firm is servicing a portfolio of loans on behalf of a regulated lender then they do not need to be separately authorised by the Central Bank as a credit servicing firm, as this arrangement is covered under existing rules covering outsourcing that apply to all regulated financial services firms.

In addition, where the purchasers of distressed or other loan books are a financial institution (either Irish or European) they are subject to Capital Requirements Directive IV (CRD IV)

which was transposed into Irish law by S.I. 158/2014 - European Union (Capital Requirements) Regulations 2014. It is the responsibility of the relevant competent authority to ensure that any entity is meeting its obligations under CRD IV, including those related to loans held on the entity's balance sheet.

Banking Operations

95. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which overdraft facilities continue to be restored to the business and farming sectors with particular reference to the need to ensure the availability of adequate resources to facilitate ongoing economic performance; and if he will make a statement on the matter. [28006/16]

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

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

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

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

House Prices

96. **Deputy Bernard J. Durkan** asked the Minister for Finance the degree to which he monitors house property prices, with particular reference to the need to ensure that such prices do not become a major governing economic influence as in the past; and if he will make a statement on the matter. [28007/16]

Minister for Finance (Deputy Michael Noonan): According to the Central Statistics Office's Residential Property Price Index, national property prices increased by 2.5 per cent between June and July and by 6.7 per cent on an annual basis. This overall trend has been driven by price developments outside of Dublin, where residential property prices have increased by 3.5 per cent over the month and by 11.3 per cent on an annual basis. In Dublin, residential property price inflation has been more subdued, increasing by 1.6 in July and by 3.8 per cent

on an annual basis. The growth in residential property prices in July follows several months of moderation in residential property price inflation, with house price inflation of just 0.7 per cent between January and June 2016, a pattern which is likely to have been influenced by the Central Bank's macro-prudential measures. The Deputy may wish to be aware that the IMF's latest Financial Sector Assessment Programme report published in July indicated that Irish property prices were around equilibrium levels.

I wish to assure the Deputy that my Department continues to monitor developments in the property market including house prices. The recently announced Rebuilding Ireland - Action Plan for Housing and Homelessness outlines the Government's commitment to restore the housing market to a sustainable equilibrium. The measures set out in the Action Plan should help to stimulate supply by streamlining the planning system, removing infrastructure blockages and supporting the delivery of affordable housing. These measures should help make new developments economically viable in areas where supply constraints (and price pressures) are particularly acute.

Property Tax

97. **Deputy Richard Boyd Barrett** asked the Minister for Finance the full cost in 2017 of abolishing the local property tax. [28024/16]

98. **Deputy Richard Boyd Barrett** asked the Minister for Finance the projected yield in 2017 of introducing a second home tax of €600 per property for those who own two properties on their second property and €1,000 per year on each property for those who own three or more properties, assuming the second property is paid at the €600 rate. [28025/16]

99. **Deputy Richard Boyd Barrett** asked the Minister for Finance the projected yield in 2017 of introducing a mansion tax on every home worth more than €1 million at the rate of €2,000 per property. [28026/16]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 97 to 99, inclusive, together.

In relation to Question No. 97, 28024/16, I am advised by Revenue that the Local Property Tax (LPT) is forecast to collect €440 million in 2017.

In relation to Question No. 98, 28025/16, I am further advised by Revenue that the estimated additional yield from introducing an additional charge of €600 per property on second properties for those who own two properties and €1,000 per property for those who own three or more properties would be in the region of €454 million per annum. This estimate assumes that LPT is paid at the current rate on each property in addition to the proposed charges.

Regarding Question No. 99, 28026/16, I am advised that introducing a charge on every property worth more than €1 million at the rate of €2,000 per property would yield in the region of €7.5 million per annum.

Universal Social Charge

100. **Deputy Richard Boyd Barrett** asked the Minister for Finance the cost in 2017 of abolishing the USC for all those earning less than €40,000 and reducing the USC by half for those earning less than €70,000. [28028/16]

103. **Deputy Richard Boyd Barrett** asked the Minister for Finance the projected yield in 2017 of establishing new PAYE bands (details supplied). [28034/16]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 100 and 103 together.

I am advised by the Revenue Commissioners that the estimated first and full year cost to the Exchequer of implementing the USC measures suggested by the Deputy is in the order of €2,035 million and €2,373 million respectively. In developing these estimates, it was assumed that no USC would be paid on the first €40,000 (effectively abolishing the 1% and 3% USC rates and bands), the next €30,000 up to €70,000 would be subject to a 2.75% USC rate (half the 5.5% USC rate) and the current rate of 8% would continue on income over €70,000 as well as the 3% surcharge on the portion of self-employed income over €100,000.

In relation to introducing a 50% income tax rate on income between €100,000 and €140,000, a 55% income tax rate on income between €140,000 and €180,000, a 60% rate on income between €180,000 and €250,000 and a 65% rate on all income over €250,000, I am advised by Revenue that the estimated first and full year yield to the Exchequer is in the order of €1,199 million and €1,580 million respectively.

These figures are estimates from the Revenue tax forecasting model using latest actual data for the year 2014, adjusted as necessary for income, self-employment and employment trends in the interim. They are estimated by reference to projected 2017 incomes. They are provisional and may be revised.

Fiscal Policy

101. **Deputy Richard Boyd Barrett** asked the Minister for Finance the amount of Fiscal Space available for 2017. [28032/16]

Minister for Finance (Deputy Michael Noonan): The Summer Economic Statement (SES), published by my Department in June of this year projected, in Table A2, that the net fiscal space available for 2017 would be around €1 billion.

The reference rates and convergence margins used for this estimate were set by the European Commission in their Spring forecast in May and will not change. However the final GDP deflator to be used is an average of the Commissions Spring and Autumn deflators. As the Autumn deflator will not be set until November, a forecast produced by my Department was used in the SES. The final deflator used is not expected to significantly change this estimate of fiscal space.

Tax Collection Forecasts

102. **Deputy Richard Boyd Barrett** asked the Minister for Finance the amount ahead of forecast the total tax revenue is projected to be for 2016 and 2017. [28033/16]

Minister for Finance (Deputy Michael Noonan): The position is that an Exchequer tax revenue forecast of €47.2 billion was projected in Budget 2016. However, as the Deputy will be aware, this forecast was revised up to €48.1 billion, which represents a €900 million increase, in the Summer Economic Statement (SES). At end-August 2016, Exchequer tax revenues were €449 million above the Budget day forecast.

My Department's latest 2017 Exchequer tax revenue forecast in the SES was for €49.7 billion, which assumed using fiscal space of c. €330 million for tax reductions. As the Deputy will appreciate, my Department is currently reviewing the tax revenue forecasts for all years in the context of Budget 2017. The forecasts for 2017 and outer years will take account of the most up-to-date macroeconomic data and other specific tax developments.

Question No. 103 answered with Question No. 100.

Tax Code

104. **Deputy Richard Boyd Barrett** asked the Minister for Finance the projected yield in 2017 of introducing a wealth tax of 2% on all assets, financial and property, excluding the family home and farm. [28035/16]

Minister for Finance (Deputy Michael Noonan): There is currently no statistical basis for Revenue to compile estimates in relation to a potential wealth tax. Although an individual's assets and liabilities are declared to the Revenue in a number of specific circumstances (for example, after a death), this information is not a complete measure of financial assets in the State, nor is it recorded in a manner that would allow analysis of the implications of an overarching wealth based tax.

As part of the research programme agreed between the Department of Finance and the ESRI covering macroeconomic and taxation issues, a research project involving detailed analysis of wealth distribution and taxation has been included. Officials from both institutions are currently analysing the components of the wealth held by Irish households, using data available from the CSO's Household Finance and Consumption Survey (HFCS) which was collected in 2013 and which the CSO made available to my department earlier this year. The research will enhance understanding of the distribution and composition of wealth in Ireland and will explore various wealth tax scenarios for the purposes of better-informed policy making. The research project is ongoing and it is intended that the results will be ready for presentation at the Department's annual Tax Policy Conference in November 2016.

Tax Reliefs Data

105. **Deputy Richard Boyd Barrett** asked the Minister for Finance the projected yield in 2017 of reducing the earnings cap for pension related tax relief from €115,000 to €70,000. [28036/16]

Minister for Finance (Deputy Michael Noonan): I am advised by Revenue that the pre-Budget 2017 Ready Reckoner is available on the Revenue Statistics webpage at <http://www.revenue.ie/en/about/statistics/index.html>. In relation to the Deputy's question, this Ready Reckoner shows a wide range of detailed information, including the estimated cost or yield from changing the ceiling on the annual earnings limit for determining maximum allowable contributions for pension purposes.

Pensions Data

106. **Deputy Richard Boyd Barrett** asked the Minister for Finance the projected yield

in 2017 of a reduction in the standard pension fund threshold from €2 million to €625,000. [28037/16]

Minister for Finance (Deputy Michael Noonan): The Standard Fund Threshold is the maximum allowable pension fund on retirement for tax purposes which was introduced in Budget and Finance Act 2006 to prevent over-funding of pensions through tax-relieved arrangements.

Information on the numbers and values of individual pension funds or on individual accrued benefits in pension schemes are not generally required to be supplied to the Revenue Commissioners. Therefore there is no readily available underlying data or methodology on which to base reliable estimates of any possible yield which might be realised from the reduction in the Standard Fund Threshold outlined.

Third Level Charges

107. **Deputy Róisín Shortall** asked the Minister for Education and Skills the cost in 2017 and in a full year for every €250 reduction in the third level student contribution charge. [28016/16]

Minister for Education and Skills (Deputy Richard Bruton): Based on the number of students that qualified for free fees funding in the academic year 2014/15 (and were therefore liable to pay the Student Contribution), and taking into account overall expected increases in student numbers, it is estimated that the cost to my Department of reducing the Student Contribution by €250 for the 2017/18 academic year would be €17m.

The above figures take into account the resulting reduction to my Department's Student Grant Scheme budget.

School Accommodation Provision

108. **Deputy John Brassil** asked the Minister for Education and Skills if he will provide the necessary funding to a school (details supplied); and if he will make a statement on the matter. [27806/16]

Minister for Education and Skills (Deputy Richard Bruton): I can confirm to the Deputy that my Department received an application in 2015 for significant capital funding for the replacement of classrooms, additional ancillary accommodation and refurbishment works from the school referred to.

The Deputy will be aware that my Department's funding priority is focused on the provision of essential classroom accommodation to cater for increased enrolments. In that regard, the school's application was examined and having regard to the school's current level of staffing and enrolment numbers the level of school accommodation was considered adequate to meet the school's teaching needs. In the circumstances, my Department advised the school in question that it was not in a position to approve funding at this time.

Student Grant Scheme Eligibility

109. **Deputy Michael Moynihan** asked the Minister for Education and Skills if he will advise on the dental nursing programme and SUSI grant classification; if his attention has been

drawn to the fact that qualification for SUSI grants for dental nursing vary depending on the university involved; the way in which he can ratify this; the steps being taken in order to streamline the process; and if he will make a statement on the matter. [27824/16]

Minister for Education and Skills (Deputy Richard Bruton): Approved undergraduate courses for the Student Grant Scheme 2016 are prescribed in the Student Support Regulations 2016 and in the Student Support Act 2011.

The Regulations prescribe that an approved undergraduate course is a full-time course leading to a major higher education and training award which takes a minimum of two years to complete in an approved institution.

Courses that are part-time or that are less than two years in duration, leading to a special purpose/minor award rather than a major award are not approved for the purposes of the Student Grant Scheme.

Universities and Institutes of Technology are autonomous institutions within the meaning of the Universities Act 1997 and the Institutes of Technology Acts 1992 to 2006. The management of their academic affairs, including the selection and delivery of courses are matters for individual institutions. Accordingly, I have no function in relation to such matters as programme provision and the level of courses provided in the various institutions.

Schools Health and Safety

110. **Deputy Thomas Byrne** asked the Minister for Education and Skills the number of new build schools with copper water pipes installed in which the water is not safe to drink. [27831/16]

111. **Deputy Thomas Byrne** asked the Minister for Education and Skills the number of schools in which testing has been carried out into test for contamination and leaching in which copper piping has been used for drinking water. [27832/16]

112. **Deputy Thomas Byrne** asked the Minister for Education and Skills the number of schools to which his Department is providing bottled water through office style dispensers in classrooms; the number of these which relate to copper piping; the number which relate to schools built in the past five years; the costs of replacing newly installed copper piping from the past five years; and the monthly cost of drinking water dispensers in schools. [27833/16]

Minister for Education and Skills (Deputy Richard Bruton): I propose to take Questions Nos. 110 to 112, inclusive, together.

Under my Department's Technical Guidance Documents it is a requirement to have the quality of drinking water tested for all new school building projects. In addition, existing schools may themselves, as a matter of routine, arrange for water testing to be carried out without recourse to my Department.

Since 2011 to date, issues have arisen with drinking water quality in 10 schools that required remediation works. The Department carried out testing and remediation works at 8 schools which are located in North Dublin. A building Contractor carried out testing and remediation works in the other 2 schools which are in County Meath.

My Department is currently funding the provision of bottled water at 2 of the North Dublin Schools and the 2 Meath Schools.

Various remedial works were carried out at each of the 8 North Dublin schools. The water has been declared safe to drink by the Local Authority at 6 of the schools. Works at the other 2 schools are now complete and resampling and final testing is awaited before the schools can avail of drinking water. The total cost of remediation works across the 8 schools where remediation has been completed amounted to €474,000 including VAT.

In the 2 Meath schools, testing was carried out on completion of a building project which revealed exceedances of copper. However, this was remediated and paid for by the contractor for the building project and re-testing now shows that the drinking water supply is negative for copper. While there is no imperative for my Department to carry out further works it has arranged for additional remediation works to be undertaken to fully address the concerns of the schools and bottled drinking water is being provided pending the completion of these works.

The 8 North Dublin schools were constructed over 5 years ago and the 2 Meath schools were constructed within the last 2 years.

The average monthly cost of providing bottled water for the 2 North Dublin schools amounted to €383 for the duration of the remedial works period. The cost of the water for the 2 Meath schools is not yet available as this provision only commenced in September but it is likely to be in the same region.

The issues uncovered in identifying the causes of these problems and specifying the necessary remedial works have been incorporated in revised School Building Technical Guidance Documents for Design Teams.

Student Grant Scheme Eligibility

113. **Deputy Ruth Coppinger** asked the Minister for Education and Skills if further education, FE, teacher training students are undertaking a qualification required to teach in FE colleges after 1 April 2013, Teaching Council regulation 5, generally have pre-existing level 8 and level 9 qualifications; if he will review the regulations for the student grant to allow these students to avail of financial supports; if he will backdate financial supports to 1 April 2013 to assist previous students who are struggling financially; and if he will make a statement on the matter. [27852/16]

Minister for Education and Skills (Deputy Richard Bruton): To satisfy the terms and conditions of the student grant scheme in relation to progression, a student must be moving from year to year within a course, having successfully completed the previous year or be transferring from one course to another, where the award for the subsequent course is of a higher level than the previous course.

The objective of this policy is to help as many students as possible to obtain one qualification at each level of study.

Given the level of demand on the student grant budget from first time students and students that are progressing with their studies to a higher level, it is not possible to make an exception in this case.

Written Answers Nos. 114-126

114. **Deputy Alan Farrell** asked the Minister for Education and Skills the total number of students in schools with DEIS status; the average class sizes and pupil-teacher ratio in schools

with DEIS status, with specific reference to the average figures for schools with DEIS status in Dublin; and if he will make a statement on the matter. [27860/16]

Minister for Education and Skills (Deputy Richard Bruton): I wish to advise the Deputy that in the current school year (2016/2017) the DEIS School Support Programme provides support to 826 schools serving a total of 171,031 pupils.

There are 641 schools at primary level serving 103,630 pupils (116 of which are Urban DEIS Band 1 primary schools in Dublin and 44 of which are Urban DEIS Band 2 primary schools in Dublin). There are 185 post primary schools serving 67,401 pupils (57 of which are in Dublin).

The staffing arrangements for schools are published annually by my Department. Arrangements for the 2016/17 school year are set out in Department Circular 0007/2016 which is available on the Department's website.

The primary staffing schedule currently operates on the basis of a general average of 1 classroom teacher for every 27 pupils. Lower thresholds apply to DEIS Band 1 schools, ranging from 20:1 in junior classes and 24:1 in senior classes.

My Department publishes annual statistics on class size data for each school. The most recent statistics are for the 2015/16 school year and are available on the Department's website.

Post Primary DEIS schools currently have a Pupil Teacher Ratio of 17.95:1. The PTR in non-DEIS Post-Primary schools is 18.7:1.

Further information on the additional supports available to DEIS schools under the School Support Programme is set out below.

As the Deputy may be aware, a review of the DEIS programme is currently underway and, as I have recently announced, a New Action Plan Educational Inclusion will be published before the end of this year.

Student Grant Scheme Appeals

115. **Deputy Bobby Aylward** asked the Minister for Education and Skills the reason for the delay in responding to a query (details supplied) which was sent to his office six weeks ago; if he will provide a response; and if he will make a statement on the matter. [27862/16]

Minister for Education and Skills (Deputy Richard Bruton): A response to the Deputy's query issued recently.

I understand that the student referred to by the Deputy, lodged an appeal with the Student Grants Appeals Board (SGAB) on 31st August 2016. The appeal will be heard within the 60 day timeframe set out in the Student Support Act, 2011. The decision of the SGAB will be communicated directly to the student in due course.

Special Educational Needs Service Provision

116. **Deputy Róisín Shortall** asked the Minister for Education and Skills when a special needs assistant, SNA, and appropriate learning supports will be made available to a child (details supplied) with special educational needs; and if he will make a statement on the matter. [27871/16]

Minister for Education and Skills (Deputy Richard Bruton): The National Council for Special Education (NCSE), which is an independent statutory agency, is responsible, through its network of Special Educational Needs Organisers (SENOs), for processing applications from schools for special educational needs supports, including SNA support.

The NCSE allocates SNA support to schools in accordance with the criteria set out in my Department's Circular 0030/2014, which is available on my Department's website at: www.education.ie, in order that students who have care needs can access SNA support as and when it is needed.

Responsibility for deciding on the quantum of educational supports and resources to be allocated to schools to support individual pupils rests with the NCSE.

I am advised that the child to which the Deputy refers has an allocation of Low Incidence Teaching hours support and access to SNA support in the school to which she is enrolled.

Where a school wishes to appeal the SNA or resource teaching support allocation which has been made to them, they may do so through the NCSE appeal process, details of which are set out at www.ncse.ie. The option to invoke the NCSE appeals process is open to the school in question.

The local SENO is available to discuss any concerns that the school or parents may have about the present or future educational needs of the child. All schools have the contact details of their local SENO. Contact details are also available on the NCSE website at: www.ncse.ie.

Special Educational Needs Service Provision

117. **Deputy John McGuinness** asked the Minister for Education and Skills the arrangements in place to cover periods in schools where a special needs assistant, SNA, may not be available due to illness; his views on whether the absence of the SNA is not a health and safety issue and one that affects the special needs pupil adversely and therefore one that needs to be addressed urgently; and if he will make a statement on the matter. [27900/16]

Minister for Education and Skills (Deputy Richard Bruton): Special Needs Assistants (SNA) may be employed by recognised schools or Education and Training Boards.

The provision of SNA support is made through an independent process managed by the National Council for Special Education.

The criteria by which SNA support is allocated to pupils is set out in my Department's Circular 0030/2014.

The purpose of the Special Needs Assistant Scheme is to provide schools with additional adult support staff who can assist children with special educational needs who also have additional and significant care needs.

Provision for substitute cover is made by my Department in all instances where an SNA is unable to perform his/her duties because of illness or injury.

Schools Building Projects Status

118. **Deputy Robert Troy** asked the Minister for Education and Skills the status for a new

building for a school (details supplied). [27908/16]

Minister for Education and Skills (Deputy Richard Bruton): I can confirm that a building project for the school referred to by the Deputy is included in my Department's six year construction programme.

This school project necessitates the acquisition of a suitable site and this process is currently in train. The architectural planning process for the new school building will commence as soon as the site is secured. My Department will be in further contact with the school in this regard at that point.

Schools Building Projects Status

119. **Deputy Robert Troy** asked the Minister for Education and Skills the status of additional accommodation for a college (details supplied). [27909/16]

Minister for Education and Skills (Deputy Richard Bruton): The Deputy will be aware that a building project for the school in question is included in my Department's six year construction programme. In this regard, my Department has undertaken a site visit to the school in the context of initiating the preparatory work associated with advancing the project.

Pending completion of the project, my Department has approved funding to the school for interim temporary accommodation. This decision has been conveyed to the school.

Appointments to State Boards

120. **Deputy Alan Kelly** asked the Minister for Education and Skills if all current members of the Higher Education Authority are ordinarily resident within the State; and if not, if they shall be disqualified from holding and shall cease to hold office pursuant to section 9 of the Schedule to the Higher Education Authority Act 1971. [27933/16]

Minister for Education and Skills (Deputy Richard Bruton): All current members of the Board of the Higher Education Authority have been appointed in line with the terms of the Higher Education Authority Act, 1971. I selected the most recent appointees to the Board in July 2016, and all of those appointees had come through the State Board appointments process ran by the Public Appointments Service.

It should be noted that the legislation does not state that in order to be appointed to the Board a member must be ordinarily resident in the State.

Teaching Contracts

121. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills when an issue concerning newly qualified teachers in their new posts will be resolved (details supplied); and if he will make a statement on the matter. [27959/16]

Minister for Education and Skills (Deputy Richard Bruton): There are currently one hundred and two thousand salary and pension payments issued on a fortnightly basis by my Department to serving teachers and non teaching staff employed in primary, secondary and community/comprehensive schools and retired staff who previously served in these schools.

The serving teachers and non teaching staff paid on these payrolls are employed by the managerial authorities of approximately four thousand schools. All details for their payment are submitted by the managerial authorities and processed in my Department. The majority of new staff are appointed by the managerial authorities at the commencement of each school year. Due to the large volumes of appointments being submitted at the commencement of the school year some delays in processing may occur.

There are also legal obligations in relation to registration and vetting of newly qualified teachers as outlined in Circulars issued by my Department which must be complied with before salary can be paid.

I understand that there is an issue relating to access of registration details which can also result in delays of correct salary being paid to newly qualified teachers. Officials of my Department will liaise with the Teaching Council on the issue as soon as possible.

Student Grant Scheme Eligibility

122. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which a higher education grant will be made available to a person (details supplied); and if he will make a statement on the matter. [27983/16]

Minister for Education and Skills (Deputy Richard Bruton): As part of a comprehensive customer service and communications strategy provided by Student Universal Support Ireland (SUSI), to ensure that all necessary avenues are open to applicants to receive the information they need, a dedicated email and phone line service is provided by SUSI for Oireachtas members. This was established to meet an identified need for applicants who choose to engage the assistance of their public representatives in making enquiries about their grant applications.

This service complements the established channels provided by SUSI which include online application tracking, a dedicated website, a telephone helpdesk, email and social media, including Facebook and Twitter.

Enquiries may be emailed direct to SUSI at oireachtas@susi.ie. Staff in SUSI are responding to email queries within a matter of days.

If an individual applicant considers that she/he has been unjustly refused a student grant or that the rate of grant awarded is not the correct one, she/he may appeal, in the first instance, to SUSI.

Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the

scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board within the required timeframe.

Teacher Retirements

123. **Deputy Dara Calleary** asked the Minister for Education and Skills further to Parliamentary Question No. 243 of 18 May 2016, if there have been any cases where provision has been made for those retired from the community school sector to receive five years enhancement as per technical and specialist civil servants on pensions; and if he will make a statement

on the matter. [28008/16]

Minister for Education and Skills (Deputy Richard Bruton): My Department is not aware of any case where provision has been made for those retired from the Community School sector to receive 5 years enhancement as per technical and specialist civil servants on pension.

Public sector pension schemes by their nature have varying rules governing their administration. They are mainly statutory schemes, set up by or under Acts of the Oireachtas. Teachers in the Community School sector are members of The Secondary, Community and Comprehensive School Teachers Pension Scheme (S.I. No. 435 of 2009) while teachers in the Education and Training Boards are members of Education and Training Board Teachers Superannuation Scheme 2015 (S.I. No. 292 of 2015).

There is no provision for the award of added years under the rules of Secondary, Community and Comprehensive School Teachers Pension Scheme. However, there is provision for added years under the Education and Training Boards Teachers Scheme, where the minimum age limit specified for appointment and/or the minimum qualifications and experience specified for appointment to a professional, technical or specialist post in an Education and Training Board, would not allow a person to be appointed by age 25 and thereby acquire maximum reckonable service (40 years) by age 65. This was not seen as a requirement in the Voluntary and Community School Sector, where in general the issue did not arise. It should be noted added years are only awarded at retirement.

Therefore the pension provision a teacher may be entitled to upon retirement depends not on the course they have undertaken but rather the rules of the pension scheme of which they are a member. In this regard the pension entitlements of teachers in community schools differs from Educational Training Boards and indeed Civil Servants, because they have different pension schemes.

School Transport Applications

124. **Deputy Martin Heydon** asked the Minister for Education and Skills the position regarding school transport for a person (details supplied) in County Kildare; when it will be made available for them; and if he will make a statement on the matter. [28009/16]

Minister of State at the Department of Education and Skills (Deputy John Halligan): School transport is a significant operation managed by Bus Éireann on behalf of my Department.

During the 2015/16 school year in the region of 114,000 children, including some 10,000 children with special educational needs, were transported in approximately 4,000 vehicles on a daily basis to primary and

post-primary schools throughout the country covering over 100 million kilometres annually.

The child referred to by the Deputy is eligible for school transport under the terms of my Department's School Transport Scheme for Children with Special Educational Needs.

Bus Éireann, which operates the school transport scheme on behalf of my Department, has advised that a service for this child is scheduled to commence on Monday 3rd October.

School Transport Eligibility

125. **Deputy Martin Heydon** asked the Minister for Education and Skills the position regarding an application for bus tickets for persons (details supplied) in County Kildare; and if he will make a statement on the matter. [28014/16]

Minister of State at the Department of Education and Skills (Deputy John Halligan): Under the terms of my Department's Primary School Transport Scheme children are eligible for transport where they reside not less than 3.2 kilometres from and are attending their nearest national school as determined by my Department/Bus Éireann.

The children in question are not eligible for school transport as their home address is less than 3.2 kilometres from the school in question. Children who are not eligible for school transport may avail of school transport on a concessionary basis only, subject to a number of conditions which are detailed in the scheme.

Bus Éireann has advised that there are spare seats on an existing service and in this regard the family should liaise with their local Bus Éireann office (01 830 2222) if they wish to avail of school transport on a concessionary basis.

School Transport Eligibility

126. **Deputy Mattie McGrath** asked the Minister for Education and Skills the reason a person (details supplied) has been refused school transport to a school when their sibling has been granted school transport to the same school and there is a number of spaces available on the school bus; and if he will make a statement on the matter. [28020/16]

Minister of State at the Department of Education and Skills (Deputy John Halligan): School transport is a significant operation managed by Bus Éireann on behalf of the Department.

During the 2015/16 school year in the region of 114,000 children, including some 10,000 children with special educational needs, were transported in approximately 4,000 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres annually.

The first child referred to by the Deputy is eligible for school transport and is currently availing of a service.

In the case of the second child the family should liaise with the school authorities and the Special Education Needs Organiser if they have additional information that was not available when their original application for school transport was completed.

This child's eligibility for school transport will be re-assessed on the basis of any new information submitted.

Student Grant Scheme Eligibility

127. **Deputy Thomas Byrne** asked the Minister for Education and Skills if he will review the protocols in SUSI for students such as a person (details supplied) whereby SUSI will not accept change of circumstances once a student's first point of entry into this system is under 23 years of age; and if he will make a statement on the matter. [28021/16]

Minister for Education and Skills (Deputy Richard Bruton): For student grant purposes, students are categorised according to their circumstances either as students dependent on parents or a legal guardian, or as independent mature students.

For a dependent student, the reckonable income for grant purposes includes both his/her own income and that of his/her parents/legal guardians.

A student may be assessed as an independent mature student if he or she has attained the age of 23 on the 1st January of the year of first entry to an approved course, or of re-entry following a break in studies of at least three years, and is not ordinarily resident with his/her parents from the previous October. Otherwise he or she would continue to be assessed on the basis of parental income.

An applicant's class is defined at his/her first point of entry to an approved higher or further education course and will continue to apply for the duration of his/her studies.

While it is not possible to appeal an applicant's class during the course of their studies an applicant may be assessed or re-assessed by the awarding authority in the event of a change of circumstances relating to the following:

- Permanent change in reckonable income;
- Number of dependent children residing in the household;
- Commencement of an approved course;
- Normal residence;
- Nationality or immigration status;
- Change of course or institution.

If an individual applicant considers that she/he has been unjustly refused a student grant on the grounds of their initial classification as an independent or dependent student, she/he may appeal, in the first instance, to SUSI. Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board.

Teaching Contracts

128. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills to outline the position with regard to teachers who are job-sharing (details supplied); and if he will make a statement on the matter. [28022/16]

Minister for Education and Skills (Deputy Richard Bruton): The terms and conditions of the Job Sharing Scheme for Teachers are contained in my Department's Circular Letter 0075/2015. These terms and conditions have been agreed under the auspices of the Teachers Conciliation Council, a body established in accordance with the terms of the Conciliation and Arbitration Scheme for Teachers. The Council is composed of representatives of teachers, school management, the Department of Education and Skills, the Department of Public Expenditure and Reform and is chaired by an official of the Workplace Relations Commission.

Paragraph 2. of the Circular sets out the provisions as regards school policy in relation to job

sharing arrangements and states:

2.1 Each employer shall develop and maintain a policy statement specific to the needs of the school in relation to the approval of job sharing arrangements.

2.2 It is a matter for the employer to decide the time-sharing arrangement(s) which it is prepared to endorse e.g. week on /week off, split week. Post-Primary employers, for example, may require a job sharing teacher to be timetabled over 5 days per week. Subject to the exercise by the employer of its responsibility in this regard, timetable arrangements for job sharing teachers should be designed within the spirit of the scheme to facilitate the teacher, so far as is practicable.

2.3 In drawing up this policy, the welfare and educational needs of the pupils shall take precedence over all other considerations.

‘Employer’ means an Education and Training Board (ETB) for vocational schools/community colleges and a Board of Management/Manager in the case of primary, voluntary secondary, community and comprehensive schools.

School Transport Eligibility

129. **Deputy Brendan Howlin** asked the Minister for Education and Skills to outline the reason persons (details supplied) in County Wexford cannot be granted a concessionary bus ticket for school; if he will review this decision; and if he will make a statement on the matter. [28023/16]

Minister of State at the Department of Education and Skills (Deputy John Halligan): The purpose of my Department’s School Transport Scheme is, having regard to available resources, to support the transport to and from school of children who reside remote from their nearest school.

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

The persons referred to by the Deputy have progressed from second level education and therefore cannot avail of school transport under the terms of the above scheme.

Rental Accommodation Standards

130. **Deputy Dara Calleary** asked the Minister for Housing, Planning, Community and Local Government to outline the steps he is taking to combat the serious dangers from carbon monoxide for families who live in rented accommodation; his plans to ensure that all landlords carry out an annual service and safety check on all residential heating systems including gas boilers, oil boilers and solid fuel; his views on the compliance with this legal obligation; the steps his Department has taken to ensure that each local authority and each housing association funded by the Exchequer is fully compliant with this legal obligation; and if he will make a statement on the matter. [27814/16]

135. **Deputy Dara Calleary** asked the Minister for Housing, Planning, Community and Local Government if he is aware of the legal requirement upon landlords to ensure that an an-

nual service of home heating boilers is carried out; the number of local authority homes by each local authority in which boiler services have been carried out in each of the years 2011 to 2015; the engagement he and his Department have had on this matter with the Sustainable Energy Authority of Ireland and the Department of Communications, Climate Action and Environment; if local authorities have sought additional resources to meet these legal requirements as landlords; and if he will make a statement on the matter. [27816/16]

136. **Deputy Dara Calleary** asked the Minister for Housing, Planning, Community and Local Government if any enforcement proceedings have been taken against any landlords in the past five years for their failure to meet their legal requirement to ensure that an annual service is carried out on home heating boilers; the number of offences detected for each of the years 2011 to 2015 inclusive; the steps to be taken to increase compliance and improve the safety and comfort for tenants; if he has discussed this issue with the local authorities; and if he will make a statement on the matter. [27817/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): I propose to take Questions Nos. 130, 135 and 136 together.

I am committed to developing a real and meaningful strategy for the rental sector to enable it to develop to its full potential. Ensuring quality accommodation standards in the sector is an integral part of this process.

Minimum standards for rental accommodation are prescribed in the Housing (Standards for Rented Houses) Regulations 2008, as amended by the Housing (Standards for Rented Houses) (Amendment) Regulations 2009, made under section 18 of the Housing (Miscellaneous Provisions) Act 1992. The Regulations specify requirements in relation to a range of matters, such as structural repair, sanitary facilities, heating, ventilation, natural light and safety of gas and electrical supply. With very limited exemptions, these regulations apply to local authority and voluntary housing units as well as private rented residential accommodation. All landlords have a legal obligation to ensure that their rented properties comply with these regulations.

Article 7 of the regulations states that each habitable room must contain a permanently fixed appliance or appliances capable of providing effective heating and that there are suitable and adequate facilities for the safe and effective removal of fumes and other products of combustion to the external air.

Article 13 provides that installations for the supply of gas shall be maintained in good repair and safe working order. There is no requirement under the Housing (Standards for Rented Houses) Regulations 2008, as amended, for landlords to carry out an annual service of home heating boilers.

Responsibility for the enforcement of the regulations rests with the relevant local authority supported by a dedicated stream of funding provided from part of the proceeds of tenancy registration fees collected by the Residential Tenancies Board (RTB). Since the establishment of the RTB, over €32 million has been paid to local authorities to assist them in the performance of their functions under the Housing Acts, including the inspection of rented accommodation. Over 185,000 inspections have been carried out in this period.

Following the enactment of the Housing (Miscellaneous Provisions) Act 2009, local authorities have a strengthened legislative framework available to them which provides for the issuing of Improvement Notices and Prohibition Notices where landlords are in breach of their obligations. Fines for non-compliance with the regulations were also increased; the maximum fine increased from €3,000 to €5,000 and the fine for each day of a continuing offence increased from €250 to €400.

Statistics in relation to the number of inspections carried out by local authorities, the number of dwellings not meeting regulatory requirements, as well as the number of legal actions initiated can be found on my Department's website at the following link: <http://www.housing.gov.ie/housing/statistics/house-building-and-private-rented/private-housing-market-statistics>.

My Department does not collate statistics in relation to the reason for enforcement procedures being taken by the relevant local authority.

To ensure that the standards reflect the requirements of a modern rental market, a review of the Housing (Standards for Rented Houses) Regulations 2008, as amended, has been initiated. The dangers of carbon monoxide are among the issues being considered as part of the review, which will be concluded later in Autumn 2016.

Wind Energy Guidelines

131. **Deputy Robert Troy** asked the Minister for Housing, Planning, Community and Local Government to outline the level of engagement he has had regarding publication of new wind energy guidelines; and if he will make a statement on the matter. [27913/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): In December 2013, my Department published proposed draft revisions to the noise, setback distance and shadow flicker aspects of the 2006 Wind Energy Development Guidelines. These draft revisions proposed:

- the setting of a more stringent day- and night-time noise limit of 40 decibels for future wind energy developments,
- a mandatory minimum setback distance of 500 metres between a wind turbine and the nearest dwelling for amenity considerations, and
- the complete elimination of shadow flicker between wind turbines and neighbouring dwellings.

A public consultation process was initiated on these proposed draft revisions to the 2006 Wind Energy Development Guidelines, which ran until 21 February 2014. My Department received over 7,500 submissions from organisations and members of the public during this public consultation process.

As outlined in the Programme for a Partnership Government, this Government is committed to finalising the revisions to the 2006 Wind Energy Development Guidelines within the first six months of Government. The revisions to the Guidelines will be informed by the public consultation process and by best international practice. My Department is continuing to advance work on the Guidelines, in conjunction with the Department of Communications, Climate Action and Environment.

The revisions to the 2006 Wind Energy Development Guidelines, when finalised, will be issued under Section 28 of the Planning and Development Act 2000, as amended. Planning authorities, and, where applicable, An Bord Pleanála are required to have regard to such guidelines, issued under Section 28, in the performance of their functions under the Planning Acts.

Flood Prevention Measures

132. **Deputy Bernard J. Durkan** asked the Minister for Housing, Planning, Community and Local Government to outline the extent to which adequate provision is being made to tackle flooding in all areas throughout the country throughout the winter months, with particular reference to the need for a rapid response; and if he will make a statement on the matter. [28003/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): I refer to the reply to Question No. 356 of 27 September 2016 which sets out the position in this matter. The position remains unchanged.

Water Charges Data

133. **Deputy Richard Boyd Barrett** asked the Minister for Housing, Planning, Community and Local Government to set down the full cost in 2017 of abolishing water charges. [28027/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): I refer to the reply to Question No. 620 on 16 September 2016 which sets out the position in this matter. The position remains unchanged.

Water Services Infrastructure

134. **Deputy Charlie McConalogue** asked the Minister for Housing, Planning, Community and Local Government to outline the progress to date on the taking in charge of developments with stand-alone treatment plants; and if he will make a statement on the matter. [27807/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): I have set out information below in relation to the National Taking in Charge Initiative (NTICI) for residential estates.

The National Taking in Charge Initiative (NTICI) for residential estates, and the pilot scheme funding of €10m, were both announced in April 2016. The aim of the NTICI is to accelerate the taking-in-charge process of housing estates, including estates with developer-provided water services infrastructure and to develop new working methods from the pilot funding that can be deployed in tackling further taking-in-charge requirements into the future.

The initiative draws upon data gathered from each of the 31 local authorities and collated by my Department in December 2015, which subsequently allocated funding for a number of developments on the basis of proposals from the local authorities submitted to my Department.

The information collated in December 2015 indicated that, of the 5,566 developments yet to be taken in charge, there are approximately 914 estates with developer-provided infrastructure (DPI) and work is continuing on finalising this figure.

Under the terms of the NTICI, only those developments subject to valid taking-in-charge applications were eligible for inclusion in the call for proposals for pilot funding under Circular FPS3, but it is my Department's intention that the knowledge and experience gained under the Initiative will be applied to deal with further estates to be taken in charge over time.

Further information on NTICI can be found on my Department's website at the following link: <http://www.housing.gov.ie/search/archived/current?query=Taking%20in%20Charge>.

With regard to the issue of stand-alone treatment plants or developer-provided (water services) infrastructure raised by the Deputy, 44 of the 353 developments approved for fund-

ing contain such infrastructure. My Department is engaged with the relevant local authorities, Irish Water and the Environmental Protection Agency in ensuring that sustainable solutions are found for these developments and that the methodologies developed can be deployed in speeding up future taking-in-charge applications as they arise.

Questions Nos. 135 and 136 answered with Question No. 130.

Social and Affordable Housing

137. **Deputy Róisín Shortall** asked the Minister for Housing, Planning, Community and Local Government if his attention has been drawn to a 2015 NDFA project (details supplied); his views on whether this project violates his Department's guidelines relating to social mix; if he will make public the design brief that has been supplied to the chosen architects; the proposals for local consultations if these developments will be subject to fast-track planning regulations; and if he will make a statement on the matter. [27854/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): The Social Housing Strategy 2020, provided for an investment with a capital value of €300 million in social housing through the public private partnership or PPP model. In total the programme is expected to deliver 1,500 social housing units.

The delivery of social housing through PPP is part of the plan to accelerate the supply of social housing, which is the second pillar of Rebuilding Ireland: An Action Plan for Housing & Homelessness, launched in July 2016.

To enable delivery to commence as quickly as possible, the PPP programme is being rolled-out in three bundles. The first bundle, comprising six PPP sites which is to provide over 500 units in the greater Dublin area, was announced in October 2015. The social housing is being developed at these sites in co-operation with the local authorities in each area. Two of the sites are located in Dublin City with one each in South Dublin, Kildare, Wicklow and Louth.

The National Development Finance Agency is acting as the procuring authority on behalf of the Department and relevant local authorities. Dublin City Council has been appointed to act as the lead local authority for the delivery of the social housing PPP Programme in respect of this first bundle.

The site located at Scribblestown was put forward for consideration to be included as part of the first bundle of Social Housing PPP sites by the Dublin Social Housing Delivery Taskforce. All of the sites selected were assessed, having regard to considerations in respect the current provision of social housing in the irrespective areas in the context of sustainable communities, and compatibility with existing development plans. While the units being developed are all for social housing purposes, sustainability is achieved within the wider framework of development planning for each area.

At the Scribblestown site, the design team's brief is for the provision of approximately 70 units of differing type and size (for example, 1 bed, 2 bed, 3 bed) together with communal open space and parking. The design team was appointed in August 2016 and the site appraisal and design development works are at an early stage. It is currently envisaged that a planning application, which will be subject to the relevant public consultation provisions, will be submitted for the site in early 2017.

Social and Affordable Housing Provision

138. **Deputy Alan Farrell** asked the Minister for Housing, Planning, Community and Local Government to set out the number of social and affordable housing units which will be delivered in the Fingal local authority area under the social housing strategy; the progress of the delivery of these units in Fingal in comparison with the target number agreed with his Department; and if he will make a statement on the matter. [27858/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): Over the period of the Rebuilding Ireland Action Plan for Housing and Homelessness Plan, 47,000 homes will be delivered under the various social housing programmes, together with an expansion of the Housing Assistance Payment scheme nationwide. This delivery will be achieved through collaboration between local authorities, Approved Housing Bodies, the National Treasury Management Agency and the private sector.

Prior to the publication of the new Action Plan, social housing targets and funding allocations had issued under the Social Housing Strategy to all local authorities in April 2015. Over €1.5 billion in funding allocations was announced to support all local authorities to deliver social housing via a combination of building, buying and leasing schemes out to 2017. Those allocations and associated targets for each local authority, including Fingal, 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 this notification of targets, announcements in respect of a substantial new set of social housing projects were made in May 2015, July 2015 and January 2016. Between these three announcements, almost €680 million has been allocated for over 3,900 social housing new builds, turnkey developments and acquisitions. Details of these project approvals, including those for Fingal, are available on my Department's website at the following links:

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

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

<http://www.environ.ie/housing/social-housing/ministers-kelly-coffey-announce-further-1000-social-housing-units>.

I am keen that local authorities advance these projects as soon as possible and have assured them that funding is available to fully support their efforts in this regard. As per the project approvals set out at the links above, I anticipate a notable ramping up in terms of both construction spend and delivery over the next year and the measures set out in Rebuilding Ireland, An Action Plan for Housing and Homelessness will have a direct benefit in that regard.

While social housing construction projects are being advanced, acquisitions of new and second-hand houses and apartments remains an effective means of meeting immediate social housing need. In 2015, Fingal County Council secured the purchase of 115 new social housing units. Some of these acquisitions, as well as some of the approved construction projects, were funded under the Capital Assistance Scheme whereby Approved Housing Bodies deliver social housing for those with specific needs such as elderly people, persons with intellectual or physical disability and homeless persons. Additionally, Fingal County Council, along with all other local authorities, have received substantial support from my Department to remediate vacant social homes and make them available to those on the waiting list.

Arrangements to complete the Summary of Social Housing Assessments 2016 are well advanced which will provide updated figures of national housing need, and it is expected that this will be completed by year end. Targets for social housing delivery to end 2017 have already been issued and details of these are available on my Department's website at the following link:

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

It should be noted that the allocation, by local authority area, of increased targets under the Action Plan will be linked to the Summary of Social Housing Assessments 2016. This link will mean that the Action Plan targets will be aligned to the up-to-date, priority housing needs locally.

Pyrite Panel Report Implementation

139. **Deputy Alan Farrell** asked the Minister for Housing, Planning, Community and Local Government the number of dwellings at each stage of the pyrite remediation process under the pyrite remediation scheme, by local authority area; and if he will make a statement on the matter. [27859/16]

Minister of State at the Department of Housing, Planning, Community and Local Government (Deputy Damien English): The Pyrite Resolution Act 2013 provides the statutory framework for the establishment of the Pyrite Resolution Board and for the making of a pyrite remediation scheme to be implemented by the Board with support from the Housing Agency. The pyrite remediation scheme is a scheme of “last resort” and is limited in its application and scope to dwellings which have significant damage attributable to pyritic heave.

The latest figures available from the Pyrite Resolution Board indicate that 1,315 applications have been received under the pyrite remediation scheme, as set out in the Table below:

-	Dublin City	Dun Laoghaire	Fingal	Kildare	Meath	Offaly	South Dublin
Application: Stage 1	1	3	118	1	42	7	1
Verification: Stage 2	2	1	59	0	35	0	0
Remedial Works Plan: Stage 3	2	2	222	0	59	1	0
Tendering: Stage 4	6	3	168	4	28	0	0
Decision to Contract: Stage 5	0	0	2	0	0	0	0
Remediation: Stage 6	0	0	41	3	36	0	7
Retention: Stage 7	13	0	218	12	137	17	4
Closed: Stage 8	4	0	37	0	19	0	0

Ultimately, the Board, together with the Housing Agency, will arrange for all eligible dwellings to be remediated to a high standard and at no additional cost to the affected homeowners. Remediation works will continue to be carried out at the earliest possible opportunity having regard to the existing demands of the scheme and the optimum use of available resources.

Pyrite Resolution Board

140. **Deputy Bernard J. Durkan** asked the Minister for Housing, Planning, Community and Local Government the procedure to be followed by a person (details supplied) to avail of the relevant grant aid for the extraction of pyrite in their home; and if he will make a statement on the matter. [27863/16]

Minister of State at the Department of Housing, Planning, Community and Local Government (Deputy Damien English): The Pyrite Resolution Act 2013 provides for the making of a pyrite remediation scheme by the Pyrite Resolution Board for certain dwellings affected by significant pyrite damage. The full conditions for eligibility under the scheme are set out in the scheme, which is available on the Board's website (www.pyriteboard.ie). Applications must be submitted to the Board online at <https://applications.pyriteboard.ie/opa/>.

The pyrite remediation scheme is a scheme of "last resort" and is limited in its application and scope. The scheme is applicable to dwellings which are subject to significant damage attributable to pyritic heave established in accordance with I.S. 398-1:2013 - Reactive pyrite in sub-floor hardcore material – Part 1: Testing and categorisation protocol. It is a condition of eligibility under the scheme that an application to the Board must be accompanied by a Building Condition Assessment with a Damage Condition Rating of 2. In addition, applicants under the scheme must be able to demonstrate to the Board that they have no practicable options, other than under the scheme, to secure the remediation of their homes.

Local Authority Housing Funding

141. **Deputy Michael McGrath** asked the Minister for Housing, Planning, Community and Local Government if there is a monetary cap on the purchase price that local authorities can pay for a private dwelling on the open market; if so, the cap amounts for each local authority; and if he will make a statement on the matter. [27869/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): My Department provides capital funding to local authorities for the acquisition of houses and apartments for social housing use. The parameters applying to local authorities in respect of exchequer funded social housing acquisitions was set out in Circular Housing 24/2015, which is available on my Department's website at the following link: <http://www.environ.ie/housing/social-housing/social-housing-strategy/circular-housing-242015-social-housing-capital>.

The cost thresholds for such acquisitions were notified to each individual local authority under separate cover for reasons of commercial confidentiality. These thresholds are currently being updated to reflect changes in the market and will be notified shortly to each local authority. While local authorities generally work within these thresholds, they also acquire housing units at costs beyond these amounts, where particular circumstances apply.

Local Authority Boundaries Review

142. **Deputy Fergus O'Dowd** asked the Minister for Housing, Planning, Community and Local Government his Department's position in relation to the Drogheda boundary review carried in 2015; and if he will make a statement on the matter. [27872/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): In June 2015, an independent statutory Committee was appointed to carry out a review of local government boundaries in Athlone, Carlow, Drogheda and Waterford. In each

case, the committee was asked to carry out a review of the boundary between the respective local authorities and to make recommendations with respect to those boundaries and any consequential matters that they consider necessary in the interests of effective local government.

The main rationale for undertaking the boundary reviews is that, in each case, there is a significant overspill of population into another county based on the population figures taken from the 2011 census. In the case of Drogheda, the town has expanded into County Meath, with a population of 5,983 reported as located in the latter at the 2011 census (nearly 16% of the total town and environs population of 38,578).

The boundary reviews are continuing. The committees were due to submit their reports by end March 2016, but these have been delayed, in part due to the volume of submissions received as part of the public consultation processes and the chairpersons have indicated that further work is required in order to complete the reviews. The committee chairs indicated that the reports would be submitted in the Autumn.

As the committees are by law independent in the performance of their functions, it is not appropriate to comment further on the matter in advance of the committee reports.

Homelessness Strategy

143. **Deputy Robert Troy** asked the Minister for Housing, Planning, Community and Local Government the reason the midlands region, despite a significant increase in homelessness in the region, only receives circa 1.5% of overall budget; and if his officials will meet with an organisation (details supplied) to discuss same. [27914/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): My Department's role in relation to homelessness involves the provision of a national framework of policy, legislation and funding to underpin the role of housing authorities in addressing homelessness at local level. In accordance with section 37(2) of the Housing (Miscellaneous Provisions) Act 2009, statutory responsibility in relation to the provision of homeless services, including accommodation, rests with individual housing authorities. My Department does not fund any service directly, but provides funding to housing authorities towards the operational costs of homeless services.

Under the funding arrangements between my Department and housing authorities, the Midlands Region housing authorities have been notified of a baseline allocation of €800,000 in Exchequer funding for 2016. This allocation is provided on a delegated basis and is in respect of the housing authorities' scheduled programme for planned and contracted expenditure for homeless services and accommodation, and the amount allocated is fully sufficient in this regard.

Furthermore, my Department has provided reassurance to all housing authorities that it will consider recouping additional costs arising as a result of unforeseen expenditure incurred due to increased rates of homeless presentation; such expenditure will be considered separately to the delegated funding arrangements on the basis of actual expenditure incurred. In this regard, an additional payment of approximately €80,000 is currently being processed in respect of the Midlands Region.

In the light of the statutory functions and the funding position as set out above, the Midlands Simon Community, or any service provider, should engage directly with the relevant housing authorities in the Midlands Region in relation to the regional programme of services.

Anti-Social Behaviour

144. **Deputy Martin Heydon** asked the Minister for Housing, Planning, Community and Local Government the options open to home owners and residents who are frustrated by anti-social behaviour caused by their neighbours, whether these are local authority tenants or otherwise; and if he will make a statement on the matter. [28011/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): Where anti-social behaviour is of a criminal nature this is a matter for An Garda Síochána. The Criminal Justice Act 2006 contains provisions for civil proceedings to be taken against adults or children for anti-social behaviour. The range of powers includes juvenile and adult cautions, fixed charge penalty notices and the bringing of prosecutions.

In relation to local authority tenants, local authorities are responsible under the Housing Acts for the management and maintenance of their housing stock and the management of their estates, including taking appropriate measures to counter anti-social behaviour.

Where a person is a victim of Anti-Social Behaviour from a Local Authority tenant, or from a member of their household, they should contact their local Area Housing Office to make a complaint. In instances where there is a fear of reprisal, and the complainant wishes to have the complaint treated in confidence, his/her identity will not be disclosed to the person against whom the complaint is made.

The powers of local authorities in this area were significantly enhanced with the commencement of Part 2 of the Housing (Miscellaneous Provisions) Act 2014 on 13 April 2015. Part 2 provides for a revised procedure to replace section 62 of the Housing Act 1966 and strengthens the power of housing authorities to recover possession of their dwellings from households in serious breach of their tenancy agreements, including engaging in anti-social behaviour. It also gives the local authority power to secure court orders excluding individuals engaged in anti-social behaviour from local authority housing and estates.

In the case of private rented dwellings, landlords are responsible for enforcing the obligations that apply to their tenants under the Residential Tenancies Act 2004. The Act prohibits a tenant in a private residential tenancy from engaging in anti-social behaviour in, or in the vicinity of, a dwelling to which the Act applies and allows a landlord to terminate any tenancy where the tenant is engaging in or allowing others to engage in such behaviour, subject to a notice period of only 7 days in the case of serious anti-social behaviour or 28 days in the case of less serious but persistent behaviour.

The Residential Tenancies Act also provides that a third party affected by anti-social behaviour may take a case to the Private Residential Tenancies Board (PRTB) against a landlord who has failed to enforce a tenant's obligation not to engage in anti-social behaviour.

Housing Adaptation Grant Funding

145. **Deputy Róisín Shortall** asked the Minister for Housing, Planning, Community and Local Government the amount allocated to local authorities in 2016 for home adaptation grants with a breakdown by grant type; and the number of households projected to be covered by these grants in 2016 in each case. [28018/16]

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): Details of the funding allocated to each local authority for 2016 in respect of the

Housing Adaptation Grants for Older People and People with a Disability, encompassing the Housing Aid for Older People, the Housing Adaptation Grant for People with a Disability and the Mobility Aids Grant, are available on my Department's website at the following link: <http://www.environ.ie/housing/grantsfinancial-assistance/ministers-kelly-coffey-announce-eu5625-million-improve-homes>.

The detailed administration of these grant schemes is the responsibility of the relevant local authority, including the assessment and approval of grants to applicants and allocations under the various grant measures, which are not pre-determined and are demand-led.

It is expected that over 8,000 households will benefit from the schemes in 2016.

Social Welfare Benefits

146. **Deputy Michael McGrath** asked the Minister for Social Protection the position in relation to the payment of a Christmas bonus to social protection recipients in 2016; and if he will make a statement on the matter. [27811/16]

Minister for Social Protection (Deputy Leo Varadkar): The Christmas Bonus was abolished in 2009. It was partially reintroduced in 2014 with a 25% Bonus payment. A 75% Bonus was paid in December 2015 to some 1.2 million long-term social welfare recipients such as pensioners, people with disabilities, carers and the long-term unemployed at a cost of €197 million.

There is no provision in 2016 Revised Estimates for the payment of a Christmas Bonus. I will be seeking approval from my Government colleagues for the payment of a Bonus this year. Any decision taken regarding the payment of a Bonus will have to be consistent with the legal requirements set out in the Fiscal Responsibility Acts 2012 and 2013, and within the context of achieving the targets set for Ireland by the EU rules.

I hope this clarifies the matter.

Disability Allowance Eligibility

147. **Deputy John Brady** asked the Minister for Social Protection the reason a person (details supplied) is refused disability allowance on financial grounds where a payment made to them from the North is calculated as means when the equivalent payment in the South would not be calculated as means; and if he will make a statement on the matter. [27898/16]

Minister of State at the Department of Social Protection (Deputy Finian McGrath): Disability allowance is a means tested scheme and the way means are assessed is laid down in social welfare legislation. In summary, any income, in cash and non-cash benefits which the claimant may expect to receive, with some exceptions, is assessable as means for disability allowance purposes. Some types of income are exempt from assessment and they are detailed in Rule 1(2) in part 2 of Schedule 3 of the Social Welfare Consolidation Act 2005. There is no discretion allowed as deciding officers are obliged to follow the legislation when assessing means.

Social Welfare Benefits Expenditure

148. **Deputy Michael McGrath** asked the Minister for Social Protection the cost of the Christmas bonus paid in 2015; his plans to pay a Christmas bonus in 2016; and if he will make

a statement on the matter. [27810/16]

Minister for Social Protection (Deputy Leo Varadkar): The Christmas Bonus was abolished in 2009. It was partially reintroduced in 2014 with a 25% Bonus payment. A 75% Bonus was paid in December 2015 to some 1.2 million long-term social welfare recipients such as pensioners, people with disabilities, carers and the long-term unemployed at a cost of €197 million.

There is no provision in 2016 Revised Estimates for the payment of a Christmas Bonus. I will be seeking approval from my Government colleagues for the payment of a Bonus this year. Any decision taken regarding the payment of a Bonus will have to be consistent with the legal requirements set out in the Fiscal Responsibility Acts 2012 and 2013, and within the context of achieving the targets set for Ireland by the EU rules.

I hope that this clarifies the matter.

State Pension (Contributory) Eligibility

149. **Deputy Peadar Tóibín** asked the Minister for Social Protection his views on whether it is fair that a person (details supplied) who has paid all the necessary stamp contributions to receive a pension will be refused it. [27826/16]

Minister for Social Protection (Deputy Leo Varadkar): According to the Department's records, the person concerned will reach state pension age, 67, in 2026. It is not possible to predict at this time what the person's future state pension (contributory) entitlement will be. Pension entitlement can only be assessed on the basis of the eligibility conditions applicable on the date an individual reaches pension age.

The first date of entry into Irish social insurance for the person concerned is recorded as January 1975, the person's sixteenth birthday. Under current social welfare legislation, that is the earliest commencement point of a person's Irish social insurance record for state pension (contributory) eligibility purposes. The starting age of sixteen for compulsory social insurance was introduced in the National Insurance Act, 1911 and has since remained an integral part of the Irish social insurance system. There are no current plans to change the age of entry into insurable employment in Ireland.

It is likely that a number of significant changes will be implemented in the state pension (contributory) eligibility conditions over the coming years. State pension age is already set to increase from 66 to 67 in 2021, and to 68 from 2028. The method by which pension entitlement is assessed will likely change to a 'total contributions based model', replacing the current 'yearly-average' system.

It is important that all contributors maintain their social insurance record as fully as possible over their working life. In the event that a person ceases insurable employment before reaching state pension age, they may wish to consider the payment of voluntary contributions in order to maintain their paid contributions insurance record. The Voluntary Contributions Section, contact details below, can assist in this regard.

Voluntary Contributions Section

Department of Social Protection

Cork Road

Waterford

LoCall 1890 690 690.

I hope this clarifies the matter for the Deputy.

Carer's Allowance Eligibility

150. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress in determination of eligibility for carer's allowance following a request for review in the case of a person (details supplied); and if he will make a statement on the matter. [27828/16]

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 May 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 26 August 2016 of this decision, the reason for it and of his right of review and appeal. The person concerned has requested a review of this decision. Additional information in relation to the review has been requested by a deciding officer on 19 September 2016. Once the information is received the application will be reviewed and the person concerned will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

Local Employment Service

151. **Deputy John Brady** asked the Minister for Social Protection the number of referrals made to the local employment service network in 2015 and in 2016, in tabular form, by county; and if he will make a statement on the matter. [27835/16]

152. **Deputy John Brady** asked the Minister for Social Protection the number of mediators employed by his Department in the local employment service network across the State; and if he will make a statement on the matter. [27836/16]

153. **Deputy John Brady** asked the Minister for Social Protection the criteria in place when referring jobseekers to the local employment service network; and if he will make a statement on the matter. [27837/16]

Minister for Social Protection (Deputy Leo Varadkar): I propose to take Questions Nos. 151 to 153, inclusive, together.

Ireland's Public Employment Service (PES) is managed by my Department and delivered directly by its own Intreo service as well as by contracted private companies i.e. the JobPath companies, the Local Employment Service (LES) and Job Clubs.

The Local Employment Service engages primarily with long-term unemployed jobseekers

but may also engage with short-term unemployed jobseekers where a local need arises. Jobseekers are referred directly to the LES by Intreo offices. Jobseekers may also request services from the LES on a “walk-in” basis. Other groups, to whom the LES may offer services, include people who have a disability, lone parents, early school leavers, qualified adults, ex-offenders, members of the travelling community and refugees. Where these people initially present at an Intreo office they may be sent to the LES for activation services.

The following table sets out the number of LES clients at the end of 2015 and the most recent figures for 2016.

2015	Dec-15	Aug-16
Dublin	13,115	10,742
Kildare	952	887
Wicklow	974	315
Monaghan	431	443
Louth	1,728	991
Mayo	1,439	849
Galway	1,077	540
Limerick	2,650	1,298
Cork	1,373	1,028
Kerry	1,233	820
Waterford	2,443	797
Wexford	2,906	1,157
	30,321	19,867

In line with a commitment in Pathways to Work 2016 - 2020 my Department began to reduce the number of LES clients in 2016 so as to enable the LES to provide a more intensive level of engagement to jobseekers. LES providers were asked to engage on a more intensive basis (at least once a month) with clients to assist their progress to employment. To facilitate this more intensive engagement, case loads were reduced during the year. This was made possible by the additional activation capacity provided by the JobPath service which also provides activation services to the long-term unemployed.

There are currently some 300 full-time equivalent posts in the LES and of these 170 are full-time equivalent mediator posts.

I hope this clarifies the matter for the Deputy.

Carer's Allowance Applications

154. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the status of application for carer's allowance by a person (details supplied); and when they will receive a decision on their case. [27844/16]

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 June 2016. The application is current in processed and the person concerned will be notified directly of the outcome.

In the meantime, if the means of the person concerned are insufficient to meet his needs he

should apply for a means-tested supplementary welfare allowance from his local community welfare service.

I hope this clarifies the matter for the Deputy.

Question No. 155 withdrawn.

Community Employment Schemes Places

156. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the procedure to be followed in the case of a person (details supplied) who is anxious to ascertain the extent to which the current participant in a social employment scheme may be retained in view of the strong support for their retention; and if he will make a statement on the matter. [27856/16]

Minister for Social Protection (Deputy Leo Varadkar): The person concerned has been participating on a Tús scheme since November 2016. Tús placements are for one year only and cannot be renewed or extended.

There is, however, a facility whereby Tús participants can be referred by a Case Officer to transfer to Community Employment. If the person concerned is interested in availing of this option, he should make contact with our Newbridge office.

I hope that this clarifies the matter for the Deputy.

Carer's Allowance Appeals

157. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress to date in determination of an appeal for carer's allowance in the case of a person (details supplied); when a conclusion will be reached; and if he will make a statement on the matter. [27899/16]

Minister for Social Protection (Deputy Leo Varadkar): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 24 June 2016. It is a statutory requirement of the appeals process that the relevant papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought from the Department of Social Protection. These papers have been received in the Social Welfare Appeals Office on 19 September 2016 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

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

I trust this clarifies the matter for the Deputy.

Question No. 158 withdrawn.

Disability Allowance Applications

159. **Deputy Pat Breen** asked the Minister for Social Protection when an application for

disability allowance will be processed for a person (details supplied); and if he will make a statement on the matter. [27975/16]

Minister of State at the Department of Social Protection (Deputy Finian McGrath): I confirm that an application from the person concerned for disability allowance (DA) was received by the Department on 6 July 2016.

The application has been referred to a Social Welfare Inspector (SWI) for a report on the person's means and circumstances. Once the SWI has submitted his/her report to DA section, a decision will be made on the application and the person concerned will be notified directly of the outcome.

Carer's Allowance Applications

160. **Deputy Pat Breen** asked the Minister for Social Protection when an application for carer's allowance will be processed for a person (details supplied); and if he will make a statement on the matter. [27976/16]

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

I hope this clarifies the matter for the Deputy.

Disability Allowance Applications

161. **Deputy Pat Breen** asked the Minister for Social Protection when an application for a review of disability allowance will be processed for a person (details supplied); and if he will make a statement on the matter. [27978/16]

Minister of State at the Department of Social Protection (Deputy Finian McGrath): The person in question has been and continues to be in receipt of disability allowance.

Following a routine review of entitlement, the department remains satisfied that the conditions for the scheme continue to be met by the person in question.

Jobseeker's Allowance Payments

162. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason a person (details supplied) is deemed to require the permission of their spouse to have their portion of jobseeker's allowance paid directly to them; and if he will make a statement on the matter. [27982/16]

Minister for Social Protection (Deputy Leo Varadkar): The application of the person concerned will be reviewed as soon as possible in accordance with the Department's guidelines and she will be contacted upon completion of this review.

I hope this clarifies the matter for the Deputy.

Back to Education Allowance Eligibility

163. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if a back to education allowance will be made available to a person (details supplied); and if he will make a statement on the matter. [27984/16]

Minister for Social Protection (Deputy Leo Varadkar): The person concerned was in receipt of the Back to Education Allowance (BTEA) in 2015 when she completed a course at FETAC level 5. This year she applied for BTEA in respect of another FETAC level 5 programme. This application was refused as it is not considered progression in accordance with the guidelines for BTEA. The application was also reviewed by a case officer to determine if the proposed course was in line her personal progression plan and activation needs. The case officer did not recommend payment of the allowance.

I hope this clarifies the matter for the Deputy.

Rent Supplement Scheme Payments

164. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when arrears of rent from July 2016 are likely to be paid pending approval of a housing assistance payment, HAP, in the case of persons (details supplied); and if he will make a statement on the matter. [27986/16]

Minister for Social Protection (Deputy Leo Varadkar): The client concerned has been requested to provide an up to date lease agreement confirming rent increase to €1200 per month and payslips outlining his daughter's current income from employment.

The Deputy will also be aware that the Department has been in contact with representatives from his Constituency Office in relation to outstanding documentation required from the client concerned.

This documentation has not been received to date. On receipt of same, the clients rate of Rent Supplement entitlement can be accurately re-assessed.

I trust this clarifies the matter for the Deputy.

Personal Public Service Numbers

165. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when a PPS number will be issued in the case of a person (details supplied); and if he will make a statement

on the matter. [27987/16]

Minister for Social Protection (Deputy Leo Varadkar): The Personal Public Service (PPS) Number is the individual's unique reference number for all dealings with Government Departments and public bodies.

Before a PPS Number can be allocated, the person making the application must provide evidence of identity, and demonstrate the reason why s/he requires the allocation of a PPS Number. PPS Numbers are issued by the Department following checks on an individual's identity. In addition, acceptable evidence of address must be provided. The process of allocating a PPS Number includes the capture of a photograph and signature. Photographs captured are compared with other photographs previously captured in order to detect any possible duplicates.

In order to have a PPS Number allocated, the person concerned should contact the PPS Number allocation centre for Kildare at Moorefield Road, Newbridge, Co Kildare, (045) 491500, and make an appointment for a PPS Number allocation.

I hope this clarifies the matter for the Deputy.

Back to Work Allowance Eligibility

166. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if a person (details supplied) qualifies for a back to work allowance; and if he will make a statement on the matter. [27989/16]

Minister for Social Protection (Deputy Leo Varadkar): According to the records of this Department, the person concerned has not submitted an application for the back to work enterprise allowance scheme (BTWEA). It is open to the person concerned to contact the Departments Employment Services in Maynooth, to arrange an appointment with a case officer in order to initiate the application process.

I hope this clarifies the matter for the deputy.

Disability Allowance Applications

167. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when a disability allowance will be approved in the case of a person (details supplied); and if he will make a statement on the matter. [27992/16]

Minister of State at the Department of Social Protection (Deputy Finian McGrath): The person concerned has been awarded disability allowance with effect from 10 August 2016. The first payment will be made by her chosen payment method on 5 October 2016.

Arrears of payment due will issue as soon as possible once any necessary adjustment is calculated and applied in respect of any overlapping payments or in respect of outstanding overpayments (if applicable).

Question No. 168 withdrawn.

Jobseeker's Allowance

169. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection the cost in 2017 of restoring the young persons JSA rates of €100 and €150 per week to the standard rate of JSA. [28029/16]

Minister for Social Protection (Deputy Leo Varadkar): Reduced rates for younger jobseeker's allowance recipients were first introduced in 2009 and Budget 2014 further extended the reduced rates to recipients under 26 years of age. The reduced €100 rate of jobseeker's allowance applies to persons without children up to age 24 and the reduced €144 rate of jobseeker's allowance applies to persons without children who reach the age of 25. 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 2016 Estimates for my Department provide for expenditure this year on the jobseeker's allowance scheme of €2.45 billion.

The full year cost of increasing the rate of jobseeker's allowance paid to recipients under 26 years of age to the maximum rate of €188 per week is estimated at €128.4 million in 2017. This cost includes increasing the rate of Supplementary Welfare allowance for recipients under 26 years of age to the maximum weekly rate of €186 per week and increasing the €160 Back to Education allowance rate to the max rate of €188 per week.

However, this does not include the additional cost that would be incurred of paying the full weekly rate of €188 to under 26s who are on other relevant education and training schemes, that fall under the remit of the Department of Education and Skills and are currently receiving €160 per week.

National Lottery Funding Data

170. **Deputy Brendan Griffin** asked the Minister for Public Expenditure and Reform his views on a number of issues (details supplied); if price and odds increase restrictions apply to the national lottery agreement with Premier Lotteries; the increases in the cost of playing the lotto, lotto plus, EuroMillions, EuroMillions Plus, Daily Millions and Daily Millions Plus since administration of these games was privatised; the amounts being allocated to charitable causes before and after privatisation; the total jackpot amounts being paid out before and after privatisation; the profits or otherwise made by Premier Lotteries since assuming administration; and if he will make a statement on the matter. [27938/16]

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): Under the National Lottery Act 2013, any price increase in National Lottery tickets is a matter for decision by the operator of the National Lottery, while any change to the scheme of a National Lottery game must be approved by the National Lottery Regulator, who acts independently in the discharge of his functions.

Under the legislation, the operator decides on the prizes to be given, subject to the prizes distributed in any given year being at least 50% of the total sales revenue received by the operator in respect of National Lottery tickets in that year.

The following are the amounts that have been transferred from the National Lottery Fund to the Exchequer for each year for good causes:

2008: €265m

2009: €275m

2010: €250m

2011: €230m

2012: €220m

2013: €210m

2014 (Old Licence): €170m it is anticipated that a further €24m will be transferred to the Exchequer in respect of unclaimed prizes amount and transition costs that did not arise

2014 (New Licence): €8m - representing less than 3 weeks under the new Licence due to timing of receipts and payments

2015: €193m

2016 (up to August): €141m

In addition, a fee of €405m was received into the Exchequer for the National Lottery licence in 2014.

In the 18 months pre and post transition to the new licence holder, Premier Lotteries Ireland Ltd (PLI), the lottery jackpot information is as follows:

- 25 jackpots in the 18 months prior, highest being €12.2m

- 20 jackpots in the 18 months post, highest being €13.8m

The 2015 accounts of PLI have been laid before the Houses of the Oireachtas and are published on the Oireachtas website.

Public Sector Staff Remuneration

171. **Deputy David Cullinane** asked the Minister for Public Expenditure and Reform if the application of the 10% reduction to new entrants in the public service is being applied by his Department to non-new entrants irrespective of previous service; and if he will make a statement on the matter. [27803/16]

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): I can confirm that the Department of Public Expenditure and Reform, on foot of terms set out in Circular 18/2010, had been applying the 10 % reduction in pay rates and fixed term allowances to persons recruited at entry grades to the department from 1 January 2011 onwards. I can confirm that this was not applied to staff recruited at entry grades after 1 January 2011 with previous reckonable service.

The current position is that this circular was superseded by Circular 2/2014 which provided for the Implementation of Clause 2.31 of the Haddington Road Agreement, whereby, the Government provided for an agreed process for the amalgamation of pay scales to address any imbalance in pay scales between those who entered the public service as new entrants after January 2011 with those applying to public servants before January 2011.

The revised scales provide for assimilation of new entrant public servants to a single applicable scale to each grade and represent a significant redressing of any imbalance particularly in the context of the savings required under the Haddington Road Agreement. These revised scales have been implemented in this Department since 1 November 2013.

Office of Public Works Properties

172. **Deputy Fergus O'Dowd** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 918 of 16 September 2016, his plans for a building (details supplied); if he will invest funding to restore the building due to its historic value and position; and if he will make a statement on the matter. [27873/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Seán Canney): I have been advised by the Commissioners of Public Works that they have been in discussion with Louth County Council in relation to the condition of Westgate House. The Council has agreed to redecorate the façade of the building.

The future use of the property is currently being considered in line with OPW stated policy and, upon completion of this review, the issue of the restoration of the building will be addressed.

Nursing Staff Remuneration

173. **Deputy Róisín Shortall** asked the Minister for Public Expenditure and Reform the reasoning behind his Department's decision not to honour the December 2015 agreement reached between the Department of Health, the HSE and the nursing unions; his views on the fact that this has created a significant anomaly whereby 2016 graduates are earning more than those who graduated in the previous five years; and his further views on the fact that this anomaly is contributing to recruitment and retention difficulties with nurses and a resultant high agency nurse bill. [27897/16]

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): Incremental credit for the 36 week clinical placement undertaken by 4th Year Student Nurses was abolished by the then Government in December 2010 as part of a range of measures aimed at reducing the public service pay bill. In the context of the Lansdowne Road Agreement it was agreed between management and unions that the issue of the 36 week incremental credit would be examined in relation to nurse/midwifery recruitment and retention. On conclusion of this process and deliberations with the Department of Health my Department agreed to sanction the restoration of incremental credit for the trainees currently on placement or who would in the future be assigned a placement. However the sanction also stated that the question of extending sanction to post 2011 nurses not in receipt of such credit may be reviewed on foot of consideration of whether the sanction granted would result in an increase in recruitment and retention rates of trainee nurses in 2016 and 2017.

Coastal Protection

174. **Deputy Brendan Griffin** asked the Minister for Public Expenditure and Reform if funding will be made available to address a flooding threat at a location (details supplied); and if he will make a statement on the matter. [27923/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Seán Canney): It is a matter for Kerry County Council (KCC) in the first instance to investigate and address issues of coastal protection and flooding at the location indicated. If, following assessment, KCC can identify any economically and environmentally viable measures to address the flooding problem at this location, it is open to the Council to undertake any required

remedial works using its own resources. Alternatively, if necessary, it may apply for funding to carry out proposed works under the OPW Minor Flood Mitigation Works and Coastal Protection Scheme. Any application received will be assessed under the scheme's eligibility criteria, including a requirement that any measures are cost beneficial, and having regard to the overall availability of funding for flood risk management. Application forms and related guidelines are available on the OPW website under Flood Risk Management. <http://www.opw.ie/en/floodriskmanagement/operations/minorfloodworkscoastalprotectionscheme/>.

I can confirm that there is no current application from the Council for funding to undertake works at this location at this point in time.

Flood Relief Schemes Funding

175. **Deputy Brendan Griffin** asked the Minister for Public Expenditure and Reform if funding will be made available to address a flooding threat at a location (details supplied) in County Kerry; and if he will make a statement on the matter. [27924/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Seán Canney): It is a matter for Kerry County Council (KCC) in the first instance to investigate and address issues of coastal protection and flooding at the location indicated. If, following assessment, KCC can identify any economically and environmentally viable measures to address the flooding problem at this location it is open to KCC to undertake any required remedial works using its own resources. Alternatively, it may apply for funding to carry out proposed works under the OPW Minor Flood Mitigation Works and Coastal Protection Scheme. Any application received will be assessed under the scheme's eligibility criteria, including a requirement that any measures are cost beneficial, and having regard to the overall availability of funding for flood risk management. Application forms and related guidelines are available on the OPW website under Flood Risk Management. <http://www.opw.ie/en/floodriskmanagement/operations/minorfloodworkscoastalprotectionscheme/>.

Oireachtas Members' Remuneration

176. **Deputy Brendan Griffin** asked the Minister for Public Expenditure and Reform the current totals in the 32nd Dáil paid to individual Independent TDs under the category, leader's allowance, or any subsequent equivalent category name; if the monthly amounts involved have been increased since the 31st Dáil; if the amounts available to Independent TDs differ depending on circumstances; if so, the reason; if these payments must be vouched; and if he will make a statement on the matter. [27937/16]

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): I would refer the Deputy to my Department's website at <http://www.per.gov.ie/en/supports-to-the-democratic-process/parliamentary-activities-allowance/> where the information sought has been published.

Appointments to State Boards

177. **Deputy Willie Penrose** asked the Minister for Public Expenditure and Reform the steps he is taking to satisfy himself that accurate information was furnished to his Department in respect of the appointment of the chief executive officer of Horse Racing Ireland; the basis

upon which the said appointment proceeded; and if he will make a statement on the matter. [27945/16]

178. **Deputy Willie Penrose** asked the Minister for Public Expenditure and Reform his views on the fact that appropriate and necessary ministerial consent provided by him, which permitted the reappointment of the chief executive of Horse Racing Ireland, may have been made on the basis of facts which did not accord with the reality of the situation whereby there was no board approval made by HRI on 21 July 2016 or any other date; if, in that context, his views on whether he might have been misled concerning such approval; and if he will make a statement on the matter. [27946/16]

179. **Deputy Willie Penrose** asked the Minister for Public Expenditure and Reform if, in respect of the appointment of the chief executive officer of any organisation, it is critical that the board would submit their approval concerning such appointment to the relevant Minister; if, in respect of the reappointment of the chief executive officer of HRI, it was made clear that the request of ministerial sanction and consent was subject to the advice of the board of duly appointed directors signalling their agreement to such appointment; and if he will make a statement on the matter. [27947/16]

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): I propose to take Questions Nos. 177 to 179, inclusive, together.

The appointment of the Chief Executive is a matter for the Board of Horse Racing Ireland under the relevant legislation.

The Board of Horse Racing Ireland formally reappointed the Chief Executive Officer on the 21st of July on terms and conditions approved by the Minister for Agriculture, Food and the Marine and the Minister for Public Expenditure and Reform.

Appointments to State Boards

180. **Deputy Willie Penrose** asked the Minister for Public Expenditure and Reform his views on whether the reappointment of the chief executive officer of HRI clearly breached the Government guidelines as set down by the Department of Public Expenditure and Reform, which specified strict time limits of the duration for time in which the CEO of a commercial semi-State body should serve; if, in the context of the reappointment of the CEO for HRI, this was clearly breached insofar as at the end of this contract period they would have served in excess 19 years, which is clearly not in accordance with the prescribed guidelines; and if he will make a statement on the matter. [27948/16]

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): I refer the Deputy to my answer to PQ Ref 25170/16 on the 15.09.2016.

Generally, the Chief Executive Officer of commercial state bodies is appointed by the Board and holds office on terms and conditions determined by the Board with the consent of the relevant Minister and the Minister for Public Expenditure and Reform.

The Guidelines on Contracts, Remuneration and Other Conditions of Chief Executives and Senior Management of Commercial State Bodies issued in 2006 provided general guidance at that time on remuneration, contracts, performance related pay and related matters for newly appointed Chief Executives of commercial state bodies. However, terms and conditions of appointment remain a matter in each case for consent by the line Minister and the Minister for Public Expenditure and Reform in the context of policy developments on the remuneration and

conditions applicable to CEO appointees the terms of which have been revised significantly from the 2006 guidelines in light of the national financial constraints.

The recently published (effective 1 September 2016) updated Code of Practice for the Governance of State Bodies includes current guidelines on the contractual terms and conditions of appointment for CEOs in commercial state bodies. The Code provides that the term of a contract of a CEO in such bodies is normally limited to a single contract period of between five and seven years. Notwithstanding this provision there is however no maximum length of service specified for CEOs in such contractual arrangements.

Cross-Border Projects

181. **Deputy Fergus O'Dowd** asked the Minister for Public Expenditure and Reform his Departments position in relation to the following INTERREG and PEACE cross-Border projects (details supplied); and if he will make a statement on the matter. [27964/16]

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): The projects referred to by the Deputy all relate to the INTERREG Programme, which has a total value of €283 million over the period 2014-2020 and which is 85% funded by the European Union.

While all of the projects have been the subject of an assessment process led by the Special EU Programmes Body, uncertainty surrounds the availability of EU funding as a consequence of the UK decision to leave the EU. My officials are working to address the financial, legal and technical issues that arise to ensure that programme beneficiaries can be made robust offers of funding that will survive the impact of Brexit.

I can assure the Deputy that the Government remains firmly committed to the full implementation of both the PEACE and INTERREG programmes.

Public Procurement Contracts

182. **Deputy Jack Chambers** asked the Minister for Public Expenditure and Reform the reason the Office of Government Procurement, OGP, has cancelled the tendering process for interpretation and translation services; when the tendering process will commence for translation services by the OGP; and if he will make a statement on the matter. [28013/16]

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): The Interpretation Services framework was established in February 2016. There are 3 framework suppliers. The Translation Services framework was established in March 2016. There are 6 framework suppliers. Both frameworks are for the provision of services in respect of some 90 languages and are both are still in place.

Draw down from both the Interpretation Services framework and the Translation Services framework is by way of supplementary request for tender (SRFT) amongst framework members. SRFT award criteria are based on a combination of quality and price.

One SRFT for Interpretation Services has been cancelled pursuant to clause 6.5 of the Framework Agreement. This clause allows for cancellation at any stage of the process in advance of the award of contract. As there was a question as to the process, it was deemed appropriate to cancel the SRFT in the interest of timely delivery of services to the public. This does not affect the status of the Frameworks which are still in place. A new SRFT to replace the one cancelled under the Interpretation Services Framework will issue in the coming weeks.

Post Office Network

183. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs if she will outline her efforts on behalf of the post office network in budget 2017 negotiations; if she will seek a major funding increase for the network; and if she will make a statement on the matter. [27918/16]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Michael Ring): The post office network includes approximately 1,130 post offices, which are either owned by An Post, or contracted to An Post for the delivery of services. An Post is a commercial State body that generates its income from its business operations, including through the provision of various services for Government Departments and agencies. The company does not currently receive financial support from the Exchequer outside of the funding it receives for the provision of those services.

The postal sector has been undergoing systemic change both nationally and internationally in recent years, with the increased use of electronic communications leading to the decline in core mail volumes year on year. In recognition of this changing business environment, the Post Office Network Business Development Group, chaired by Mr. Bobby Kerr, was established in late 2014 to examine the potential for new and existing Government services to be transacted through the post office network, and to identify new business opportunities for the network.

The final report of the Post Office Network Business Development Group, which was published in January of this year, made a number of recommendations to support the future sustainability of post offices. These include recommendations in relation to the renewal of the post office network, the development of a basic payment account, the provision of motor tax services, and the creation of hubs around which local economic and social activity could revolve. The report also recommended that An Post should, following appropriate consultation with postmasters and others, review and amend the five-year strategy for the post office network.

The *Programme for a Partnership Government* commits to acting on the recommendations in the report of the Post Office Network Business Development Group. A number of Working Groups have been established to progress the recommendations, including through the establishment of a Network Renewal Implementation Group, which is being independently chaired by Mr. Kerr. This Group is examining the number and spatial distribution of post offices, branch modernisation, the streamlining of products and services, postmaster payments and contracts, and training and qualifications for post office employees.

I have separately established the Post Office Hub Working Group, to identify potential models under which the post offices could act as community hubs, especially in rural areas. My officials are also examining the potential for the post offices to deliver services such as Motor Tax payments and a basic payment account.

The Government is therefore taking a range of measures to support the post office network to adapt to the changed business environment in which it operates. The network will, however, continue to operate within the context of An Post's commercial mandate.

Arts Funding

184. **Deputy Fergus O'Dowd** asked the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs if she will assess the budget submission from Nexus Arts (details supplied); and if she will make a statement on the matter. [27846/16]

Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs (Deputy Heather Humphreys): My Department has received this submission and it is being considered. In this regard, it should be noted that the Programme for a Partnership Government contains a very important commitment to work progressively to increase funding to the arts, including funding to the Arts Council and the Irish Film Board, as the economy improves.

I assure the Deputy that I am 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.

Arts Funding

185. **Deputy Richard Boyd Barrett** asked the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs the full cost of the arts budget in 2016; and the cost of increasing arts funding to 0.6% of GDP. [28031/16]

Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs (Deputy Heather Humphreys): More than €188 million is being provided in 2016 for the arts, culture and film sector, an increase of 20% on the figure for 2015. In addition, a further €6.158 million is provided for 2016 by way of a capital carry-over.

A key driver of the increase in funding for the arts and in cultural expenditure in my Department in 2016 is the ongoing Commemorations Programme. The allocation in 2016 is almost €49 million, including €31 million in capital and €18 million in current expenditure.

The capital allocation of almost €31 million for commemorations, supplemented by €6.158 million in carryover from 2015, has provided for a number of flagship projects or permanent reminders that are being progressed this year.

Funding for 2016 has also supported projects which form part of the Ireland 2016 commemorative programme. In addition, the major refurbishment of the National Gallery of Ireland continues in 2016 as well as an investment of more than €39 million this year in our national cultural institutions.

The important and valuable work of the Arts Council has also been recognised. This is reflected in the 2016 current allocation of more than €60 million, which is an increase of €1.2 million over the 2015 allocation. Funding of €5.5 million is provided in 2016 for Culture Ireland, which includes €3 million for “I am Ireland”, or “Mise Éire”, the Culture Ireland international programme that forms part of the Ireland 2016 centenary programme.

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 assure the Deputy that I am 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.

I understand that the Deputy’s reference to a figure of 0.6% of GDP is an extrapolation from a Council of Europe research project called Compendium - Cultural Policies and Trends in Europe. Compendium collects figures on expenditure on culture in some European countries. I understand that many European countries including ten EU member states are not included in the figures. The data for the Compendium project are provided by independent researchers and it is not a standardised system for collection of statistics. Apparently the Compendium itself warns that data provided by the researchers are not comparable across countries because

each researcher includes different elements in the definition of culture and these elements are reflected in the figures for public expenditure. For example, local authority expenditure on the arts, artists exemption tax relief, expenditure on public service broadcasting and the Irish language are all examples of elements not included in the Council of Europe figures for Ireland but included in the figures for some other countries.

Expenditure on the arts in Ireland comes from multiple sources, both public and private. I understand that the CSO does not produce national statistics that capture the totality of this expenditure as a percentage of GDP.

As I have previously stated, I consider that further research on this issue is warranted. The issue of a definition of culture and of capturing public expenditure on culture is an element of the draft Framework Policy Éire Ildánach/Culture 2025 which I forwarded to the Oireachtas Committee on Arts, Heritage, Regional, Rural and Gaeltacht Affairs in July.

Home Care Packages Provision

186. **Deputy Róisín Shortall** asked the Minister for Health if he will prioritise investment in community and home-based care for persons suffering with Alzheimer's disease in budget 2017; and if he will make a statement on the matter. [27875/16]

200. **Deputy Joan Collins** asked the Minister for Health his plans to invest in home based care to support and enable persons with dementia to remain living at home in budget 2017; and his views on whether an initial investment in the budget is necessary of at least over €50 million plus which then must be built yearly. [27843/16]

205. **Deputy Ruth Coppinger** asked the Minister for Health his views on the call by the Alzheimer Society of Ireland to increase home care funding for those with dementia by €67 million in 2017; if he will increase funding for home care for those with dementia to provide support for them and their families and to avoid persons entering residential care where not appropriate; and if he will make a statement on the matter. [27870/16]

207. **Deputy Róisín Shortall** asked the Minister for Health if he will prioritise investment in community and home-based care for persons suffering with Alzheimer's disease in the context of his Department's discussions on budget 2017; and if he will make a statement on the matter. [27876/16]

Minister for Health (Deputy Simon Harris): I propose to take Questions Nos. 186, 200, 205 and 207 together.

The Irish National Dementia Strategy was launched in December 2014, with the objective of increasing awareness, ensuring early diagnosis and intervention and developing enhanced community based services.

In parallel with the Strategy the Department of Health and the HSE have agreed a joint initiative with the Atlantic Philanthropies to implement significant elements of the Strategy over the period 2014-2017. This Implementation Programme represents a combined investment of €27.5m, with the Atlantic Philanthropies contributing €12m and the HSE €15.5m.

Key elements of the initiative include:

- the roll-out of a programme of Intensive Home Supports and Home Care Packages for people with dementia valued at €22.1 million over a three year period;

- the provision of additional dementia-specific resources for GPs, to include training materials and guidance on local services and contact points valued at €1.2 million;

- measures to raise public awareness, address stigma and promote the inclusion and involvement in society of those with dementia valued at €2.7 million.

The roll out of Intensive Home Care packages commenced in January 2015 and monitoring of the allocation and uptake of these packages to persons with dementia is ongoing. To date 133 people living with dementia have benefited under the funding allocated from the National Dementia Implementation Programme at an average cost of €1,000 per package per week. There are currently 85 people with dementia in receipt of an Intensive Home Care Package. In addition to the Intensive Home Care Packages the HSE will continue to provide mainstream home help and routine Home Care packages to people with dementia whose needs have been assessed as requiring these supports and within available resources. Up to 500 people with dementia and their families are expected to benefit from Intensive Home Care Packages over the lifetime of the implementation programme.

It is Government policy that, wherever possible and appropriate, people should be cared for in their own homes and communities, and the National Dementia Strategy specifically restates this commitment to those living with dementia.

The HSE's National Service Plan for 2016 provides for a target of 10.4 million Home Help Hours to support about 47,800 people. It also provides for 15,450 Home Care Packages and 130 Intensive Home Care Packages for clients with complex needs. A further 60 clients with dementia will be supported with co-funding from Atlantic Philanthropies under the Irish National Dementia Strategy.

Home support services across the country are being stretched by demands from more people, and for more hours at times outside of core hours, in the evenings and at weekends, all of which cost more. Activity in the first quarter of 2016 was ahead of the same period last year as efforts continued to alleviate pressure on the acute hospital system.

The Government has been able to respond to this demand by providing an extra €40m for home care in 2016. This will ensure that the home support services provided in 2015 are maintained and that the rate of service allocation can be maintained during the summer months. €10m of this money has been ring fenced for home care as part of the new winter initiative. The targets for 2016 will be reviewed in light of these additional resources.

The Programme for a Partnership Government also commits to increasing provision for home care in the years ahead. While the proposal from the Alzheimer Society will be considered in the context of the forthcoming Estimates exercise for 2017, at this stage I cannot predict what the outcome of that consideration will be.

Prescriptions Charges

187. **Deputy Róisín Shortall** asked the Minister for Health the cost in 2017 and in a full year of reducing the prescription levy by 25%, 50% and 75% and of eliminating it altogether. [28015/16]

Minister for Health (Deputy Simon Harris): The estimated cost of reducing the medical card prescription charge by 25%, 50% and 75% is set out in the following table. The estimated cost of eliminating the charge is approximately €120 million per year.

% Reduction	Cost (€m)
25%	29
50%	58
75%	86

These estimates assume a monthly cap of ten items per card holder and a linear relationship between the per-item charge and the cost of the reduction.

Prescriptions Charges

188. **Deputy Richard Boyd Barrett** asked the Minister for Health the cost in 2017 of reducing prescription charges to €2 and separately, the cost of reducing to €1.50 and to €1 per prescription while retaining the cap of ten prescriptions as a maximum. [28030/16]

Minister for Health (Deputy Simon Harris): The estimated cost of reducing the medical card prescription charge to €2, €1.50 and €1 is set out in the following table.

Charge (€)	Cost (€m)
2.00	23
1.50	46
1.00	69

These estimates assume a monthly cap of ten items per card holder and a linear relationship between the per-item charge and the cost of the reduction.

Hospital Waiting Lists

189. **Deputy Niamh Smyth** asked the Minister for Health if he will expedite a medical appointment for a person (details supplied); and if he will make a statement on the matter. [27800/16]

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.

Ambulance Service Data

190. **Deputy Louise O'Reilly** asked the Minister for Health if he will release all safety reviews and incident reports of the ambulance fleet of the National Ambulance Service; the number of incidents that have taken place with the fleet in each of the past five years; if he will

provide details of ambulance incidents including, but not limited to, fires, accidents and combustions; the actions taken after any events that occurred; the number of times the ambulance fleet is reviewed and checked; and if he will make a statement on the matter. [27801/16]

Minister for Health (Deputy Simon Harris): As this is a service matter, I have asked the HSE to respond to you directly.

Services for People with Disabilities

191. **Deputy Billy Kelleher** asked the Minister for Health when a person (details supplied) will receive a hospital appointment. [27809/16]

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.

Orthodontic Services Waiting Lists

192. **Deputy Éamon Ó Cuív** asked the Minister for Health when a person (details supplied) will be issued with a date for an orthodontic appointment; the reason for the delay in issuing this appointment in view of the fact that this person has been on the waiting list for three years; and if he will make a statement on the matter. [27818/16]

Minister for Health (Deputy Simon Harris): As this is a service matter it has been referred to the HSE for reply to the Deputy.

Hospital Waiting Lists

193. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a hospital appointment for a person (details supplied); and if he will make a statement on the matter. [27819/16]

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.

Drugs Payment Scheme Coverage

194. **Deputy John Brassil** asked the Minister for Health if he will include the drug Respreza for treatment of patients with Alpha-1 in the high-tech scheme; and if he will make a statement on the matter. [27825/16]

Minister for Health (Deputy Simon Harris): 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 is currently conducting an assessment of Respreza as maintenance treatment of emphysema in adults with documented severe alpha1-proteinase inhibitor deficiency. Once this assessment is completed, a summary report will be published on the NCPE website. The HSE will then consider the NCPE assessment as part of its decision-making process when considering the drug for reimbursement.

As the NCPE's assessment of Respreza is ongoing, it is not possible to provide further details at this time.

Hospital Waiting Lists

195. **Deputy Mary Butler** asked the Minister for Health if he will expedite an appointment for a person (details supplied) at University Hospital Waterford. [27829/16]

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.

Primary Care Centres

196. **Deputy Clare Daly** asked the Minister for Health if his attention has been drawn to reports that no new staff are to be allocated to the primary care centre in Balbriggan in view of the fact that his predecessor made a number of promises regarding jobs and health services that would come on stream with the centre; and if he will make a statement on the matter. [27830/16]

Minister for Health (Deputy Simon Harris): As this 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.

Hospital Waiting Lists

197. **Deputy Clare Daly** asked the Minister for Health the reason a person (details supplied) has to wait up to 14 months for an assessment by a psychologist, occupational therapist and physiotherapist when this assessment should be completed within six months; and if he will make a statement on the matter. [27838/16]

Minister for Health (Deputy Simon Harris): As this 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.

Hospital Appointments Status

198. **Deputy Barry Cowen** asked the Minister for Health when a person (details supplied) will receive a hospital appointment. [27839/16]

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.

Hospital Appointments Status

199. **Deputy Willie Penrose** asked the Minister for Health the steps he will take to ensure a person (details supplied) is given a hospital appointment; and if he will make a statement on the matter. [27841/16]

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.

Hospital Appointments Status

201. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a person (details supplied) will be facilitated in respect of their pending medical procedure; and if he will make a statement on the matter. [27855/16]

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.

Services for People with Disabilities

202. **Deputy Gerry Adams** asked the Minister for Health if he will provide more details of an initiative (details supplied) in County Louth, specifically the amount of HSE funding allocated to the project; the number of persons with disabilities currently being supported by the project; the training offered to host families and the safeguarding measures in place for participants; and if he will make a statement on the matter. [27857/16]

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.

Services for People with Disabilities

203. **Deputy Bernard J. Durkan** asked the Minister for Health when transport may be restored in the case of a person (details supplied); and if he will make a statement on the matter. [27861/16]

Minister of State at the Department of Health (Deputy Finian McGrath): Under section 6 of the Health Service Executive (Governance) Act, 2013 I am precluded from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual, and as such I am sure you will understand that it is not possible for me to get involved in individual cases.

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.

Medical Card Applications

204. **Deputy Bernard J. Durkan** asked the Minister for Health when a medical card will be approved in the case of persons (details supplied); and if he will make a statement on the matter. [27864/16]

227. **Deputy Bernard J. Durkan** asked the Minister for Health when a medical card will be issued in the case of persons (details supplied); and if he will make a statement on the matter. [27991/16]

229. **Deputy Bernard J. Durkan** asked the Minister for Health when a medical card will issue in the case of a person (details supplied); and if he will make a statement on the matter. [27994/16]

Minister for Health (Deputy Simon Harris): I propose to take Questions Nos. 204, 227 and 229 together.

The Health Service Executive has been asked to examine these matters and to reply directly to the Deputy as soon as possible.

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

Question No. 205 answered with Question No. 186.

Home Care Packages

206. **Deputy Bernard J. Durkan** asked the Minister for Health when a home care package will be approved for evening time assistance for a person (details supplied); and if he will make a statement on the matter. [27874/16]

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.

Question No. 207 answered with Question No. 186.

HSE Properties

208. **Deputy Catherine Murphy** asked the Minister for Health if plans and specific proposals for upgrade works to a health centre (details supplied) have been finalised and if funding has been sought; when the improvement works will be carried out; and if he will make a statement on the matter. [27888/16]

Minister for Health (Deputy Simon Harris): The facility in question is maintained as part of the HSE's ongoing structural maintenance programme for all facilities in the Kildare West Wicklow area. In 2009, various works including improvements to security, lighting, decor and replacement of furniture were completed. Currently, there are no specific proposals for this facility.

Health Services Provision

209. **Deputy Catherine Murphy** asked the Minister for Health if he will advise on specific operational and deployment proposals for the enhancement and augmentation of medical provision services and on the recruitment process for an on-site general practitioner at a health centre (details supplied); if funding for the deployment of enhanced services has been sought and awarded or considered for awarding; if there is a timescale to roll out the enhanced services; and if he will make a statement on the matter. [27889/16]

Minister for Health (Deputy Simon Harris): As this 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.

HSE Board Membership

210. **Deputy Billy Kelleher** asked the Minister for Health the names of the persons who currently serve on the HSE directorate; the duration of their term of office and when this is due to expire; if a new directorate is to be appointed in the near future; and, if so, the persons who will serve on it. [27890/16]

211. **Deputy Billy Kelleher** asked the Minister for Health if he has extended or approved the extension of the contracts of any national directors in the HSE since he took office and, if so, the details. [27891/16]

Minister for Health (Deputy Simon Harris): I propose to take Questions Nos. 210 and 211 together.

The Health Service Executive (Governance) Act 2013 came into effect on 25 July, 2013. Section 16A(2) of the Health Act 2004 (as amended) specifies that the number of persons appointed by the Minister for Health to the Directorate as “appointed Directors” at any time shall not be fewer than 2 and not be greater than 8. Mr Tony O’Brien, as Director General is an ex officio member of the Directorate and is Chairperson of the Directorate. Mr O’Brien was appointed Director General for a five year term in accordance with Section 16E of the Health Act 2004, as amended when the Act was commenced on 25 July, 2013.

The following persons currently serve on the HSE Directorate:

- Mr Tony O’Brien, Director General of the HSE;
- Mr Stephen Mulvany, Chief Financial Officer & Interim Deputy Director General;
- Mr Pat Healy, National Director of Social Care;
- Dr Stephanie O’Keeffe, National Director of Health & Well-being;
- Mr John Hennessy, National Director of Primary Care;
- Ms Anne O’Connor, National Director of Mental Health;
- Mr Liam Woods, Interim National Director of Acute Hospitals; and
- Dr Philip Crowley, National Director Quality Improvement.

Ms Anne O’Connor was appointed as Acting National Director for Mental Health in accordance with Section 16A of the Health Act 2004, as amended in a letter of 11 July, 2014 for as long as her appointment subsisted.

Mr Liam Woods, Interim National Director of Acute Hospitals, was appointed as a member of the Directorate, until the appointment of a permanent National Director for Acute Hospitals also with effect from 1 February, 2015. On appointment of a permanent National Director for Acute Hospitals he would be expected to vacate the position.

Dr Philip Crowley, National Director Quality Improvement, was appointed as a member of the Directorate in accordance with the HSE (Governance) Act 2013, for a period of three years with effect from 1 February, 2015.

In accordance with Section 16 of the Health Act 2004, as amended, the following were appointed members of the HSE Directorate for a period of three years and were still members at the expiry of their three year term on 25 July, 2016:

- Mr Pat Healy, National Director of Social Care;
- Dr Stephanie O’Keeffe, National Director of Health & Well-being;
- Mr John Hennessy, National Director of Primary Care; and
- Mr Stephen Mulvany, Chief Financial Officer & Interim Deputy Director General

It was at the discretion of the Minister to re-appoint them as Directors under section 16B(2) of the Health Act 2004 (as inserted by section 7 of the Health Service Executive (Governance) Act 2013) and all four Directors were re-appointed as members of the HSE Directorate until 31 December, 2016.

My officials are currently engaging with the Director General in relation to the composition and roles of the HSE senior management team including the implications any reorganisation has for the future membership of the Directorate in the context of the overall Health Reform Programme and mindful of the work of the Committee on the Future of Healthcare.

Disability Support Services

212. **Deputy Catherine Murphy** asked the Minister for Health the changes that have been made to the provision of transport services for adults attending adult disability services commencing in 2016; if additional transport has been provided in respect of new adults commencing in the services; and if he will make a statement on the matter. [27892/16]

213. **Deputy Catherine Murphy** asked the Minister for Health the assessment of need which is conducted in the analysis of the provision of transport services for adults attending adult disability services commencing in 2016; if any changes to the assessment of care needs have been implemented nationally; and if he will make a statement on the matter. [27893/16]

214. **Deputy Catherine Murphy** asked the Minister for Health the individual criteria used for inclusion on the school transportation provision services for adults attending adult disability services nationally; if any anomalies in the assessment occur nationally; the way this is controlled, streamlined and audited; and if he will make a statement on the matter. [27894/16]

Minister of State at the Department of Health (Deputy Finian McGrath): I propose to take Questions Nos. 212 to 214, inclusive, together.

Transport of school-going children, including those with a disability, is the responsibility of the Department of Education and Skills. The provision of transport to adults with a disability attending HSE-funded day services is not a core health service, and the HSE endeavours to en-

sure that all service users access public transport, including rural transport services, if possible. In recognition of the challenges which some service users experience in relation to accessible transport, some transport is provided by disability service providers on a case by case basis as resources allow. Service providers are continuously reviewing their transport arrangements to ensure that they are used as effectively and equitably as possible within available resources, and will continue to keep the matter under review.

Nursing Staff Remuneration

215. **Deputy Róisín Shortall** asked the Minister for Health the efforts he is making to reach an agreement with the Department of Public Expenditure and Reform on the recognition of the 36-week incremental credit for all nursing graduates, in line with the December 2015 agreement made with the nursing unions by his Department and the HSE; his views on whether this has created a significant anomaly where 2016 graduates are earning more than those who graduated in the previous five years; his further views that this anomaly is contributing to recruitment and retention difficulties with nurses and a resultant high agency nurse bill; and if he will make a statement on the matter. [27896/16]

Minister for Health (Deputy Simon Harris): I met with the nursing unions on Tuesday concerning recognition of the 36 week clinical placement undertaken by all nursing and midwifery graduates for the purposes of incremental credit. Following on from the meeting I have written to the Minister for Public Expenditure and Reform concerning restoration of the credit to those who graduated between 2011 and 2015.

Incremental Credit for the 36 week clinical placement was abolished by the then Government in December 2010. Having considered a submission made on behalf of the Nursing representative bodies, the INMO, the PNA and SIPTU Nursing and the Department of Health and the HSE, the Minister for Public Expenditure and Reform sanctioned recognition of the 36 week placement as qualifying for incremental credit for students on a placement in 2016 and into the future on 19 February 2016.

It is recognised that recruitment and retention of nurses and midwives is a significant issue at present. This is due to a range of factors including intense competition globally and from private providers for nurses due to a world wide shortage and the international standing of public nurses trained in Ireland, working conditions and lifestyle choices. I am committed to making terms and conditions for all nurses and midwives working in the Irish public health system as attractive as possible.

Hospital Waiting Lists

216. **Deputy John McGuinness** asked the Minister for Health the strategy and funding in place to ensure that scoliosis patients have their required operations within the international norm of three to six months; the number of scoliosis patients waiting for two years and over for operations; his strategy relative to this group; and if he will make a statement on the matter. [27902/16]

Minister for Health (Deputy Simon Harris): Scoliosis affects approximately 1% of children and adolescents in Ireland. The management of scoliosis is complex and is determined by the severity of the curvature and skeletal maturity.

Long waiting times for scoliosis surgery are not acceptable, and my Department has been

working closely with the HSE to address services pressures, particularly in Our Lady's Children's Hospital Crumlin (OLCHC), which is the largest provider of scoliosis surgery for children and young people. Additional funding of €1.042m was allocated under the 2015 Service Plan to increase capacity at OLCHC, and an additional orthopaedic surgeon, anaesthetist, and support staff, are now in place with recruitment of a further additional orthopaedic surgeon underway. Capital funding was also provided for a new theatre on site to expand theatre capacity further, and this is currently being commissioned. The Children's Hospital Group is proactively working on nurse recruitment to support the opening of the new theatre.

The HSE Winter Initiative 2016-2017, published on 9 September, also includes €2m provided specifically for scoliosis patients to treat 39 adolescent patients on the Tallaght waiting list and an additional 15-20 paediatric patients from the Crumlin waiting list by year end.

I recently met with a number of scoliosis advocacy groups to discuss their concerns and my Department will continue to work with the HSE and the relevant hospitals to ensure improvements in access to spinal surgery. In relation to the specific query, as this is a service matter, I have asked the HSE to respond to you directly.

Drug Treatment Programmes

217. **Deputy John McGuinness** asked the Minister for Health the number of drug and alcohol addiction counsellors employed by the HSE in counties Carlow and Kilkenny; if all of those positions are filled; if there is a waiting list for the service; and if he will make a statement on the matter. [27903/16]

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.

Hospital Staff

218. **Deputy Robert Troy** asked the Minister for Health if Mullingar Regional Hospital is at its full complement of nursing staff; and when the new accident and emergency department will open to full capacity. [27911/16]

Minister for Health (Deputy Simon Harris): As this is a service matter, I have asked the HSE to respond to you directly.

HSE Funding

219. **Deputy Robert Troy** asked the Minister for Health the reason an organisation (details supplied) has yet to receive a 2016 funding allocation and if this will be paid without delay. [27912/16]

Minister of State at the Department of Health (Deputy Helen McEntee): My Department earlier this year received an application from the organisation in question for Lottery funding. All Lottery applications are currently being processed. Each organisation will be notified once a decision has been made.

With regard to any HSE funding, I am referring your question to the HSE for direct reply as

this is a service issue.

Motorised Transport Grant Closure

220. **Deputy Pearse Doherty** asked the Minister for Health the progress which has been made concerning the drafting of legislation to establish a new transport support scheme which it is anticipated will replace the now closed motorised transport grant scheme; when it is expected that this process will be formally completed; and if he will make a statement on the matter. [27917/16]

Minister of State at the Department of Health (Deputy Finian McGrath): Conscious of the reports of the Ombudsman in 2013 regarding the legal status of both the Mobility Allowance and Motorised Transport Grant Schemes in the context of the Equal Status Acts, the Government decided to close both schemes.

However the Government also decided that monthly payments will continue to be made by the Health Service Executive to 4,700 people who were in receipt of the Mobility Allowance at the time the scheme closed, on the basis that this would prevent hardship and, on an interim basis, alleviate stress, anxiety and uncertainty among a vulnerable group in society.

The Government decided that the detailed preparatory work required for a new Transport Support Scheme and associated statutory provisions should be progressed by the Minister for Health. The Department is seeking a solution which would best meet the aim of supporting people with severe disabilities who require additional income to contribute towards the cost of their mobility needs, while remaining within the available budget and satisfying all legal and equality concerns.

Work is at an advanced stage on the policy proposals to be brought to Government for the drafting of primary legislation for a new scheme. The proposals seek to ensure that:

- There is a firm statutory basis to the Scheme's operation;
- There is transparency and equity in the eligibility criteria attaching to the Scheme;
- Resources are targeted at those with the greatest needs; and
- The Scheme is capable of being costed and it is affordable on its introduction and on an ongoing basis.

I am pleased to inform the Deputy that the Programme for Partnership Government acknowledges the ongoing drafting of primary legislation for a new Transport Support Scheme. I anticipate that the Heads of Bill will be brought to Government shortly.

Hospital Staff Recruitment

221. **Deputy Pearse Doherty** asked the Minister for Health the current vacancies at Letterkenny University Hospital, as well as all positions for which a vacancy remained at some point in 2016; if, in each case, the post remains vacant or has been successfully filled; the date on which recruitment was completed; the date on which the HSE became formally aware that a vacancy existed, or would exist, concerning each post; if approval to recruit to fill these posts has or has not been granted with respect to each; the level at which such approval has been formally granted, that is, local, regional, national and so on; the date on which this approval was

given with respect to each; the measures which have been taken in an effort to fill each of these vacancies; and if he will make a statement on the matter. [27925/16]

Minister for Health (Deputy Simon Harris): I have asked the HSE to respond to the Deputy directly on this matter.

Hospital Services

222. **Deputy Pearse Doherty** asked the Minister for Health the most recent progress which has been made to reinstate the outreach rheumatology clinic at Letterkenny University Hospital; if he is aware of the major inconvenience which present service provision and arrangements are causing to persons who must travel outside the county in order to access these services; and if he will make a statement on the matter. [27926/16]

Minister for Health (Deputy Simon Harris): In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

Hospital Waiting Lists

223. **Deputy Pearse Doherty** asked the Minister for Health the waiting times for persons to receive an appointment at the rheumatology department at Our Lady's Hospital in Manorhamilton, County Leitrim, specifically for those waiting three months, six months, nine months, 12 months or greater than 12 months; and if he will make a statement on the matter. [27927/16]

Minister for Health (Deputy Simon Harris): In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

Hospital Appointments Administration

224. **Deputy Pearse Doherty** asked the Minister for Health the total number of appointments which have been made with respect to patients from County Donegal, the number of whom have accessed rheumatology services at Our Lady's Hospital in Manorhamilton, County Leitrim, following the cessation of outreach clinics at Letterkenny University Hospital; and if he will make a statement on the matter. [27928/16]

Minister for Health (Deputy Simon Harris): In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

Infectious Disease Incidence

225. **Deputy Alan Kelly** asked the Minister for Health the number of transgender persons here who have been diagnosed with HIV; and the way in which transgender persons are categorised in the current statistics. [27934/16]

Minister for Health (Deputy Simon Harris): Human immunodeficiency virus (HIV) infection is a notifiable disease covered by the Infectious Diseases (Amendment) Regulations 2016. The HSE Health Protection Surveillance Centre collects and collates data nationally on new HIV diagnoses. At present, data that would allow the separate categorisation of transgender people is not systematically collected on new HIV diagnoses. Transgender people are a

group that may be at higher risk of HIV infection and the systematic capture of this information will be considered, as part of on-going review of HIV surveillance.

Health Services

226. **Deputy Éamon Ó Cuív** asked the Minister for Health when a physiotherapy appointment will issue for a person (details supplied) in County Galway in view of the fact that this person has been waiting for an appointment for some time; and if he will make a statement on the matter. [27949/16]

Minister for Health (Deputy Simon Harris): As this 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.

Question No. 227 answered with Question No. 204.

Psychological Assessments

228. **Deputy Bernard J. Durkan** asked the Minister for Health if psychological assessment will be arranged for a person (details supplied); and if he will make a statement on the matter. [27993/16]

Minister of State at the Department of Health (Deputy Helen McEntee): As this is a service issue, I am referring your question to the HSE for direct reply.

Question No. 229 answered with Question No. 204.

Areas of Natural Constraint Scheme Payments

230. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of 2016 ANC payments for a person (details supplied); and if he will make a statement on the matter. [27802/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): An application under the 2016 Basic Payment/Areas of Natural Constraint Scheme was received from the person named on 16 May 2016. The application was processed and payment under the scheme issued at the earliest possible date of 20 September.

As the person named had outstanding debts owed to my department in respect of cross compliance penalties realised for years 2012 and 2013 (15% and 81% respectively) this money was recouped from the 2016 ANC payment.

Basic Payment Scheme Appeals

231. **Deputy Kevin O’Keeffe** asked the Minister for Agriculture, Food and the Marine the status of an appeal application by persons (details supplied) [27805/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The person named submitted an application for an allocation of entitlements under the ‘Scottish Deroga-

tion' measure of the 2015 Basic Payment Scheme.

Under EU Regulations governing the Scottish Derogation measure of the Basic Payment scheme, processing of applications involves administrative checks to verify that the applicant had been actively farming in the Beef, Dairying, Sheep or Arable sectors on 15 May 2013. The applicant in this case applied on the grounds of Beef production. Upon review of the evidence available to the Department, the applicant was found to have no production of Beef on 15 May 2013 and was advised in writing that his application was rejected. The applicant appealed this decision and his application was fully reviewed. However there was no evidence provided to alter the Departments decision. The applicant was advised that their appeal was unsuccessful and was provided with the option to further appeal to the Independent Appeals Committee.

An application for an Appeal was received by the Department on 19 September 2016 and will be forwarded to the Independent Appeals Committee who will carry out a full review of the case.

GLAS Payments

232. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of a farm payment for a person (details supplied); and if he will make a statement on the matter. [27823/16]

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

My Department received a request to withdraw a parcel approved for the Low Input Permanent Pasture action from the approved GLAS application and this delayed the processing of the payment. The agricultural advisor of the person named then submitted a request to GLAS section cancelling the withdrawal of this parcel. Department officials sought and have now received confirmation of this request from the person named.

The application has been processed on this basis and will be included in the next pay run for payment in respect of the 2015 scheme year, which is due to issue shortly.

Dairy Sector

233. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine his plans to provide an additional €11 million in respect of a dairy package so as to match in full the EU allocation which was recently announced and in which Ireland secured €11 million as part of a €350 million aid package; and if he will make a statement on the matter. [27842/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): I am fully aware of the pressures on farmers right now and I have committed to working with all the stakeholders, both at national and EU level, to address these issues and ensure that we continue to have a sustainable and resilient sector. In order to address the ongoing difficulties in the Dairy markets at EU and international level, the Commission presented a further package of measures at the Agri-Fish Council on 18 July 2016. The main component of the package is a fund of €500 million, which in turn comprises two elements:

- The first is a €150 million EU-wide measure to compensate farmers for reducing their milk output in the final quarter of 2016 compared to the same period in 2015 (at a rate of 14c/kg). The detailed rules regarding this measure were agreed at EU level on August 25 and the Commission provided the legal provisions to give effect to this measure earlier this month. The Scheme is currently being implemented in Ireland and some 4,400 milk producers have applied, indicating that they propose to reduce milk production by 72 million litres in the Oct – Dec 2016 period over the same period last year.

- The second element of the EU July 2016 package, to which the Deputy refers, is a €350 million fund that will be allocated to Member States in the form of national envelopes, which each Member State can use in accordance with domestic circumstances. Whilst eligibility criteria will apply, Member States are afforded a large degree of flexibility in terms of the measures they might adopt. Ireland's allocation from the fund will be €11.09 million. Member States will be required to notify the Commission by 1 November 2016 of the measures to be adopted.

I will consider the question of additional national funding in the context of the overall budgetary process and taking into account the finite resources available and the demands from across the agri food sector.

Areas of Natural Constraint Scheme Payments

234. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine if he will ensure that an ANC payment to a person (details supplied) will issue; and if he will make a statement on the matter. [27845/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The person named submitted a 2016 Areas of Natural Constraint Scheme application on 12 May 2016. Processing of the application is ongoing. Once this process is completed the application will be further reviewed with a view to payment issuing directly to the nominated bank account of the person named at the earliest possible date.

Appointments to State Boards

235. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine if he is satisfied that accurate information was furnished to his Department in respect of the appointment of the chief executive officer of Horse Racing Ireland; if so, the basis upon which the said appointment proceeded; and if he will make a statement on the matter. [27941/16]

236. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine his views on the fact that appropriate and necessary ministerial consent provided by him, which permitted the reappointment of the chief executive of Horse Racing Ireland, may have been made on the basis of facts which did not accord with the reality of the situation whereby there was no board approval made by Horse Racing Ireland on 21 July 2016 or any other date; if, in that context, he is concerned that he might have been misled concerning such approval; and if he will make a statement on the matter. [27942/16]

237. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine if, in respect of the appointment of the chief executive officer of any organisation, it is critical that the board would submit its approval concerning such appointment to the relevant Minister and in respect of the reappointment of the chief executive officer of Horse Racing Ireland, it was made clear that the request of ministerial sanction and consent was subject to the advice of the

board of duly appointed directors signalling their agreement to such appointment; and if he will make a statement on the matter. [27943/16]

238. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine his view on the fact that the reappointment of the chief executive officer of Horse Racing Ireland clearly breached the Government guidelines as set down by the Department of Public Expenditure and Reform, which specified strict time limits of the duration for time in which the CEO of a commercial semi-State body should serve; if, in the context of the reappointment of the CEO of Horse Racing Ireland, this was clearly breached in so far as at the end of this contract period, the person would have served in excess of 19 years, which is clearly not in accordance with the prescribed guidelines; and if he will make a statement on the matter. [27944/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): I propose to take Questions Nos. 235 to 238, inclusive, together.

Horse Racing Ireland is a commercial state body established under the Horse and Greyhound Racing Act, 2001, and is responsible for the overall administration, promotion and development of the horse racing industry.

The appointment of the Chief Executive Officer is a matter for the board of HRI, subject to the consent of the relevant Ministers.

The current guidelines on contracts for the CEOs of State Bodies provide for a seven year period of appointment. In the case of Horse Racing Ireland the Chairman of HRI made a case for an extension to the term of appointment of the CEO as an exception to those guidelines, based on a number of business imperatives.

The necessary Ministerial consents were provided and I am advised by HRI that the board agreed to re-appoint the CEO on 21st July 2016.

I have already indicated that I understand that the board had not had a formal discussion on the case presented to support the CEO's appointment prior to its submission, and that it would have been more appropriate to have had such a discussion before Ministerial consents were sought.

I note however that the Board has confirmed that the Chairman's actions and intentions reflected its views regarding the CEO's contract, but recognised that a more collegiate approach would have improved the process. The board has also indicated that it is fully agreed that there was no intention to incorrectly inform the Minister or misrepresent its views. The board of HRI has also indicated that it is satisfied that "the best result for HRI and the industry has been achieved with the successful completion of the new CEO contract".

Areas of Natural Constraint Scheme Applications

239. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied); and if he will make a statement on the matter. [27957/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): An application under the 2016 Areas of Natural Constraint Scheme was received from the person named on 13 May 2016. Processing of the application has recently been finalised and payment will issue to the nominated bank account shortly.

Areas of Natural Constraint Scheme Applications

240. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) under the areas of natural constraint scheme; and if he will make a statement on the matter. [27958/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The person named submitted a 2016 Areas of Natural Constraint Scheme application on 28 March 2016. Processing of the application identified that the holding of the person named has not as yet met the stocking requirements as per the Terms and Conditions of the scheme. On completion of this requirement, the application will be further reviewed with a view to payment issuing directly to the nominated bank account of the person named at the earliest possible date.

Areas of Natural Constraint Scheme Applications

241. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment under the areas of natural constraint scheme will issue to a person (details supplied) in County Donegal; and if he will make a statement on the matter. [27965/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): An application under the 2016 Areas of Natural Constraints Scheme was received from the person named on 20 April 2016. Processing of the application under the Areas of Natural Constraints Scheme is currently in progress. On completion of this process, the application will be further reviewed with a view to payment issuing directly to the nominated bank account of the person named at the earliest possible date.

Areas of Natural Constraint Scheme Applications

242. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) in County Donegal under the areas of natural constraint scheme; and if he will make a statement on the matter. [27966/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): An application under the 2016 Basic Payment/Areas of Natural Constraint Scheme was received in my Department from the person named on 20 April 2016. Following processing a dual claim was disclosed in respect of one land parcel declared on this application. The person named responded to my Department's preliminary notification stating that he had the right to declare this parcel. My Department has requested further information from the person named in support of his claim to this parcel. As soon as this information is received, the application can be further processed.

Areas of Natural Constraint Scheme Applications

243. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) under the areas of natural constraint scheme; and if he will make a statement on the matter. [27967/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): An application under the 2016 Areas of Natural Constraint Scheme was received from the person named

on 13 May 2016. Processing of the application has recently been finalised and payment will issue to the nominated bank account shortly.

Areas of Natural Constraint Scheme Applications

244. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) under the areas of natural constraint scheme; and if he will make a statement on the matter. [27968/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The person named submitted a 2016 Areas of Natural Constraint Scheme application on 1 April 2016. Processing of the application identified that the holding of the person named has not as yet met the stocking requirements as per the Terms and Conditions of the scheme. On completion of this requirement, the application will be further reviewed with a view to payment issuing directly to the nominated bank account of the person named at the earliest possible date.

Areas of Natural Constraint Scheme Applications

245. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) in County Donegal under the Areas of Natural Constraint scheme; and if he will make a statement on the matter. [27969/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): An application under the 2016 Areas of Natural Constraint Scheme was received from the person named on 4 April 2016. Payment under the Scheme has not issued to the person named as, at this stage, the holding concerned has not satisfied the Scheme's minimum stocking density requirements.

Under the 2016 Areas of Natural Constraints Scheme, flock owners are requested to comply with EU Regulation 21/2004 and return an annual count of the numbers of sheep on their holding via the annual sheep census. The December 2015 Sheep Census was required to be returned to the Department by an initial closing date of 29 January 2016. This date was extended to 16 May 2016 for the purpose of Areas of Natural Constraints Scheme. Examination of department records confirms that this sheep census was not return until 19 May 2016.

As the census in respect of the person named was not received before the closing date of the scheme, unfortunately this case cannot be considered for payment under the 2016 Area of Natural Constraints Scheme.

Areas of Natural Constraint Scheme Applications

246. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) in County Donegal under the areas of natural constraint scheme; and if he will make a statement on the matter. [27970/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The person named submitted a 2016 Areas of Natural Constraint Scheme application on 21 April 2016. Processing of the application identified that the holding of the person named has not as yet met the stocking requirements as per the Terms and Conditions of the scheme. On completion of this requirement, the application will be further reviewed with a view to payment issuing directly to the nominated bank account of the person named at the earliest possible date.

TAMS Applications

247. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when an application will be processed for a person (details supplied); and if he will make a statement on the matter. [27971/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The applicant named has applied for investment items in both Tranches 3 and 4 of the Dairy Equipment Scheme of TAMS II. The applications are going through the administrative checks and if the applications are in order they go through the Ranking and Selection Process. Tranche 4 will close on the 30th of September and all applications received in that Tranche will be examined before the Ranking and Selection process takes place. The Ranking and Selection process for all applications received in the earlier Tranche 3 will be undertaken in the near future.

Areas of Natural Constraint Scheme Payments

248. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) under the ANC scheme; and if he will make a statement on the matter. [27972/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The person named submitted a 2016 Areas of Natural Constraint Scheme application on 14 May 2016. Processing of the application identified that the holding of the person named has not as yet met the stocking requirements as per the Terms and Conditions of the scheme. On completion of this requirement, the application will be further reviewed with a view to payment issuing directly to the nominated bank account of the person named at the earliest possible date.

Areas of Natural Constraint Scheme Payments

249. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person under the ANC scheme (details supplied); and if he will make a statement on the matter. [27973/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): An application under the 2016 Basic Payment-Areas of Natural Constraint Scheme was received in my Department from the person named on 14 May 2016. During processing of the application, an overlap was disclosed in respect of one land parcel declared. In addition, the application did not include a map for other lands declared. My Department has written to the person named on both these matters. As soon as replies are received, the application will be further processed.

Areas of Natural Constraint Scheme Payments

250. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person under the ANC scheme (details supplied); and if he will make a statement on the matter. [27974/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): In order for the person named to be considered for payment under the 2016 Areas of Natural Constraints

(ANC) Scheme, they must in the first instance have submitted a Basic Payment Scheme (BPS)/ ANC application from prior to the closing date of the 16 May 2016. Analysis of department records can confirm no record of this application being received by my Department.

Beef Data and Genomics Programme

251. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the number of farmers who have submitted samples by herd size in intervals of ten, that is, zero to ten, 11 to 20, and so on, by county, under the beef data genomics scheme; and if he will make a statement on the matter. [28038/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The information requested is not yet available but is currently being compiled. It will be forwarded to the Deputy directly as soon as it is finalised.

Beef Data and Genomics Programme

252. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the number of farmers participating in the beef data genomics scheme that have completed a beef carbon navigator, on a county basis; and if he will make a statement on the matter. [28039/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): A total of 11,520 applicants have completed their carbon navigator under the Beef Data and Genomics Programme (BDGP) as set out in the following table. The closing date for completion of this element of the BDGP is 31 October. All participating farmers have been reminded of the requirement to complete the carbon navigator by the end of the October on a number of occasions including recently by both letter and text (where they have subscribed for text messages).

County	No.
Carlow	184
Cavan	546
Clare	738
Cork	987
Donegal	769
Dublin	37
Galway	1356
Kerry	493
Kildare	106
Kilkenny	234
Laois	281
Leitrim	378
Limerick	320
Longford	353
Louth	115
Mayo	1340
Meath	166

County	No.
Monaghan	428
Offaly	255
Roscommon	777
Sligo	395
Tipperary	415
Waterford	118
Westmeath	273
Wexford	327
Wicklow	129
TOTAL	11520

GLAS Data

253. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the number of farmers who have been approved for tier one, two and three and by county, for GLAS; and if he will make a statement on the matter. [28040/16]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The following tables set out the number of farmers who have been approved for Tier one, two and three on a county by county basis for GLAS Tranche 1 and GLAS Tranche 2:

GLAS 1

County	Tier 1	Tier 2	Tier 3	Total
Carlow	160	85	39	284
Cavan	198	438	282	918
Clare	724	186	721	1631
Cork	1102	297	836	2235
Donegal	1076	245	660	1981
Dublin	25	21	19	65
Galway	1472	884	793	3149
Kerry	1182	162	451	1795
Kildare	93	93	70	256
Kilkenny	145	113	189	447
Laois	150	137	89	376
Leitrim	306	284	446	1036
Limerick	453	194	419	1066
Longford	78	235	206	519
Louth	72	35	44	151
Mayo	1398	366	847	2611
Meath	93	202	151	446
Monaghan	67	229	292	588
Offaly	100	188	197	485
Roscommon	334	752	465	1551
Sligo	335	131	492	958
Tipperary	439	178	546	1163

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County	Tier 1	Tier 2	Tier 3	Total
Waterford	172	40	155	367
Westmeath	95	332	232	659
Wexford	339	250	212	801
Wicklow	152	111	74	337

GLAS 2

County	Tier 1	Tier 2	Tier 3	Total
Carlow	74	57	0	131
Cavan	154	283	10	448
Clare	450	236	10	696
Cork	765	269	28	1062
Donegal	843	165	11	1019
Dublin	6	11	0	17
Galway	864	452	26	1342
Kerry	767	114	7	888
Kildare	45	39	1	85
Kilkenny	112	96	7	215
Laois	95	104	5	204
Leitrim	226	176	21	423
Limerick	175	119	17	311
Longford	87	267	5	359
Louth	50	32	0	82
Mayo	1057	288	16	1361
Meath	59	151	0	210
Monaghan	28	120	4	152
Offaly	154	130	1	285
Roscommon	239	305	15	559
Sligo	249	113	9	371
Tipperary	314	207	11	532
Waterford	83	51	2	136
Westmeath	91	185	1	277
Wexford	141	117	11	269
Wicklow	104	51	3	158

National Broadband Plan Expenditure

254. **Deputy Bríd Smith** asked the Minister for Communications, Climate Action and Environment the estimated yearly cost of the proposed 25-year contract for the NBP under the current proposed model. [27866/16]

255. **Deputy Bríd Smith** asked the Minister for Communications, Climate Action and Environment the estimated costs of alternative proposals around alternative models for unrolling the NBP or any such information his Department may have on such costs. [27867/16]

256. **Deputy Bríd Smith** asked the Minister for Communications, Climate Action and En-

vironment the estimated savings his Department views the chosen funding model will deliver over the 25 years of any contract for the NBP. [27868/16]

Minister for Communications, Climate Action and Environment (Deputy Denis Naughten): I propose to take Questions Nos. 254 to 256, inclusive, together.

The National Broadband Plan (NBP) represents a very significant capital investment project for the State and 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.

On 5 July the Government selected the Commercial Stimulus Model as the optimum ownership model for the network that will be part funded by the Exchequer. The Department has completed detailed costings, down to every individual premise in the Intervention Area and, on that basis, has modelled the likely cost of various technologies and ownership models. It would not be appropriate to publish the expected cost of building the network or the likely cost to the State while a major public procurement process is underway. I do not intend therefore to indicate the overall estimated Exchequer funding parameters. Ultimately, the costs will depend on the price that bidder(s) quote in the tender process.

On 29 September 2015, the Government's 6 year Capital Plan, *Building on Recovery*, was published. It includes an allocation of €275m for the National Broadband Plan (NBP). This allocation provides the initial stimulus required to deliver the Government's intervention and it is expected that further funding will be available over the lifetime of any contract(s). Funding of €75m is committed through the European Regional Development Fund (ERDF).

The Department commenced the Invitation to Participate in Dialogue (ITPD) phase of the procurement process in July and is engaged in the formal dialogue process with the three qualifying bidders. Following the conclusion of the Dialogue Phase and an invitation to bidders to submit detailed draft proposals, the Department will issue final tender documentation to bidders. When final tenders have been submitted 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 timing of each stage of the procurement is dependent on a number of factors including the number of qualified bidders and the complexities that may be encountered during the procurement process. It must be noted that bidders will need adequate time to prepare detailed proposals and their final formal bids and get the relevant shareholder and funding approvals at these stages of the process.

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(ies) to be deployed will become clear.

As part of the Department's extensive stakeholder consultations in 2015, telecommunications service providers indicated that it could take 3-5 years to roll out a network of the scale envisaged under the NBP. It is however open to bidder(s) to suggest more aggressive timescales as part of their bids. As part of the competitive process, the Department will engage with winning bidder(s) on the best roll-out 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 ef-

ficient network roll-out plan. A prioritisation programme will be put in place in this regard, in consultation with the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs. A detailed roll-out plan for the network will be published once contract(s) are in place.

The Programme for Government also commits to measures to assist in the roll-out of the network once a contract is awarded. In this regard, Minister Humphreys is leading on the establishment of two regional action groups, working with Local Authorities, Local Enterprise Offices and other relevant agencies to help accelerate the broadband network build in rural Ireland, once a contract(s) has been awarded.

In the meantime, my Department continues to liaise closely with industry and relevant other 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 and mobile telecoms services. These investments will further improve the coverage and quality of broadband and mobile voice and data services throughout the country.

In line with commitments in the Programme for Government I established a Mobile Phone and Broadband Task Force with my colleague Minister Humphreys in July 2016. The Task force will recommend practical actions that can be taken in the short-term to improve mobile phone and broadband access in Ireland, working with Government Departments, Local Authorities, ComReg, State Agencies, the telecoms industry and other key stakeholders. The work of the task force will also assist Local Authorities in preparing for the roll-out of the new NBP network once contract(s) are in place. I expect that Minister Humphreys and I will bring proposals to Government by the end of 2016, on foot of the Task force's report.

National Broadband Plan Implementation

257. **Deputy Robert Troy** asked the Minister for Communications, Climate Action and Environment the work completed to date regarding the roll-out of broadband nationally; and the definite timeline and remainder stages until the project is fully completed.

[27910/16]

Minister for Communications, Climate Action and Environment (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 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 shows the extent of the State Intervention area:

- 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. Premises within this area will get services of at least 30mbps when the procurement process is completed and the network rolled out.

The map provides information on a county by county basis with a breakdown of coverage across the townlands in every county. Individuals can check whether their premises is in a BLUE or an AMBER area by scrolling through the map online or entering their Eircode. The Department also has a dedicated mailbox and anyone with a query in relation to the Map should email the Department, quoting their Eircode, to broadband@dcenr.gov.ie.

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. On 5 July, I announced that my Department has also identified that up to an additional 170,000 premises which are currently market BLUE on the High Speed Broadband Map are unlikely to get access to services. My Department is conducting further analysis to identify these additional premises with a view to including them in the formal procurement process. This work will conclude in the coming months and will be reflected in a further update to the High Speed Broadband Map.

The Department commenced the Invitation to Participate in Dialogue (ITPD) phase of the procurement process in July and is engaged in the formal dialogue process with the three qualifying bidders. Following the conclusion of the Dialogue Phase and an invitation to bidders to submit detailed draft proposals, the Department will issue final tender documentation to bidders. When final tenders have been submitted 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 timing of each stage of the procurement is dependent on a number of factors including the number of qualified bidders and the complexities that may be encountered during the procurement process. It must be noted that bidders will need adequate time to prepare detailed proposals and their final formal bids and get the relevant shareholder and funding approvals at these stages of the process.

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(ies) to be deployed will become clear.

As part of the Department's extensive stakeholder consultations in 2015, telecommunications service providers indicated that it could take 3-5 years to roll out a network of the scale envisaged under the NBP. It is however open to bidder(s) to suggest more aggressive timescales as part of their bids. As part of the competitive process, the Department will engage with winning bidder(s) on the best roll-out 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 roll-out plan. A prioritisation programme will be put in place in this regard, in consultation with the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs. A detailed roll-out plan for the network will be published once contract(s) are in place.

The Programme for Government also commits to measures to assist in the roll-out of the network once a contract is awarded. In this regard, Minister Humphreys is leading on the establishment of two regional action groups, working with Local Authorities, Local Enterprise Offices and other relevant agencies to help accelerate the broadband network build in rural Ireland, once a contract(s) has been awarded.

In the meantime, my Department continues to liaise closely with industry and relevant other

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 and mobile telecoms services. These investments will further improve the coverage and quality of broadband and mobile voice and data services throughout the country.

In line with commitments in the Programme for Government I established a Mobile Phone and Broadband Task Force with my colleague Minister Humphreys in July 2016. The Task force will recommend practical actions that can be taken in the short-term to improve mobile phone and broadband access in Ireland, working with Government Departments, Local Authorities, ComReg, State Agencies, the telecoms industry and other key stakeholders. The work of the task force will also assist Local Authorities in preparing for the roll-out of the new NBP network once contract(s) are in place. I expect that Minister Humphreys and I will bring proposals to Government by the end of 2016, on foot of the Task force's report.

Environmental Protection Agency Governance

258. **Deputy Alan Kelly** asked the Minister for Communications, Climate Action and Environment the reason he has not yet appointed a new advisory committee to the Environmental Protection Agency; when he intends to appoint the committee; if he is aware of the many concerns regarding the absence of a new committee being appointed; and if he will make a statement on the matter. [27932/16]

Minister for Communications, Climate Action and Environment (Deputy Denis Naughten): Sections 27 and 28 of the Environmental Protection Act 1992, as amended, provide for the establishment of an Advisory Committee to the Environmental Protection Agency (EPA), which is chaired by the Director General of the EPA and includes eleven other members. The Advisory Committee has a range of advisory functions under the EPA Act, including making recommendations to the EPA, or the Minister, relating to the Agency's functions. Following the merger of the '*The Radiological Protection Institute of Ireland*' with '*The Environmental Protection Agency*' in August 2014, amendments were made to the sections 27 and 28 of the EPA Act, 1992 governing the Advisory Committee, to also provide specifically for radiological protection expertise.

The term of office of the 6th EPA Advisory Committee expired on 26 February 2016. Nominations for the 7th Advisory Committee were invited from the five nominating panels, as per the Environmental Protection Agency (Advisory Committee) Regulations 2015 (S.I. No 613 of 2015).

In accordance with Section 27 (6)(a) of the EPA Act, the Minister is required to appoint 7 members in total from the five nominating panels, with at least one member from each panel. The Minister is also required to select the remaining four members of the Committee, and in so doing to comply with Government policy on gender balance, so at least 4 of the 11 members should be female.

As specified in Section 27 (5) of the EPA Act valid nominations were received under each of the five nominating panels who represent the following interests

- Organisations representative of persons whose professions and occupations relate to environmental protection or radiological protection;
- Organisations concerned with environmental protection or radiological protection;

- Organisations concerned with the promotion of economic or other development
- Organisations concerned with the promotion of, in relation to community, of social, economic or general interests
- Organisations which in his opinion are representative of persons concerned with education or research relating to environmental matters or radiological protection .

Separate to the statutory call to the prescribed bodies for nominees a notice was also placed on the Department's website requesting expressions of interest from members of the public interested in being considered for appointment to the Advisory Committee.

These applications have been collated and work is ongoing in my Department to finalise the selection process. I expect to be in a position to announce the membership of the Advisory Committee in the near future.

Better Energy Homes Scheme Data

259. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and Environment the amount allocated in 2016 for home energy grants; and the number of households projected to be covered by these grants in 2016. [28017/16]

Minister for Communications, Climate Action and Environment (Deputy Denis Naughten): The Sustainable Energy Authority of Ireland (SEAI) operates a number of energy efficiency schemes under the Better Energy Programme on behalf of my Department. The Better Energy Homes Scheme makes a range of grants available to home-owners who wish to improve the energy efficiency of their homes. The Better Energy Warmer Homes Scheme offers free energy efficiency upgrades to those in energy poverty, while the Better Energy Communities Scheme funds a range of community activity on energy efficiency.

To date, the Better Energy Programme has supported energy efficiency upgrades in more than 325,000 homes throughout Ireland. It is anticipated that up to 25,000 homes will receive energy efficiency upgrades under the Better Energy Programme in 2016. SEAI estimate that this activity will support approximately 2,300 jobs.

The following table details the numbers of homes that have received grant support so far in 2016, the amount of funding spent to date and the estimated final outturn for each programme (capital and current) in 2016.

	Number of homes completed to 31 August 2016	Funding spent up to 31 August 2016	Total Anticipated Outturn - 2016
Better Energy Homes	10,666	€11,151,533	€17.18m
Better Energy Warmer Homes (including Warmth & Wellbeing sub-strand)	5,175	€12,230,000	€20.69m

	Number of homes completed to 31 August 2016	Funding spent up to 31 August 2016	Total Anticipated Outturn - 2016
Better Energy Communities	N/A (works underway at the moment, anticipate 2,640 homes completed by end of year)	€3,915,131 (it should be noted that the bulk of funds under this scheme are drawn down in Q4)	€19.05m
Total			€56.92m

Sport and Recreational Development

260. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the current status of the national sports policy. [27915/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I will shortly publish a detailed public consultation paper and invite interested parties, including the sports sector, stakeholders and the general public, to respond to questions and offer perspectives on a wide range of policy issues relevant to sport. This public consultation process, along with the relevant stakeholder engagement, will feed into the development of a National Sports Policy.

Road Projects Expenditure

261. **Deputy James Lawless** asked the Minister for Transport, Tourism and Sport the current and cumulative costs to the NRA of maintaining a site (details supplied) over the past ten years; and if he will make a statement on the matter. [27808/16]

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 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.

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.

Maritime Safety Regulations

262. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport in view of the clarification his Department received from the European Commission in June 2016 on the requirement for the Marine Survey Office to accept UK Maritime and Coastguard Agency certificates of proficiency issued outside of the UK in another member state in respect of seafarers' certificates; his current position on the key issue of mutual recognition of seafarers' certificates within the EU in line with the requirements of Directive 2005/45/EC, if he accepts this mutual recognition requirement; and if he will make a statement on the matter. [27887/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The mutual recognition of certificates validly issued by other EU Member States is fully supported and accepted by my Department. Particular issues have arisen in relation to certifications under the authority of the Maritime and Coastguard Agency of the United Kingdom, which have been the subject

of correspondence between my Department and inter alia, the UK Authorities. Arising from that correspondence and its consideration in my Department, a further meeting will take place shortly with interested parties at which my officials will fully clarify our position on this issue.

Bus Éireann Services

263. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the discussions he or his officials have held with Bus Éireann management regarding their plans to change the expressway service since his appointment; and if he will make a statement on the matter. [27906/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): As the Deputy is aware, last week Bus Éireann met trade unions in the Workplace Relations Commission to discuss a pay claim. At that meeting Bus Éireann management raised the issue of the loss-making in the company's commercial "Expressway" service and indicated a desire to open discussions with trade unions as regards potential options to address these losses which are significant and impacting upon the Company's overall financial performance. Last year for example the Company lost €5 million and losses this year are expected to reach approximately €6million. Clearly the losses require the Board and management of the Company to examine available options in order to restore financial stability and safeguard the interests of employees, stakeholders and the general public.

The issues facing the Company have obviously informed discussions held between my Department and the Company in recent months. On 12 September I met the Chair and CEO of Bus Éireann, who gave me a wide ranging overview of the challenges and opportunities faced by the company across all of its business units - school transport services, PSO services and the commercial Expressway service. A number of issues were discussed including an outline for the future of the company and the need to find a reasonable way forward from its present loss-making position. The meeting did not discuss any detailed plan and at no stage did I convey any agreement whatsoever; the meeting was a briefing on relevant issues, and was one of a series of meetings I have been having with the heads of the State entities under my aegis.

I am aware that the Board is concerned to address the level of losses and has been working to find a way to return the company to a sustainable position. In this regard, I welcome the Company's statement earlier this week that it is commissioning an independent review of its plans and hope that through this, combined with open engagement with employees, a way forward can be found which will restore the Company to profitability and allow it move forward in a sustainable manner.

Regional Airports

264. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport if the regional airports will avail of the recent funding due to the EU 75% restrictions on state aid; if he considers the four regional airports will be in a position to raise the necessary 25%; his views on whether a case can be made for 90% funding; and if he will make a statement on the matter. [27907/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I announced on 14 September last an allocation of €2.7m in funding support for the four regional airports in Donegal, Ireland West Airport Knock (IWAK), Kerry and Waterford, most of which was in respect of safety and security projects at the airports that were approved for funding under the CAPEX

Scheme of my Department's Regional Airports Programme.

The maximum level of grant aid that is permitted under the 2014 EU *Guidelines on State aid to airports and airlines* for projects that fall within this Scheme is 75% of the 'funding gap', i.e. the net present value of the difference between the positive and negative cash flows (including investment costs) over the lifetime of the project. The projects that were the subject of my announcement earlier this month were all approved at this maximum 75% aid rate.

As the Deputy has indicated, the EU Guidelines provide that, in certain limited circumstances, an aid rate exceeding 75% may be justified in exceptional circumstances for airports with traffic volume below 1 million passengers per annum. In such a scenario, the EU Commission have indicated that a business case, justifying the proposed higher aid rate, would have to be approved by them.

Clearly, the EU Commission view any support above the 75% level as an exception, rather than the norm.

I believe that having the public purse pick up the tab for three-quarters of the cost of airport investments removes a considerable financial burden from our regional airports and it is not unreasonable that these airport companies should fund the balance from their own resources.

I am aware, however, that IWAK has indicated that, even with the maximum level (75%) of capital support allowed for under the EU Guidelines, they believe that they will be unable to finance their two major upcoming projects – an apron extension and an overlay of the runway. My Department has indicated to IWAK that we will support the making a case to the EU Commission to permit a 90% aid rate for these two planned major projects.

I should also mention that under the Public Policy Remit Capital (PPR-C) Scheme of the Regional Airports Programme, former Transport Minister Paschal Donohoe announced €1.2m in funding last April for the four regional airports. The PPR-C Scheme caters for projects and operations at the airports which are generally obligatory under national or international aviation requirements and which involve costs for the airports that generate no economic return (e.g. Air Traffic Control, fire services, security services, etc). Exchequer support for PPR-C projects is not regarded as State aid and the support provided by my Department under this Scheme is at the 90% level.

Tax Reliefs Availability

265. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport if he has held any engagement with the Minister for Finance concerning the possible introduction of tax relief for persons who contribute to sporting bodies. [27916/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): A Working Group was set up in 2015 to examine the possibility of tax relief for donations to sporting bodies for non-capital projects. The Working Group included representatives from the Department of Finance, the Department of Public Expenditure and Reform and the Department of Transport, Tourism and Sport. The Department of Finance emphasised to the Working Group that any new tax expenditures would need to be matched by new revenue raising measures or expenditure cuts and no new tax relief for donations to sporting bodies for non-capital projects was introduced. Taxation matters are matters for the Minister for Finance in the first instance.

Aviation Industry Regulations

266. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the timeframe and process that will be undertaken for the establishment of a separate unit within the IAA to deal with airport noise; and the way it will operate as the competent authority in relation to EU Regulation No. 598/2014 in the interim. [27919/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): It is envisaged that the legislation currently in preparation in my Department, in consultation with the Attorney General's Office, will specifically require the establishment of a functionally separate unit within the Irish Aviation Authority (IAA). Pending the completion of that legislation, expected by the end of this year, the question of the interim operation of the Competent Authority does not arise.

There is a requirement for regulatory independence in EU Regulation 598/2014 and its achievement by functional separation is specifically permitted. The IAA has considerable experience of this functional separation model as it has been operating that model since 2004 in relation to safety oversight of air navigation service providers under the suite of EU legislation concerning the Single European Sky. The IAA is also responsible for safety regulation of Irish civil aviation generally. This experience of the functional separation model will inform the establishment of the required separate unit in relation to EU Regulation 598/2014.

Aviation Industry Regulations

267. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the arrangements that exist in other EU countries regarding the competent authority designated to deal with EU Regulation No. 598/2014; and the analysis he made of the practice in other jurisdictions, prior to awarding this function to the IAA. [27920/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): Given that three of the four constituent elements of the Balanced Approach for airport noise management, as developed by the International Civil Aviation Organisation (ICAO), are aviation-related with the remaining one relating to land-use planning and management, it was considered that a dedicated body, with expert knowledge of aircraft technology as well as airport and air navigation operations, was the principal decision criterion in this instance and essential to fulfil the various regulatory tasks satisfactorily. Although no one entity in Ireland possesses the entire range of expertise and knowledge to implement internally all elements of the ICAO Balanced Approach, given the particular relevance of aviation expertise, it was considered that the Irish Aviation Authority was best placed to discharge the regulatory responsibilities involved.

Information obtained from the European Commission indicates that other Member States are following a similar approach as in most of the cases notified to the European Commission national civil aviation authorities are being designated for the role of competent authority for EU Regulation 598-2014.

Aviation Industry Regulations

268. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the way in which he proposes to deal with the collaborative working and public consultation arrangements that he has acknowledged have to be applied in implementing EU Regulation No. 598/2014; and the way residents' views will be taken into consideration in the establishment of such arrangements. [27921/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): It is proposed that

the legislation currently in preparation in my Department, in consultation with the Attorney General's Office, will outline requirements concerning the collaborative working arrangements to apply between the Competent Authority and the various statutory bodies that have roles and expertise in relation to noise management, in particular An Bord Pleanála, Fingal Council and the Environmental Protection Agency. Insofar as public consultation arrangements are concerned, the Competent Authority will also be required to organise consultation processes to secure the views of all concerned stakeholders, including from local residents and businesses. The detailed public consultation requirements and mechanisms will be defined legislatively for the Competent Authority in order that all concerned parties have full clarity of the regime and can provide the necessary inputs and advices at clearly defined stages of the overall regulatory process.

Aviation Industry Regulations

269. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the process he intends to undertake in relation to the establishment of an appeal mechanism to independently examine, where required, the application of the competent authority's legal responsibility in adhering to the ICAO balanced approach in implementing EU Regulation No. 598/2014; and if such a body must be in place prior to the commencement of the implementation of the regulation. [27922/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The legislation currently in preparation in my Department, in consultation with the Attorney General's Office, will make specific provision for an independent appeal body. The precise details of the process under which the appeal body, of up to five persons with relevant expertise, will be constituted remains under consideration. Decisions of the Competent Authority may be referred to this appeal body which will be established by me in consultation with my colleagues, the Minister for Housing, Planning, Community and Local Government and the Minister for Communications, Climate Action and the Environment. In these circumstances, it is not necessary for the appeal body to be in place prior to the commencement of the legislation, which is expected by the end of the year.

Vacancies on State Boards

270. **Deputy Alan Kelly** asked the Minister for Transport, Tourism and Sport the number of vacancies that currently exist on State boards and agencies under the aegis of his Department; the length of time that such vacancies have existed; if such vacancies have been advertised on a website (details supplied); and when he intends to fill the vacancies. [27931/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): A full list of membership and vacancies can be found on my Department's website at the following link <http://www.dttas.ie/corporate/english/state-board-membership-and-approved-fees>.

In relation to vacancies on boards under my remit, I set out my position on the filling of vacancies to the Joint Oireachtas Committee on Transport, Tourism and Sport last week. In doing so I questioned the need for the size of these boards. I am currently considering means by which the appointment processes can be enhanced to ensure in so far as possible the best appointments are made. I am also considering the size of the boards in question and the need or otherwise to fill each vacancy.

National Roads Authority Projects

271. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport the position and anticipated timeframe for a project (details supplied) in County Kerry; and if he will make a statement on the matter. [27935/16]

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 (such as the N70) 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.

National Roads Authority Projects

272. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport the position and anticipated timeframe for a project (details supplied) in County Kerry; and if he will make a statement on the matter. [27936/16]

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 (such as the N86) 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.

Industrial Disputes

273. **Deputy Micheál Martin** asked the Minister for Transport, Tourism and Sport the attempts he and his departmental officials have made to encourage the parties involved in the Dublin Bus dispute to try to find a resolution to the dispute; and if he will make a statement on the matter. [27952/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I have clearly and consistently made known my view in this dispute that these issues will only be resolved by both employer and employees engaging in open and constructive dialogue and agreeing upon a reasonable solution. I have been equally clear that as Minister I have no role or function in the discussions required to end this pay dispute between the employer and its employees.

As with all commercial State companies under my remit, I exercise the role of shareholder on behalf of the State and my Department maintains communication with all such companies to ensure I am fully briefed on all relevant issues.

I obviously welcome the talks that commenced in the Workplace Relations Commission (WRC) on Monday 26th September, and I also welcomed the helpful suspension of the industrial action which had been planned for Tuesday and Wednesday, so as to allow for further discussions to take place.

My hope now is that both sides can agree upon a resolution that ensures not just a good deal for the company and its employees but a good deal for the travelling public also.

Appointments to State Boards

274. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the process undertaken in the appointment of the chief executive of Sport Ireland, from the original ministerial statements that the position would be filled by public competition, to the filling of the position for a year with a commitment that it would be advertised at the end of that period, to the appointment being made on a permanent basis by the board without any competition. [27954/16]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The appointment of a chief executive of Sport Ireland comes under Section 22 of the Sport Ireland Act 2015. Section 22(5) provides that the first Chief Executive shall be appointed by the Minister and my predecessor appointed the then Chief Executive of the Irish Sports Council to be the first Chief Executive of Sport Ireland. This was for a one year term to facilitate the transition to the new body.

Section 22(2) provides that thereafter the chief executive shall be appointed by Sport Ireland with the approval of the Minister for Transport, Tourism and Sport. The terms and conditions attaching to such appointments are also subject to the approval of the Minister for Transport, Tourism and Sport, to be given with the consent of the Minister for Public Expenditure and Reform.

Competition and Consumer Protection Commission

275. **Deputy Alan Kelly** asked the Minister for Jobs, Enterprise and Innovation if she will give consideration to the appointment of part-time members of the CCPC as provided for under section 12(3)(c) of the Competition and Consumer Protection Act 2014 in order to ensure that the CCPC has sufficient expertise to allow it to carry out its competition enforcement functions more effectively than is currently the case. [27929/16]

Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor): There are currently no plans or need to appoint any part-time members to the Competition and Consumer Protection Commission (CCPC) under section 12(3)(c) of the Competition and Consumer Protection Act 2014.

This sub-section (which was originally contained in section 35(1)(c) of the Competition Act 2002) is aimed at appointing part-time members to the CCPC where current members are unable to serve due to illness, unavailability due to absence from the State, etc. so as to ensure that the CCPC remains properly constituted or quorate.

Under the Competition and Consumer Protection Act 2014, the CCPC must comprise a Chairperson and between 2 and 6 members: the current CCPC has a Chairperson and 4 members. Appointment of full-time members is governed by section 12 of the Competition and Consumer Protection Act 2014 which states, amongst other provisions, that such appointments by me, as the Minister for Jobs, Enterprise and Innovation, shall follow an open competition

undertaken by the Public Appointments Service.

Enforcement of competition law is one of the statutory functions of the CCPC as a whole, including its staff. Recent recruitments will see the staffing level of the CCPC rise to 91 by the beginning of October. Further recruitment is underway to fill the 16 existing vacancies. The recruitment process is very advanced on some of those posts.

Vacancies on State Boards

276. **Deputy Alan Kelly** asked the Minister for Jobs, Enterprise and Innovation the number of vacancies that currently exist on State boards and agencies under the aegis of her Department; the length of time that such vacancies have existed; if such vacancies have been advertised on www.stateboards.ie; and when she intends to fill the vacancies. [27930/16]

Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor): There are currently 3 vacancies on the Board of IAASA, the Chairperson, vacant since May 2016, a Ministerial nominee vacant since September 2015, and a Prescribed Accountancy Bodies (PAB) nominee since June 2016. There is an ongoing PAS process to fill the vacancy of Chair of IAASA. The Ministerial nominee vacancy will be filled through a PAS competition after the position of Chairperson is finalised, and the Prescribed Accountancy Bodies' nominee vacancy is a matter for the PABs.

There are currently no vacancies on any of the other State Boards under my Department's aegis.

Industrial Disputes

277. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation if she or her Department are involved with trying to resolve the Dublin Bus dispute; her views on the economic impacts of same on business; and if she will make a statement on the matter. [27950/16]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Pat Breen): I would like to assure the Deputy that the Workplace Relations Commission and the Labour Court remain available at all times to assist in the resolution of this dispute.

I welcomed the suspension of the industrial action that was proposed for earlier this week to allow further exploratory talks to take place at the Workplace Relations Commission.

I acknowledge the considerable disruption suffered by commuters, the financial impact on business in Dublin and the losses suffered by the parties resulting from the this on-going dispute

However, even what often appears to be the most intractable of disputes is capable of resolution where both sides engage constructively and in good faith in this voluntary process.

The principle of good faith implies that both sides in a dispute make every effort to reach an agreement and endeavour, through genuine and constructive negotiations, to resolve their differences.

Work Permits Applications

278. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation when a work permit will issue in the case of a person (details supplied); and if she will make a statement on the matter. [27988/16]

Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor): A Contract for Services Employment Permit application was refused by my Department on 27th September 2016. In the first instance the State's general policy is to promote the sourcing of labour and skills needs from within the workforce of the EU and other EEA states. In accordance with this my Department operates an Ineligible Categories of Employment List (ICEL) which is reviewed biannually. The occupation of Stone Mason is included on the current ICEL. In addition, at the time of application the employee was in the State without current immigration permission. Also, although the employer sought this application under my Department's Trusted Partner initiative they were not registered as a Trusted Partner under the scheme.

The application was also refused for a number of reasons that relate specifically to the category of employment permit sought: the annual remuneration stated was less than €40,000, the prescribed remuneration in respect of permits of this type; the contractor did not make appropriate arrangements to provide board or accommodation or health insurance for the foreign national for the period they are due to be in the State; the foreign national was not employed by the contractor for at least 6 months prior to this application as required; supporting documentation indicated that the foreign national concerned may not be employed by the contractor concerned during the period for which the employment permit is to be granted. Finally, as the application was not on my Department's Highly Skilled Eligible Occupations List (HSEOL), as it was not supported by an Enterprise Development Agency such as IDA Ireland, or Enterprise Ireland, and as the annual salary stated was less than €60,000, the employer was obliged to undertake a Labour Market Needs Test. This Test, which ensures that job opportunities are made available to Irish and EEA nationals, was not undertaken by the employer as required.

The applicant has been informed that in accordance with Section 13 of the Employment Permits Act 2006, as amended, they may seek a review of this refusal decision within twenty-eight (28) days from the date of refusal letter. To date no such request for review has been received.

Preschool Services

279. **Deputy Michael Healy-Rae** asked the Minister for Children and Youth Affairs if she will examine a case with regard to an HSE inspection carried out in a preschool (details supplied); and if she will make a statement on the matter. [27820/16]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): As this is a service matter, I have asked the Child and Family Agency/Tusla to consider the Deputy's request, to liaise with the Health Service Executive, if required and to respond directly to the Deputy with the information he requests in no later than 10 working days. I have asked my officials to follow up on this and to ensure delivery of the information to the Deputy as a matter of urgency.

Family Resource Centres

280. **Deputy Willie Penrose** asked the Minister for Children and Youth Affairs if she will confirm having received a submission from the National Forum of Family Resource Centres, seeking an adequate level of operational funding for the FRC programme which will ensure that each FRC throughout the country is funded to meet its overhead costs and has adequate staff levels to deliver the family support within the best practice guidelines for working with children

and families in this area; and if she will make a statement on the matter. [27840/16]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): I can confirm that I recently received a pre-budget submission for 2017, from the Family Resource Centre National Forum, seeking additional funding to support the Family Resource Centre Programme funded by Tusla, the Child and Family Agency.

There are currently 109 communities supported through the Family and Community Services Resource Centre Programme. Tusla provides core funding to Family Resource Centres to cover the employment of two or three members of staff and some overhead costs. Expenditure on the programme in 2016 is of the order of €13.5m. Tusla also funds the Family Resource Centre National Forum from within this amount.

I recognise and value the very positive impact of the work of the Family Resource Centres in supporting families and local communities. The Centres provide a holistic service of child, family and community support and advocacy to all children and families in their community. This universal accessibility allows for early identification of need, provision of appropriate interventions, and timely referrals to appropriate services for more intensive and targeted work as required.

While it would be inappropriate for me to comment at this time on any future decisions that may be taken by Government in the context of Budget 2017, I can assure the Deputy that I will continue to support the work of the Family Support Centres and to the targeting of available resources at those services which make the greatest impact on vulnerable children and families.

Area Based Childhood Programme

281. **Deputy Joan Burton** asked the Minister for Children and Youth Affairs the total funding for the area-based childhood programme for children since 2006 and each subsequent year to date in 2016; her plans or proposals for expanding same; and if she will make a statement on the matter. [27847/16]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): The Area Based Childhood (ABC) Programme is a joint prevention and early intervention initiative led by my Department and The Atlantic Philanthropies. The ABC Programme commenced in 2013 and was co-funded for the period 2013 to 2017 in the amount of €29.7m, providing areas with multi annual budgets. The aim of the programme is to test and evaluate prevention and early intervention approaches in 13 areas of disadvantage in Ireland to improve outcomes for children, in particular children and families living in poverty. The focus of the work under the ABC Programme covers: Child Health & Development; Children's Learning; Parenting; and Integrated Service Delivery.

Prior to the ABC Programme, the Prevention and Early Intervention Programme (PEIP) ran from 2007-2013. PEIP funding amounted to €36m and funded the following three organisations: youngballymun, Childhood Development Initiative Tallaght, and the Preparing for Life Programme Darndale.

When combined with the funding provided to the PEIP programme since 2007, the total spend on both programmes will be €67.1m.

The Government is fully committed to ensuring that learning from all sites funded under the ABC programme will inform other services and supports for children in the area of prevention and early intervention. Such an approach would offer a greater reach, in scope and depth,

which will in turn enhance outcomes for children throughout the country. While the National evaluation of the ABC programme will not be complete until 2018, the Department is currently reviewing the emerging learning from the programme in terms of design and implementation and having regard to most recent developments in our own policy domain and in other related areas. It is acknowledged given Programme for Government commitments that some decisions will need to be made on the future of the programme in advance of the completion of all the elements of the evaluation.

The Department is preparing a paper on the options for a future ABC Programme. The paper will set out the optimum course(s) of action for the future of an area-based approach in line with Programme for Government commitments. It is intended that the Minister will present a Memo for Government in the coming months in relation to the Programme for Government Commitments.

Youth Services

282. **Deputy Martin Heydon** asked the Minister for Children and Youth Affairs the funding supports available to a youth club (details supplied); and if she will make a statement on the matter. [27977/16]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): My Department administers a range of funding schemes and programmes to support the provision of youth services by the voluntary youth sector, to young people throughout the country including those from disadvantaged communities. The funding schemes support national and local youth work provision to some 380,000 young people. The voluntary youth sector involves approximately 1,400 paid staff, including youth workers and 40,000 volunteers working in youth work services and communities throughout the country.

The Local Youth Club Grant Scheme supports youth work activities at a local level. These grants are made available to all youth clubs and groups through the local Education and Training Boards. The scheme is open to some 1,600 youth groups and clubs, with an estimated 89,000 club members around the country. In 2016, €1.065m was allocated to this scheme, which has now closed. The scheme, which is open to new entrants, is advertised locally and applications for funding are invited by the Education and Training Boards from local groups in their respective areas. Each year, some 600 local youth clubs benefit from the scheme.

The youth club in question may wish to contact Kildare and Wicklow Education and Training Board regarding their applying for funding in 2017.