

## Written Answers.

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

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*Questions Nos. 1 to 7, inclusive, answered orally.*

### **Brexit Negotiations**

8. **Deputy Joan Burton** asked the Minister for Foreign Affairs and Trade if he will report on his most recent meeting with the EU Brexit negotiator, Mr. Michel Barnier. [44870/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I met with the EU's Chief Negotiator, Michel Barnier, in Luxembourg in advance of the meeting of the General Affairs Council on 17 October. This was our third meeting since my appointment. It was a constructive meeting at which we discussed the progress of negotiations to date. I welcomed the progress that has been made in the areas of citizens' rights and the Irish-specific issues. However, it was clear that there are still many issues outstanding, not least on the issue of the financial settlement.

In all of my meetings with Mr Barnier to date, I have laid particular emphasis on Ireland's objective of protecting the Good Friday Agreement in all its parts and the gains of the peace process, including avoiding a hard border on the island of Ireland. I have strongly emphasised the need for an imaginative and flexible political solution. In so doing, I have been equally clear that we will only pursue solutions that are compatible with our aim of protecting the integrity of the Single Market and the Customs Union and Ireland's place in them. I conveyed this position again on 17 October, recognising that these priorities are reflected in the Commission Task Force's Guiding Principles paper of 7 September on Ireland and Northern Ireland. I thanked Mr Barnier and his team for their hard work and the progress made on the Irish-specific issues, most notably with regard to the Common Travel Area. We agreed that there is still a lot of work required on protecting the Good Friday Agreement in all its parts and the gains of the peace process, including sustaining North South cooperation and avoiding a hard border on the island of Ireland. We agreed that the Task Force's Guiding Principles on Ireland and Northern Ireland should form the basis of the firm political assurances and tangible commitments required from the UK in phase 1 future and the ultimate solutions on the Irish specific issues as part of the EU-UK Withdrawal Agreement.

We also discussed the issue of sufficient progress ahead of the October European Council. Mr Barnier informed me at that time that although progress had been made in the previous rounds of negotiations, he was not in a position to recommend to the European Council that sufficient progress had been made on all of the withdrawal issues to enable the negotiations to move to phase two. While it had been hoped that the UK's position would be more advanced by October, Mr Barnier's position and the subsequent decision by the European Council not to advance to phase two, was not unexpected.

I am hopeful that the sufficient progress required can be made in the negotiations in the coming weeks so that a decision can be taken by the European Council in December that discussions with the UK on future relationship issues, including on transitional arrangements, can begin.

*Questions Nos. 9 to 12, inclusive, answered orally.*

### **Overseas Development Aid**

13. **Deputy Maureen O’Sullivan** asked the Minister for Foreign Affairs and Trade his views on the prevalence of tied aid from various EU countries as a form of overseas development aid; his plans for Ireland to be a stronger voice in Europe on asserting that ODA be open, transparent and unconditional in view of Ireland’s reputation as a country that does not put conditions on its aid programmes; and if he will make a statement on the matter. [48419/17]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon):** Ireland has consistently been recognized by the OECD Development Assistance Committee for the quality of our aid programme and the emphasis we place on achieving results for the poor, particularly in least developed countries. The OECD DAC has also commended Ireland for continuing its commitment to ensuring that our aid is untied, a consistent record.

The most recent analysis from the OECD does indicate that the overall share of aid that is untied dropped to 87.1% in 2014 and 83.5% in 2015 after rising for several years to a high of 89.5% in 2013.

Ireland is amongst the top performers of EU countries committed to untied aid, along with Belgium, Denmark, Luxembourg, the Netherlands, and the UK.

We believe that untied aid contributes to more effective development assistance for people and communities that need it most and that Official Development Assistance (ODA) is most effective when it supports the development objectives that people, communities and governments prioritise. Untying aid also means that more aid is spent in developing countries themselves.

Within the OECD DAC, and at the EU, Ireland has continued to advocate for the delivery of aid which is open, transparent and unconditional to support countries own national priorities. We advocated for and welcome the agreed language in the new European Consensus for Development that commits the EU and its member states to accelerate efforts to untie aid and encourage all providers of development cooperation, including emerging economies, to do the same.

Ireland’s aid programme will continue to focus on ending extreme poverty, hunger and under nutrition by 2030 and our aid will remain untied.

### **Ministerial Travel**

14. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade if he will provide a report on his trip to Ethiopia and Kenya; the stakeholders and government officials he met; and his views on whether his trip will lead to an increased political and humanitarian engagement between his Department and the Horn of Africa region. [48396/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I visited Ethiopia and Kenya from the 6th to the 8th of November.

In Ethiopia, I met with Prime Minister Hailemariam Desalegn and Foreign Minister Workneh Gebeyehu and discussed the current political and humanitarian situation in the country and the wider region, reaffirmed Ireland's continued partnership with Ethiopia, and explored opportunities for trade and investment.

In Kenya, I met with President Uhuru Kenyatta and Cabinet Secretary for Foreign Affairs, Amina Mohamed. In these meetings, I raised regional peace and security concerns, and discussed the current political situation and Ireland's strong economic and development ties in Kenya. I oversaw the conclusion of business agreements between Kenyan and Irish companies and discussed the potential for further trade and agri-business links between our two countries.

I had planned to visit Somalia and was unable to do so because of a deteriorating security situation. I telephoned the Foreign Minister of Somalia, Yusuf Garaad, to express sympathy and solidarity with the people of Somalia in the aftermath of the recent terrorist attacks, and was briefed on the fragile security situation and the important role of the EU in continued support for AMISOM.

I also met key representatives from the African Union (AU) and the Intergovernmental Authority on Development (IGAD) to discuss regional peace and security issues and the urgent need to find a political solution to the South Sudan conflict.

The scale of humanitarian needs across the Horn of Africa is now unprecedented, driven by conflict, severe drought, massive population displacements and acute hunger. During my visit, I announced additional humanitarian assistance to the Horn of Africa totaling €11 million, bringing Ireland's humanitarian assistance to the region to over €138 million since 2012.

Ireland, together with our EU and UN partners, will continue to work to address the drivers of instability and conflict in the region. We will maintain strong bilateral political and economic ties, and provide sustained humanitarian and development support to vulnerable communities.

### **Syrian Conflict**

15. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade his plans to advocate in the EU for the lifting of the sanctions on Syria, which are causing unnecessary hardship and suffering to ordinary Syrians. [48366/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** On 18 January 2012, the Council adopted a package of measures aimed at addressing the continued brutal repression and violation of human rights by the Government of Syria.

The measures currently in place against Syria include an oil embargo, restrictions on certain investments, a freeze of the assets of the Syrian central bank within the EU and export restrictions on equipment and technology that might be used for internal repression or interception of internet or telephone communications. There are no sanctions on food, medicines or most other civilian goods.

There are numerous barriers to humanitarian access in Syria as a result of actions by the parties to the conflict, particularly the Assad regime. I am confident that EU sanctions are not a barrier to the delivery of aid.

As stated in the EU's Basic Principles on the Use of Restrictive Measures, "Sanctions should be targeted in a way that has maximum impact on those whose behaviour we want to influence. Targeting should reduce to the maximum extent possible any adverse humanitarian

effects or unintended consequences for persons not targeted or neighbouring countries.” In order to minimise the adverse effects of sanctions, exemptions for essential civilian needs and for humanitarian assistance, have been introduced in certain sanctions regimes, such as the Syria sanctions regime.

On 29 May 2017, the Council extended EU restrictive measures against the Syrian regime until 1 June 2018. This decision is in line with the EU strategy on Syria, which states that the EU will maintain its restrictive measures against the Syrian regime and its supporters as long as the repression of civilians continues.

## **Northern Ireland**

16. **Deputy Paul Murphy** asked the Minister for Foreign Affairs and Trade if he has discussed the threat to jobs in a company (details supplied) in his meetings with the British Government or leaders of the Northern Ireland parties; and if he will make a statement on the matter. [48319/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Government is concerned at the possible adverse impact on jobs at Bombardier Belfast and on the wider economy in Northern Ireland of the ongoing US Administration anti-dumping and anti-subsidies investigation regarding the development of Bombardier’s C-Series aircraft.

I have raised the Government’s concerns directly with the US Secretary of Commerce, Wilbur Ross. I have also discussed the matter with the Secretary of State for Northern Ireland and with political parties in Northern Ireland.

I wrote to the US Secretary of Commerce in September to convey the concerns of the Irish Government, as co-guarantor of the Good Friday Agreement, and had the opportunity to speak with him in person on the issue at a bilateral meeting in Washington D.C. on 4 October.

I outlined to Secretary Ross the Government’s concerns at the preliminary finding and the implications the case could have for Bombardier’s operations in Belfast. I noted that the Government appreciated fully that the matter is a commercial dispute on which the US authorities must adjudicate. I asked Secretary Ross to consider fully the significance of the case in terms of the impact on the economy in Northern Ireland, noting the important support which economic prosperity provides to the Peace Process. I recalled also that the United States has been instrumental in brokering and consolidating peace in Northern Ireland and continues to provide immensely valuable support to the Peace Process.

The Government will continue to proactively raise our concerns on the investigation with the US Administration. My Department is also maintaining contact with the trade unions representing workers at Bombardier Belfast, to keep them informed on the Government’s engagement on the matter, as a co-guarantor of the Good Friday Agreement.

It should be noted that the findings by the US Department of Commerce are preliminary decisions, in a process that is not expected to conclude until 2018. Bombardier have stated that they will fully contest the preliminary findings and that the implications for their operations in Belfast are as yet unclear.

I note also that, further to the announcement of a deal between Airbus and Bombardier last month, indications have been given that the deal will support jobs at Bombardier Belfast. That would be most welcome news, if confirmed, particularly for the people employed by Bombardier in Belfast who are most directly concerned.

The potential impact of the preliminary finding by the US Department of Commerce on jobs at Bombardier Belfast remains a key concern for the Government, as a co-guarantor of the Good Friday Agreement. I will continue to do all that I can to assist on this matter and engage further with the US Administration in the period ahead, as and when required.

### **Catalan Referendum**

17. **Deputy Paul Murphy** asked the Minister for Foreign Affairs and Trade if he has raised the issue of the jailing of members of the Catalan Government and other repressive measures with the Spanish ambassador or with the Spanish Government; and if he will make a statement on the matter. [48320/17]

20. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade his views on the fact that two Catalan civil society activists remain in jail in Spain awaiting trial on charges of sedition for organising peaceful and democratic public demonstrations (details supplied); his views on whether the Spanish Government's decision to dismiss the Catalan Government, dissolve the parliament and bring serious charges against Ministers with a democratic mandate is undemocratic and counterproductive; and if he will raise his concerns regarding these decisions with his Spanish counterpart. [48398/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 17 and 20 together.

We are all concerned about the crisis in Catalonia.

Ireland respects the constitutional and territorial integrity of Spain and we do not accept or recognise the Catalan Unilateral Declaration of Independence. Any decision on a question as important as independence requires legitimacy both in the broadest possible political terms and in terms of the legal framework.

The resolution of the current crisis needs to be within Spain's constitutional framework and through Spain's democratic institutions. It is for all Spaniards – all Catalans and all Spaniards – to shape their own constitutional and political arrangements, through their own democratic institutions and laws.

Ireland supports efforts to resolve this crisis through lawful and peaceful means. I have made these points to both Foreign Minister Dastis, when I met him at the Foreign Affairs Council on Monday and the Spanish Ambassador when I spoke to him recently.

Elections have been called for 21 December in which all of the parties can participate and which will give all Catalans a voice.

Measures have been taken to limit regional autonomy. I hope that after the elections, regional autonomy can be restored.

I am aware that judicial proceedings are underway and as these are matters before the Courts, it would not be appropriate for me to comment.

We will continue to monitor closely developments in the period ahead and to maintain open lines of communication with the Spanish authorities at all levels.

### **Foreign Conflicts**

18. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade if he has made representations at EU level for the imposition of an embargo on arms sales to Saudi Arabia in view of the letter sent by a group of MEPs representing 48% of the European Parliament urging such a ban. [48365/17]

22. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade if his attention has been drawn to the fact that Saudi Arabia has again placed an illegal and inhumane blockade on Yemen (details supplied); if he will condemn the imposition of this blockade; and if he will contact his Saudi Arabian counterpart and demand that it is lifted. [48399/17]

33. **Deputy Mick Wallace** asked the Minister for Foreign Affairs and Trade his plans to reconsider Ireland's current relationship with Saudi Arabia, due to its ongoing involvement in Yemen; his further plans to interact with the Saudi Arabian embassy regarding these issues; and if he will make a statement on the matter. [48402/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 18, 22 and 33 together.

I remain deeply concerned by the situation in Yemen, the suffering of civilians there, and the humanitarian crisis which the war has triggered. EU Foreign Ministers discussed the situation in Yemen last April, and called on the parties to start negotiating a peace agreement. Ireland will continue to support the efforts of UN Special Envoy Ismail Ould Cheikh Ahmed and his team in their work towards a peace agreement that is acceptable to all parties to the conflict.

The war in Yemen is having increasingly devastating consequences for civilians. I strongly condemn all attacks targeting civilians, in all circumstances, which are contrary to international humanitarian law. There have been numerous such attacks in the Yemen conflict, causing great suffering. I also condemn the recent missile attack on Riyadh on 4 November, which endangered the lives of ordinary people. Such acts are unacceptable.

Ireland takes the issue of humanitarian access extremely seriously. The closure of land, air and sea ports earlier this month, including for the transit of humanitarian aid, was an alarming development. When my officials last met with officials from the Saudi Embassy in Dublin last week, they stressed Ireland's condemnation of the missile attack on Riyadh, and also made clear the priority Ireland attaches to unfettered humanitarian access. My officials relayed my request that all parties to the conflict do everything possible to facilitate the delivery of aid. There have also been EU contacts with Saudi Arabia on this issue.

I am encouraged by announcements by Saudi Arabia that it intends to allow the reopening of some ports and border crossings, which is an extremely necessary step. I will continue to monitor this closely, and I take this opportunity to reiterate my call on all parties to the conflict to allow unrestricted humanitarian access to those in need.

Ireland has close economic ties with Saudi Arabia, and this relationship has considerable benefits for the Irish economy. However, this partnership does not prevent us from raising our concerns in the appropriate channels. My predecessor, Minister Flanagan, raised concerns about the appalling humanitarian situation in Yemen, and about attacks which have directly impacted on civilians, with the Saudi Minister of State for Foreign Affairs, Dr Nizar bin Obaid Madani, in November 2016. Following this, he also raised these concerns with the UAE Minister for Foreign Affairs, Abdullah bin Zayed Al Nahyan, both in the UAE and more recently here in Dublin. More recently, when senior officials from my Department met with the Saudi Chargé d'Affaires last week, they reiterated these concerns, and re-stated Ireland's view that there can be no military solution to the crisis in Yemen.

Ireland's foreign policy is underpinned by a set of values which include the protection of human rights, support for development, and the promotion of disarmament – values which Ireland champions and promotes in its interactions with all of our international partners irrespective of any trading relationships.

All EU Member States have signed and ratified the 2014 Arms Trade Treaty (ATT), the first legally binding instrument to regulate the international trade in conventional weapons. States which sign up to the Treaty are prohibited from exporting arms to countries if they know those weapons will be used to commit gross violations of human rights.

I can assure the House that I will continue to take every appropriate opportunity to press for a negotiated settlement to the conflict in Yemen and improved humanitarian access in the future.

### **Sustainable Development Goals**

19. **Deputy Maureen O'Sullivan** asked the Minister for Foreign Affairs and Trade his views on the need for greater urgency in the implementation of the strategic development goals; and if he will make a statement on the matter. [48421/17]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon):** The 2030 Agenda, with seventeen Sustainable Development Goals (SDGs), was adopted by world leaders at the UN in 2015. This landmark global agreement, negotiated by Ireland and Kenya, provides the framework for sustainable development globally. Given their universal nature, Ireland's implementation of the SDGs is being undertaken domestically, as well as through the work of my Department in supporting Lesser Developed Countries in their efforts.

Effective implementation of the SDGs at national level requires a broad and integrated domestic policy response, as well as engagement by a broad range of stakeholders. To this end, an Inter-Departmental Senior Officials Group, chaired by the Department of the Taoiseach, and an Inter-Departmental Working Group, chaired by the Department of Communications, Climate Action and the Environment, are now taking forward the work in developing Ireland's National SDG Implementation Plan 2018-20, to be finalised early next year.

Ireland will be one of 48 countries to voluntarily present a national review of implementation of the SDGs at the July 2018 UN High Level Political Forum. We have seen from the national reviews last year that progress is evident in the implementation of the SDGs. National governments are strongly committed to the transformative agenda and to leaving no one behind. At the same time, many challenges remain and over 760 million people globally continue to live on less than \$1.90 a day, compounded by conflict and fragility in different parts of the world.

We will continue our strong role in addressing these challenges with the urgency they deserve, and in the domestic implementation of the SDGs with other Departments.

*Question No. 20 answered with Question No. 17.*

### **Good Friday Agreement**

21. **Deputy Seán Haughey** asked the Minister for Foreign Affairs and Trade his plans to commemorate the Good Friday Agreement and its twentieth anniversary. [41386/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** Planning is underway in my Department to mark the 20th anniversary of the signing of the Good Friday Agreement,

on 10 April next year. A number of key events, at home and abroad, are being developed as part of a programme to highlight this important anniversary and to celebrate the achievement of the Agreement, which continues to be the cornerstone of our commitment to peace and reconciliation.

My Department, both here on the island of Ireland and through our overseas Embassy network, is supporting, and actively engaging with, a wide range of individuals, groups and institutions, who are considering and planning conferences, seminars, cultural and artistic responses, remembrance acts and other initiatives to mark the 20th anniversary of the achievement of this seminal Agreement. Initial contacts with the British Government have also taken place to consider how best to appropriately reflect the key role of both Governments as co-guarantors of the Agreement.

The Government's programme to mark the 20th anniversary of the Agreement will include events in Dublin, Washington, London, and Belfast. These will include a new production of *Rising to Reconciliation*, which was developed for the 18th anniversary of the Good Friday Agreement and uses poetry, images and music to reflect on the troubled journey towards peace and reconciliation on the island of Ireland.

All these events will also be an opportunity to reflect on the peace process, past and present; to remember the loss of life during the years of conflict; and to look back at all that has happened on the journey of peace and reconciliation on the island of Ireland. This journey is of course an ongoing one, and the continued imperative to work to realise the full potential of the Good Friday Agreement will form part of the Government's approach to the 20th anniversary.

*Question No. 22 answered with Question No. 18.*

## **Brexit Issues**

23. **Deputy Niamh Smyth** asked the Minister for Foreign Affairs and Trade if he has commenced a plan for the way in which the common travel area may operate if a hard border is introduced following Brexit. [48310/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** Maintaining the Common Travel Area is a Government priority in the Brexit negotiations. The Common Travel Area is an important feature of the close relationship Ireland enjoys with the UK, with long-established bilateral benefits which enable activity between Ireland and in the UK in many areas including, for example, in trade and tourism. It means that Irish and British citizens can live, work, study, and access health, housing, welfare and pensions in each other's countries. Importantly, it also underpins the citizenship provisions of the Good Friday Agreement. The CTA is an arrangement that is valued on both islands and continuation of this arrangement is a stated objective of both the Irish and UK Governments. The CTA pre-dates Irish and UK membership of the EU and is not dependent on EU membership.

Work to maintain the Common Travel Area is ongoing. The EU's Guidelines and Negotiating Directives clearly provide for the continuation of bilateral agreements and arrangements between the UK and Ireland which are compatible with EU law. I welcome progress in the most recent rounds of negotiations on advancing joint principles on the continuation of the Common Travel Area and the support that has been shown by our EU partners to date in working towards this objective.

The border issue is complex, but the Government has been clear in its position that there can be no hard border on this island. I welcome that the UK Government shares this objective but I



have been clear that it is up to the UK to propose workable solutions to ensure that this objective is realised. The continuing operation of the Common Travel Area is just one aspect in addressing this challenge. The work to date in the EU-UK negotiations on the Common Travel Area has been positive and, with my colleagues across Government, I will continue in my efforts to ensure that the Common Travel Area and its associated rights and privileges are maintained.

### **Undocumented Irish in the USA**

24. **Deputy Darragh O'Brien** asked the Minister for Foreign Affairs and Trade if he will provide an update on the situation of the undocumented Irish in the United States of America; the detail of the recent meetings held by the special envoy appointed by the Government to the United States of America and other recent Government efforts to find a resolution to this issue; and if he will make a statement on the matter. [48315/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Irish Government's objectives regarding undocumented Irish citizens in the United States remain constant, namely, to achieve relief for the undocumented and to facilitate greater pathways for legal migration to the United States.

With this in mind, Ireland's diplomatic representatives in the U.S. are continuing to systematically avail of all opportunities to raise the immigration issue in their contacts with the US authorities, including the prospects for immigration reform and the situation of the undocumented.

We do not, however, underestimate the size of the challenge.

This policy area has been a deeply divisive issue within the US political system for decades, with pronounced disagreement, even within the same political parties, on the best way to deal with an issue which directly affects over 11 million people.

The Government has consistently engaged with both parties in a bipartisan way to address our longstanding concerns and this continues to be our approach.

I was able to emphasise the Government's commitment to this issue when I travelled to Washington DC from 3 to 5 October and met with senior members of the US administration and with members of Congress, including the Congressional Friends of Ireland Group.

I was pleased that Deputy John Deasy, the Government's Special Envoy to the US Congress on the Undocumented, who was appointed by the Taoiseach to that position last June, was able to accompany me to those meetings. His appointment was another important statement of our intent and seriousness on this issue.

Deputy Deasy has travelled to Washington D.C three times since his appointment in June. On all three occasions, in July, September, and October, he has met with key interlocutors in Congress system, and the US Administration, to explore avenues for relief of the undocumented. This relief can only come through legislative proposals, which, in the current US political climate, remain sensitive and uncertain. Nevertheless, Deputy Deasy, in conjunction with ongoing engagement from our Embassy in Washington, continues to explore the available options, and sensitise the US Administration and Congress to the importance this Government places on the issue. The Deputy will appreciate the need for confidentiality around the detail of Deputy Deasy's meetings, given the subject matter.

The Government remains wholly committed to working with the US authorities to resolve

the plight of the undocumented Irish. The Government will continue to articulate to the US authorities our keen interest in this area while respecting the right of the United States to set its own immigration policies.

I can assure the Deputy of the Government's continued commitment to pursuing these matters on behalf of our affected citizens in the US, and our continued openness to routes and policies that will provide relief for the undocumented.

### **Northern Ireland**

25. **Deputy Éamon Ó Cuív** asked the Minister for Foreign Affairs and Trade if he has had discussions with the Northern Ireland Secretary of State about the prison conditions of segregated prisoners in a prison (details supplied) in County Antrim; and if he will make a statement on the matter. [48383/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I am aware of the Deputy's ongoing concerns about conditions in Maghaberry Prison.

The management of the prison is a matter for the Northern Ireland Prison Service, an agency of the Department of Justice at Stormont. The Secretary of State for Northern Ireland's day to day role is limited to adjudicating on prisoners' access to the separated regime which separates paramilitary prisoners from the rest of the prison population and loyalist prisoners from republican prisoners.

As the Deputy will recall, a Stocktake of the 2010 agreement between the NI Prison Service and the prisoners in the separated regime at Maghaberry was published in November 2014. It made a number of recommendations to be implemented within a period of six months. At the time, the Government's strong view was that the full implementation of the Stocktake report offered an opportunity to create a conflict-free environment in the prison. This view was conveyed to the then Secretary of State for Northern Ireland, Ms. Theresa Villiers MP, and to the then Minister of Justice in the Northern Executive, Mr. David Ford MLA, and to their officials.

My officials at the Belfast Secretariat continue to engage on an ongoing basis with a range of interlocutors including the Northern Ireland Office, the Northern Ireland Prison Service, the members of the Stocktake group, the International Committee of the Red Cross and Red Crescent (ICRC), and others to discuss, explore and encourage progress. They are also in regular touch with the Criminal Justice Inspectorate for Northern Ireland whose most recent report on conditions in the prison, issued in August 2017, noted that health and educational provision is improving and that levels of disorder and violence were generally low. The report found that there were still significant challenges around the separated regime.

In seeking satisfactory outcomes in Maghaberry, the cooperation of both the Northern Ireland Prison Service and the prisoners themselves is required. I would encourage all with influence to move forward in the right spirit. The restoration of the Executive at Stormont and the appointment of a new Northern Ireland Minister for Justice would also be of great assistance in addressing prison issues in the round.

### **Foreign Conflicts**

26. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the extent to which the international community has intervened to address issues of war, famine, starva-

tion, genocide and ethnic cleansing in the Horn of Africa; the effect of this intervention; and if he will make a statement on the matter. [48437/17]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon):** Ireland, in particular through EU and UN structures, continues to support efforts to address issues of war, famine, starvation, genocide and ethnic cleansing around the globe, including in the Horn of Africa.

The humanitarian situation in the Horn of Africa continues to deteriorate. Primarily due to drought, millions of people across Somalia, Ethiopia and Kenya are facing crisis levels of food insecurity. In South Sudan, conflict continues to exacerbate the already desperate situation, and while the famine declared in parts of the country earlier this year has been alleviated as a result of the international community's response, 6 million people are still severely food insecure.

Our Government is strongly committed to responding to the unprecedented humanitarian needs in the Horn of Africa. During his recent visit to the region, Minister Coveney announced additional assistance to the Horn totaling €11 million, bringing Ireland's humanitarian assistance to the region to over €138 million since 2012. We continue to monitor the situation through our embassies on the ground and our humanitarian partners, and we will continue to respond.

We also are the fifth largest contributor to the Central Emergency Response Fund in 2017. This UN managed fund has already contributed \$118 million to the region this year – almost 30% of the total CERF 2017 allocation.

Ireland remains committed to providing humanitarian assistance where it is needed most, working with partners who ensure that assistance is delivered in a coordinated and effective manner. However, we also recognise that humanitarian aid alone is not the answer. We will continue to focus our efforts on supporting the international system to address the issues driving humanitarian need.

### **Ministerial Meetings**

27. **Deputy Eamon Ryan** asked the Minister for Foreign Affairs and Trade the discussions he has had with President Juncker regarding the development of the future of Europe strategy. [40446/17]

30. **Deputy Joan Burton** asked the Minister for Foreign Affairs and Trade if he will report on his contact with the President of the European Commission, Mr. Jean-Claude Juncker, since his state of the Union address. [40345/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 27 and 30 together.

In March the European Commission published a White Paper on the Future of Europe, and followed up with a series of reflection papers covering a number of key issues including European Defence, EMU and Globalisation. We welcomed the White Paper and the Reflection Papers as important contributions to the evolving debate on the Future of Europe.

In September the President of the Commission Jean-Claude Juncker made his State of the Union address.

In his speech, President Juncker proposed an ambitious agenda for the EU. I have not had

any discussions with President Juncker on his proposals. However, the Taoiseach was actively involved in Future of Europe discussions at a summit in Tallinn in September and at the October European Council in Brussels. President Juncker participated in both of these discussions.

At last month's European Council President Donald Tusk formally launched his Leaders' Agenda. He is proposing an ambitious work programme between now and June 2019 with a focus on practical solutions to EU citizens' real problems. We support President Tusk's positive forward-looking agenda which he aims to progress through facilitating a more dynamic process while maintaining unity among the 27.

This week the Taoiseach and I, together with the Minister for European Affairs, formally launched the Citizens' Dialogue on the Future of Europe at the Science Gallery in Trinity College Dublin. This marks the start of a process designed to engage the Irish public directly in a debate on the kind of Europe they want to see evolve. Our aim is to raise awareness of the issues involved; to encourage participation in the debate; and to use this engagement process to help formulate Ireland's contribution to the wider European debate.

In taking forward this debate, our focus will be on delivering a positive EU agenda with concrete outcomes that directly benefit Irish and EU citizens.

### **Overseas Development Aid Expenditure**

28. **Deputy Darragh O'Brien** asked the Minister for Foreign Affairs and Trade his plans to develop a roadmap to reach the 0.7% ODA-GNP target. [48313/17]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon):** The Government is strongly committed to Ireland's overseas development cooperation programme and to its place at the heart of our foreign policy. Our policy for International Development, "One World, One Future", clearly articulates our commitment to the UN target of providing 0.7% of Gross National Product (GNP) in Official Development Assistance (ODA), as economic conditions allow.

In the current Programme for Government we have set out our ambition to make progress towards the UN target as resources permit. Progress needs to be made in a sustainable and manageable way, which continues to strengthen Ireland's recognised role as a reliable and effective partner in contributing to ending global poverty and hunger and providing humanitarian assistance.

During the very difficult economic circumstances of recent years, the Government managed to stabilise and largely protect allocations to ODA. Since 2011 we have made annual contributions in excess of €600 million and have cumulatively allocated over of €4.5 billion in the period 2011 to 2017.

For 2018, the Government has allocated just over €707 million for ODA, the third consecutive year ODA has increased. The bilateral aid programme, Irish Aid, managed by my Department, will increase by €13.5 million on last year bringing the Irish Aid budget to over €500 million for the first time since 2012.

We remain committed to making incremental, sustainable progress towards achieving the 0.7% UN target by 2030, over the period of the Sustainable Development Goals. Reaching this target will involve significant annual increases to the ODA budget.

This will require careful planning and in consultation with other government departments, I

along with Minister Coveney, intend to present a paper to Cabinet in February 2018, outlining how ODA assistance will be spent across government and by Irish Aid as we see growth in the ODA budget. This paper will form the basis of further consultations with strategic stakeholders and the development of a new policy document on Irish Aid.

### **Foreign Conflicts**

29. **Deputy Richard Boyd Barrett** asked the Minister for Foreign Affairs and Trade if he has discussed the escalating tensions between the USA and North Korea; and if he will make a statement on the matter. [48401/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The situation on the Korean Peninsula is a matter of grave concern to the government. The latest actions taken by North Korea, particularly the nuclear test on 3 September, are a major challenge to international efforts to advance global nuclear disarmament and non-proliferation. This has been a long-standing goal of Ireland's foreign policy.

Our leadership on this critical global issue was given most recent expression when Ireland co-chaired the 31st Missile Technology Control Regime (MTCR) Plenary Meeting in Dublin in October. In my speech to the MTCR Plenary, I reiterated my grave concern at the deteriorating situation on the Korean Peninsula, and reaffirmed Ireland's commitment to its denuclearisation.

The deeply worrying developments in North Korea's nuclear and missile programmes present a real threat to peace and security on the Korean Peninsula, the entire North East Asia region, and indeed beyond. Such actions represent a flagrant and provocative violation of North Korea's international obligations not to conduct such tests. I have unreservedly condemned such actions.

The government's concerns are shared by EU partners. The Foreign Affairs Council adopted Council Conclusions on North Korea on 17 July this year. The Council stressed that lasting peace and the denuclearisation of the Korean peninsula must be achieved through peaceful means. It highlighted the importance of the unity of the international community in addressing this challenge.

On 16 October, the Foreign Affairs Council adopted new EU autonomous restrictive measures against North Korea to further increase pressure on the regime to comply with its obligations. The measures complement and reinforce UN Security Council sanctions. The Foreign Affairs Council also agreed to actively lobby for a robust implementation of all relevant UN Security Council resolutions on the part of all UN member states.

The United Nations General Assembly in New York in September presented an opportunity for the international community to further demonstrate its resolve in this regard, and I conveyed Ireland's grave concern about ongoing developments. In my address to the United Nations General Assembly, I unreservedly condemned North Korea's programme of missile and nuclear weapon testing.

Most recently this resolve to implement the sanctions regime was re-affirmed by the European Council on 19 October, and a commitment was made to consider further responses in close consultation with partners.

Throughout, we have been very clear in stating that North Korea must cease the series of provocative acts that have contributed to growing instability in the region and further afield. It must re-engage with discussions on the denuclearisation of the Korean Peninsula, immedi-

ately and without pre-conditions. It must abandon its programmes to develop ballistic missiles, nuclear capabilities and weapons of mass destruction. It must carry out these processes in a manner that is complete, verifiable and irreversible.

Ireland fully supports the international sanctions regime against North Korea, and emphasises that continued disregard of its international obligations will only lead to increased diplomatic isolation. We believe greater emphasis should be placed on effective implementation of the sanctions regime, but further sanctions cannot be ruled out.

The deteriorating situation on the Korean Peninsula can only be resolved by peaceful means, and we have repeatedly underscored the urgent need for dialogue between all stakeholders. We will continue to be a strong voice for a peaceful outcome, and we will work closely with our international partners to this end.

*Question No. 30 answered with Question No. 27.*

*Question No. 31 answered with Question No. 12.*

### **Foreign Conflicts**

32. **Deputy Mick Wallace** asked the Minister for Foreign Affairs and Trade his views on the latest crisis in Lebanon regarding the former Lebanese Prime Minister; if he has expressed his views to the Saudi Arabian embassy here regarding same; and if he will make a statement on the matter. [48422/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The formation of the current Government of Lebanon in December 2016 was a very positive development after a considerable period of political stalemate, and marked an opportunity for a new beginning in addressing the challenges facing that country. Not least of these is the fact that Lebanon is host to well over a million Syrian refugees, a huge number for a small country with a population similar to that of Ireland.

Lebanon's political system is based on ensuring balanced representation for the country's different communities, and the Prime Minister's role in that regard is very important. I am very concerned about allegations of threats to the life of the PM Hariri, and also by the fact that any gap in the Prime Minister role risks opening the door to renewed instability. I regret that Prime Minister Hariri has felt it necessary to submit his resignation.

Ireland has a long-standing commitment to the unity and stability of Lebanon, as evidenced by the long tradition of Irish participation in the UNIFIL peace-keeping mission. Despite the ongoing turmoil in the Middle East, southern Lebanon has remained an area of relative calm since 2006, and the achievements of the UNIFIL operation and the role of our own Defence Forces in this success should not be overlooked.

When officials from my Department met with officials from the Saudi Arabian Embassy in Dublin last week, they took the opportunity to stress the need for regional stability, and the need to de-escalate tensions, instancing Ireland's contribution to UNIFIL and UNDOF as a practical demonstration of our commitment in that regard.

I am continuing to monitor the situation in Lebanon very closely.

*Question No. 33 answered with Question No. 18.*

## **Dublin-Monaghan Bombings**

34. **Deputy Niamh Smyth** asked the Minister for Foreign Affairs and Trade the status of the ongoing outstanding requests with the British Government regarding inquiries into the Dublin and Monaghan bombings; and if he will make a statement on the matter. [48309/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I acknowledge at the outset those across the House who work on a cross-party basis with the Government on this issue and the tireless efforts of Justice for the Forgotten. Dealing with long-outstanding issues relating to the legacy of the conflict in Northern Ireland are of the utmost importance to the Government. The Programme for a Partnership Government highlights this priority, with specific reference to implementation of the All-Party Dáil motions relating to the Dublin Monaghan bombings.

The 17th of May marked the 43rd anniversary of the Dublin and Monaghan bombings, which saw the biggest loss of life in a single day during the Troubles. My colleague Minister Flanagan, then Minister for Foreign Affairs and Trade, participated on behalf of the Government in the commemoration ceremony that day and in addressing the commemoration ceremony, he reaffirmed the Government's determination to continue - and to complete - our efforts to seek the truth of those awful events of 17 May 1974.

The All-Party motion on the 1974 Dublin Monaghan bombings that was adopted by the Dáil on 25 May 2016 has, like those adopted in 2008 and 2011, been conveyed to the British Government. These motions call on the British Government to allow access by an independent, international judicial figure to all original documents relating to the Dublin and Monaghan bombings, as well as the Dublin bombings of 1972 and 1973, the bombing of Kay's Tavern in Dundalk and the murder of Seamus Ludlow.

The Government is committed to actively pursuing the implementation of these all-Party Dáil motions, and has consistently raised the issue with the British Government. I have spoken directly with the Secretary of State for Northern Ireland, James Brokenshire, about this matter and am actively engaged with the British Government on an ongoing basis on this issue, as are officials from the Department of Foreign Affairs and Trade.

As part of this engagement, the Government underlines that the Dáil motions represent the consensus political view in Ireland that an independent, international judicial review of all the relevant documents is required to establish the full facts of the Dublin Monaghan atrocities. I have also advised the Secretary of State that the absence of a response from the British Government is of deep concern to the Government and indeed this House, and I have emphasised the urgent need for a response from the British Government.

The Government will continue to engage with the British Government on the request in relation to the Dublin-Monaghan bombings, and pursue all possible avenues that could achieve progress on this issue, consistent with the request made by this House.

## **Brexit Documents**

35. **Deputy Stephen S. Donnelly** asked the Minister for Foreign Affairs and Trade if he will publish all research conducted on the potential impact of Brexit by Government Departments; and if he will make a statement on the matter. [48316/17]

36. **Deputy Brendan Howlin** asked the Minister for Foreign Affairs and Trade if he will

report on the preparations within his Department for a hard Brexit and reports or analyses conducted in this regard. [44893/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 35 and 36 together.

As Minister for Foreign Affairs and Trade with special responsibility for Brexit, I have responsibility for coordinating the whole-of-Government response to Brexit. In this capacity, I am working closely with colleagues across Government to address the many challenges resulting from Brexit. This cooperation also involves the relevant State Agencies.

Work at Cabinet level is being prepared through cross-Departmental coordination structures. These represent a frequent and active channel through which all relevant Departments are providing their research, analysis and overall policy input to the Government's wider response to Brexit, including its priorities for the ongoing Article 50 negotiations between the EU and the UK.

As the outcome of the negotiations is not yet known, an important focus of the planning and preparation being undertaken through these structures is on deepening the Government's analysis and understanding of the exact consequences of a range of different possible scenarios, including one in which no Withdrawal Agreement is concluded. This represents an intensification of efforts to build on the Government's previous contingency planning.

Aside from its wider co-ordination responsibilities, the Department of Foreign Affairs and Trade has lead responsibility for planning for, preparing positions on, and following the EU-UK negotiations. This requires research on and analysis of very many legal, institutional, and political issues. The eventual outcome of negotiations will of course be decisive in determining the shape and effects of Brexit. This work is led by the European Union Division in cooperation with the Ireland and United Kingdom and Americas Division, the Legal Division, the Political Division and the Trade Division. Our Permanent Representation in Brussels, and our Embassies in all Member States, send in a constant stream of reports describing and analysing the concerns and priorities of the EU Institutions and our partners.

These work streams are reflected in the Government's policy positions and public statements, such as the comprehensive document on the Government's approach to the Article 50 negotiations and our response to Brexit which was published on 2 May as well as through in depth analysis such as the series the Department of Finance/ERSI research papers on the implications of Brexit. The Government will continue to consider how best to reflect the work ongoing across Government, in addition to the channels of public consultations and stakeholder engagement such as the All-Island Civic Dialogue and the Brexit Stakeholder Forum. However, it would not be helpful or appropriate to publish detailed material which is heavily informed by confidential and ongoing analysis and discussions, including with other Member States and the EU Institutions.

The Department is also analysing the possible impact of Brexit on policy areas within its remit, notably the EU's Common Foreign and Security Policy and the EU's policy on international development.

We have already seen the implications that Brexit has had for our consular and passport services. There has been a marked increase in demand for passports and citizenship via foreign birth registration from applicants in Northern Ireland and Great Britain. In this regard, the Passport Service in Dublin, Cork and London as well as Consular Division have recruited a number of additional temporary and fulltime officers to meet increased Passport and Foreign Birth Registration demands including increased demand as a result of Brexit.



My Department also works closely with the European Commission and European Parliament Offices here in Dublin and with civil society organisations including the Institute for International and European Affairs and European Movement Ireland. With funding from this Department, the IIEA is undertaking research on the future shape of the EU and the new strategic alliances that Ireland will need to develop within the EU after Brexit. The analysis will also consider the macro-economic effects of Brexit and the EU institutional implications of Britain's withdrawal from the EU. This work will build on the extensive analysis being undertaken by a range of organisations, both in Ireland and further afield, and will be presented in a series of public research papers over the coming months and years.

### **Foreign Conflicts**

37. **Deputy Seán Haughey** asked the Minister for Foreign Affairs and Trade if he or his officials have written to Ms Aung San Suu Kyi regarding Ireland's concerns about the ethnic cleansing of the Rohingya people in Myanmar. [40540/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** This Government remains deeply concerned about the ongoing situation in Rakhine State, Myanmar, in particular the treatment of the Rohingya people. Developments in Myanmar, and the related humanitarian crisis in neighbouring Bangladesh, are being monitored carefully by my officials. Ireland is pressing for an end to the violence, for restoration of humanitarian aid and media access to Rakhine State, and for full investigation of allegations of human rights violations by the Myanmar security forces. In order to address the long term drivers of the tensions underlying the current violence, Ireland has also called for the recommendations of the Advisory Commission on Rakhine State to be implemented swiftly and in full by the Government of Myanmar.

As I have outlined in previous responses in this House, Ireland is engaging in the efforts by the EU and in international fora, including at the UN General Assembly and the Human Rights Council, to press for a resolution of these issues.

The ASEM Foreign Minister's Meeting will take place in Nay Pyi Taw next week and is being chaired by Myanmar's State Counsellor and Union Minister for Foreign Affairs, Aung San Suu Kyi. This meeting presents an important opportunity to engage directly with the Government of Myanmar on this issue. Ireland will be represented by Minister of State Ciarán Cannon at this meeting, and I have asked him to convey the Government's concerns to representatives of the Government of Myanmar on my behalf.

*Question No. 38 answered with Question No. 12.*

### **Brexit Negotiations**

39. **Deputy Stephen S. Donnelly** asked the Minister for Foreign Affairs and Trade if it is Ireland's position that Mr. Michel Barnier's mandate should be adjusted to ensure progress in Brexit negotiations. [44896/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Article 50 negotiations between the EU and the UK are proceeding on the basis of the phased approach set out in the European Council Guidelines of 29 April 2017. Phase 1 is focusing on the exit issues of citizen's rights, the financial settlement and the Irish specific issues. Once the European Council has agreed that sufficient progress has been made on these issues, the negotiations can move into phase 2 and parallel discussions on a framework for a future EU-UK relationship and on a

transitional arrangements. Ireland fully supports this phased approach. This phased approach was also agreed by the UK in the first round of negotiations on 19 June.

The Negotiating Directives, based on the European Council Guidelines and as agreed by the EU27 at the General Affairs Council in May 2017, provide a formal mandate for the European Commission negotiating team, led by Michel Barnier, for the Article 50 Negotiations. The European Council can revise its guidelines when necessary as the negotiations proceed and move into phase two. Any additional or revised European Council Guidelines may subsequently require a revision, as agreed by the Council, to the more detailed negotiating directives.

At its meeting on 20 October, the European Council welcomed the progress made in the EU-UK negotiations to date but agreed that further work is needed before it can agree that sufficient progress has been made on all of the exit issues to enable discussions on the framework for a future EU-UK relationship and transitional arrangements to begin. Decisions on sufficient progress will be made collectively by the Heads of State and Government of EU27. In that respect, I welcome the call by the European Council for work in the negotiations to continue, and its commitment to reassess progress at its next meeting on 14-15 December.

Once sufficient progress has been made by the UK on all of the exit issues, additional guidelines will be agreed by the European Council on the framework for a future relationship and possible transitional arrangements. I welcome the fact that the European Council last month asked Michel Barnier and the Council to start internal preparatory work among the EU27 for Phase 2. This was a positive acknowledgement of the UK's constructive approach to the Article 50 negotiations as reflected in Prime Minister May's speech in Florence on 22 September and an indication the EU is willing and ready to begin phase 2 once sufficient progress has been achieved. While the existing Guidelines include elements on these Phase 2 issues, I expect that they will need to be adjusted and expanded as negotiations in that phase begin.

The Government remains hopeful that, with hard work and political will, progress can be made in negotiations in coming weeks so that decision can be taken by European Council at its meeting in December that parallel phase 2 discussions on future relationship and possible transitional arrangements can begin.

*Question No. 40 answered with Question No. 12.*

*Question No. 41 answered with Question No. 10.*

## **Trade Data**

42. **Deputy Maurice Quinlivan** asked the Tánaiste and Minister for Business, Enterprise and Innovation the number of businesses engaged in cross-Border trade with Northern Ireland; the number of persons employed by these businesses; and the value of this trade in 2015, in tabular form. [48516/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** The total value of goods exported from this jurisdiction to Northern Ireland in 2015 was €1.73bn.

Details on the number of businesses involved in this cross-border trade can be estimated by reference to the EU's system for collecting statistics on the movement of goods between its Member States. This system sets a threshold of €635,000 before exporters are required to make detailed returns (including data on products and destinations). Recent research indicates that there are 880 companies that import and/or export with Northern Ireland which are required

to make such returns and they account for approximately 48% of the total exports to Northern Ireland. In addition, there are also smaller exporters whose activities fall below that threshold and for whom more precise details are not currently available. Total employee numbers for all the exporting companies are also not currently available.

My Department has helped to fund research, commissioned by InterTrade Ireland and undertaken by the Economic and Social Research Institute, which examines North-South trade in the context of Brexit. The latest phase of that research is nearing finalisation and will be published shortly.

### **Research and Development Funding**

43. **Deputy James Lawless** asked the Tánaiste and Minister for Business, Enterprise and Innovation the funding agencies that are active here to support research and development activities; the criteria that are applied to funding applications in each case; and if she will make a statement on the matter. [48544/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** The principal funding agencies for research and development operating under the aegis of my Department are Science Foundation Ireland (€162m grants budget in 2017) and Enterprise Ireland (€122m grants budget for RD&I activities in 2017). IDA Ireland also supports R&D activities as part of the grant support provided to its client base (approx. €60m annually in R&D grants).

#### **Science Foundation Ireland**

Science Foundation Ireland (SFI) is the national Foundation for research here in Ireland with a grants budget of €162m in 2017.

Science Foundation Ireland provides funding across the entire research career lifecycle ranging from early-stage researchers to mid-stage career researchers and from emerging research stars up to established highly-esteemed research leaders through the provision of individual and collaborative grant awards. All research funding decisions made by SFI are based on rigorous international peer review processes. This process ensures that the agency is not only funding research that is excellent at an Irish level, but that it is world leading as reviewed and agreed by international field specific leaders.

Science Foundation Ireland currently operates approximately 25 funding schemes, offering a balanced portfolio of programmes. Many of these programmes involve national and international collaborations incorporating small as well as large companies; charities; international funders as well as national funders such as Teagasc, the Marine Institute, Environmental Protection Agency, Health Research Board, etc. Each of the schemes have varying review and eligibility criteria attached to them and are based on the objective, award level and complexity of the programme. There are also a number of core applicant eligibility criteria applied to each programme. Each programme has a Call Document which outlines the eligibility criteria for that specific programme. Due to the large number of funding schemes and programmes operated by SFI, and the different eligibility criteria attached to each one, it has not been possible to represent this information here. The Deputy can however view all the information in relation to each Programme Call by accessing the following link at: [www.sfi.ie/funding/funding-calls/](http://www.sfi.ie/funding/funding-calls/).

#### **Enterprise Ireland**

Enterprise Ireland also provides Innovation supports to assist companies with product,

process and service development. These supports position companies to deal with their key challenges from access to new technologies and skills to being better positioned to adapt to economic and market changes. This is done either by supporting companies to do RDI within the company, or by collaborating with Higher Education Institutions (HEIs) or by sourcing or licensing new technologies from HEIs which can provide a step change in their innovative capabilities. These supports all help companies to develop new and improved products and services which serve as the basis for sustainable economic growth.

Enterprise Ireland operates a range of supports to help companies at all stages of growth and sophistication to engage in RDI.

In general, Enterprise Ireland's application processes include the following application criteria:

- Applicants must show evidence of a commercial market for the proposed product or service.

- Applicants must prove that they will develop a business that is built upon on a strong foundation of innovation and/or technology.

- Applicant companies must be Irish based manufacturing or internationally traded services company which can show adequate cash resources to implement the proposed project

I have set out in a separate Appendix provided to the Deputy a menu of the other supports available from Enterprise Ireland to companies. This is due to the large amount of information involved. This information includes details and eligibility criteria in relation to the following schemes or programmes including: In Company RD&I; Commercialisation Fund; Innovation Vouchers; Innovation Partnerships; Technology Gateways; Technology Centres; Campus Incubators; Horizon 2020; SME Instrument and High Potential Start-Up Support for Companies. I trust that this information will fully address the Deputy's question.

### **Research and Development Funding**

44. **Deputy James Lawless** asked the Tánaiste and Minister for Business, Enterprise and Innovation the extent to which philanthropy or external non-State support is available to support research and development activities here; the agencies or organisations that are involved in such projects; the criteria that are applied to funding applications in each case; and if she will make a statement on the matter. [48545/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** I wish to advise the Deputy that I am addressing this question in the context of which monies have been provided by my Department to the agencies and bodies under its aegis to support research and development activities. In this context, the information being provided relates to Science Foundation Ireland, Enterprise Ireland and PRTLTI through the Higher Education Authority (HEA). Due to the large number of programmes and criteria involved, I have set out specific details for the Deputy in a separate Appendix which has been provided to him.

#### **Science Foundation Ireland**

Science Foundation Ireland (SFI) has demonstrated that the research groups which it funds leverage almost much funding from non-exchequer sources as they receive annually from SFI. In 2016, SFI funded researchers leveraged €133 million from non-exchequer sources from a total SFI grants budget of €184 million. The breakdown of the €133 million is provided as fol-

lows.

Funding Leveraged Non-Irish Exchequer

- Charity/Non-Profit Organisation (International): 1,617,986
- Charity/Non-Profit Organisation (Irish): 672,125
- European Union - variety of programmes: 71,370,495
- National Institute of Health USA (NIH): 3,247,667
- National Science Foundation US (NSF): 274,421
- Other International Interest Organisation: 1,938,169
- Other Source: 7,392,319
- Private Enterprise: 44,826,760
- Wellcome Trust: 2,094,121
- Grand Total: 133,434,062.

SFI has a number of programmes in place to encourage and facilitate leverage of funding from non-State sources. More detailed information is set out for the Deputy in the Appendix provided to him.

**Enterprise Ireland**

In addition, Enterprise Ireland (EI) also provides a number of innovation and development supports aimed at assisting companies with product, process and service development. These supports position companies to deal with key challenges from access to new technologies and skills to being better positioned to deal with economic and market changes. While most of Enterprise Ireland's Research, Development and Innovation (RDI) activities are funded by the State, there are a number of examples of where Enterprise Ireland facilitates companies and academics to access non-State supports from other sources of international funding. More detailed information is set out for the Deputy in the Appendix provided to him.

**Programme for Research in Third Level Institutions (PRTL I)**

The Programme for Research in Third Level Institutions has been an important funding programme in developing research capacity within the higher education system in Ireland. Approximately €1.2BN of public and private funding has been invested through over the five cycles of the Programme, since its commencement in 1998. This €1.2BN investment includes €277m of matching funding. This matching funding was derived from non-State funds, including private donations and own institution funds.

To date, PRTL I has brought together a significant base of both government and philanthropic funding to build research capacity and embed a research culture across the higher education sector. A particular feature of Cycles 1 -3 was the provision of philanthropic funding of €178m by Atlantic Philanthropies.

I am conscious of the impact that Exchequer funding has had in the past in enabling the attraction of other sources of funding for research and development activities in this State. State funded infrastructure and consortia are a key attractor of matching funds from private (non-State) sources. I am keen to ensure that future our future research and development activities

continue to leverage investment from other sources.

### **Industrial Relations**

45. **Deputy Donnchadh Ó Laoghaire** asked the Tánaiste and Minister for Business, Enterprise and Innovation her views on whether a complainant is left without decision, remedy or route to pursue their grievance through the industrial relations mechanism of the State despite following the industrial relations mechanisms in circumstances in which an adjudication officer of the WRC states that they do not have jurisdiction to hear a case and, following appeal to the Labour Court, that the Labour Court states that because no decision had been made by an adjudication office no appeal could therefore be brought before the court. [48554/17]

46. **Deputy Donnchadh Ó Laoghaire** asked the Tánaiste and Minister for Business, Enterprise and Innovation if there are potential defects in the industrial relations mechanisms of the State, including the WRC and Labour Court, by which a complainant may possibly end up without a decision made on their grievance. [48555/17]

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** I propose to take Questions Nos. 45 and 46 together.

Without specific examples of the issues involved I can only respond in general terms setting out the processes in place for dealing with grievances arising under employment and equality law and industrial relations.

Under the Workplace Relations Act 2015 (the 2015 Act) a new two-tier workplace relations structure to replace the previously existing five workplace relations bodies was established. A new single body of first instance called the Workplace Relations Commission (WRC) was created from 1 October 2015 and a separate appeals body, which is effectively an expanded Labour Court.

The WRC incorporates the functions of the Labour Relations Commission (including the Rights Commissioner Service), the Equality Tribunal, the Employment Appeals Tribunal (first instance jurisdiction only), and the National Employment Rights Authority (NERA). The Labour Court is now the sole appellate body for disputes under employment rights enactments.

The 2015 Act sets out in the Schedules to that Act a comprehensive list of the employment and equality legislation that the WRC is statutorily entitled to operate under. There is a broad suite of employment rights and equality legislation in place and complainants can make a complaint to the WRC under the various enactments for adjudication. The Act allows that either party may appeal a decision of an Adjudication Officer of the WRC to the Labour Court.

Adjudication Officers of the WRC are statutorily independent in exercising their decision making functions under the extensive suite of employment and equality legislation but will of course be subject to the underlying provisions and any limitations imposed by the specific legislation. For instance, under Unfair Dismissals legislation, an employee must, as a general rule, be employed for a year with the particular employer before a claim can be taken under that legislation. Should an individual seek a remedy under legislation that falls outside the remit of the WRC, of course this would fall outside the jurisdiction of an adjudication officer of the WRC.

In terms of industrial relations legislation, a dispute as defined in the Industrial Relations Acts may also be referred to the WRC under Section 13 of the Industrial Relations Act 1969. This is subject to both parties being agreeable to the case being heard by the WRC. In such event, the complaint will be investigated by an Adjudication Officer of the WRC and a recom-

mentation will issue to the parties. However, if the respondent objects to the Adjudication Officer investigating the complaint, s/he cannot investigate the matter and the complaint can then be referred to the Labour Court under Section 20(1) of the Industrial Relations Act 1969 for investigation. An appeal against a recommendation of an Adjudication Officer under the Industrial Relations legislation must be made within six weeks of the making of the recommendation.

I should point out to the Deputy that the WRC and the Labour Court are independent in the exercise of their quasi-judicial functions.

As Minister, I am satisfied that the major reforms to the workplace relations structures put in place in 2015 has resulted in a robust and comprehensive system that allows for those with employment related grievances to seek and obtain redress in an expeditious manner.

### Gender Balance

47. **Deputy Mary Lou McDonald** asked the Tánaiste and Minister for Business, Enterprise and Innovation the gender balance on each of the State boards under her remit, in tabular form. [48557/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** The State Boards under the aegis of my Department are listed in the following table together with the make up of each Board broken down by gender.

The composition of the State Boards under the aegis of my Department, including gender balance is listed on the State Boards website: [www.stateboards.ie](http://www.stateboards.ie).

Agency	Number on Board	Male	Female
Enterprise Ireland	11 (plus 1 vacancy)	6	5
Health & Safety Authority	12	9	3
IAASA	10	4	6
IDA Ireland	11 (plus 1 vacancy)	7	4
NSAI	12 (plus 1 vacancy)	6	6
PIAB	11	7	4
Science Foundation Ireland	12	7	5
WRC	9	4	5

### Departmental Functions

48. **Deputy James Lawless** asked the Tánaiste and Minister for Business, Enterprise and Innovation the functions of her Department that have been legally delegated to the Minister of State, Deputy John Halligan; the relevant delegation orders; and if she will make a statement on the matter. [48577/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** On 26th July, the Government made orders for the delegation of Ministerial functions to Minister Halligan at my request.

Minister Halligan has been delegated responsibility for Innovation, Research and Development (IRD), and will oversee implementation of the Government's national strategy in this area, Innovation 2020. He has been given responsibility for the delivery of IRD programmes across the agencies of my Department and the development of a successor to the Programme

for Research in Third Level Institutions. He has also been delegated responsibility for Ireland's membership of International Research Organisations and European Space Agency in addition to sectoral research initiatives that my Department is involved in, Ireland's engagement with the EU Framework Programme in Research and Innovation, Horizon 2020, and maintaining an Intellectual Property framework aimed at promoting and rewarding creativity, supporting innovative activity and improving the business environment.

Statutory Instrument No. 363 of 2017 entitled "Jobs, Enterprise and Innovation (Delegation of Ministerial Functions) (No 3) Order 2017", sets out in detail the specific areas of responsibility that Minister Halligan has.

### **Enterprise Ireland Funding**

49. **Deputy Sean Sherlock** asked the Tánaiste and Minister for Business, Enterprise and Innovation if SMEs that qualify for an audited exemption need audited accounts to access Enterprise Ireland funding across all its funding lines; and if so, the specific funding lines for which audited accounts are required. [48614/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** Enterprise Ireland is committed to assisting Irish enterprises to achieve strong export sales in global markets. In this way, they support sustainable economic growth, regional development and secure employment.

Enterprise Ireland works to balance the needs of companies wishing to avail of their services and their commitment to ensuring a high standard of corporate governance and management of public money.

In order to qualify for an audit exemption, a company must meet certain criteria. Once a company has satisfied the agency that they have validly claimed the exemption from producing audited accounts, Enterprise Ireland do not require audited accounts as long as the cumulative grant approved (including any proposed new grant and net of any proposed cancellation) to the company in the previous 2 years is less than 100,000 euro. This is subject to the agency's right to seek audited accounts in any case where it wishes to do so.

Enterprise Ireland will continue to require all companies to furnish an up to date tax clearance before payment of grants.

### **Ministerial Travel**

50. **Deputy Niall Collins** asked the Tánaiste and Minister for Business, Enterprise and Innovation the countries visited by her and others (details supplied) since May 2016; the total travel and accommodation costs incurred for each such visit on overseas ministerial business, in tabular form. [48616/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** My office, and the offices of the Ministers of State in my Department, are currently compiling lists of all travel and accommodation costs incurred on overseas ministerial trips during the period in question. I anticipate that this information will be available by the end of November, and I will ensure that it is published on my Department's website.



## **Brexit Issues**

51. **Deputy Niall Collins** asked the Tánaiste and Minister for Business, Enterprise and Innovation the reason the EU Director General of Competition did not approve the proposed plan she put forward for a rescue and restructure scheme for businesses impacted by Brexit following her meeting with Commissioner Vestager in November 2017; the reasons the EU Director General of Competition and the Commissioner decided not to approve the scheme at this point in time; the specific reasons for same; and if state aid rules issues were raised. [48617/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** A Rescue and Restructure scheme was recently notified to the Directorate General for Competition (DG Comp) as a contingency measure in response to Brexit.

This scheme is working its way through the normal approval channels within DG Comp and we have not been advised that any issue has arisen in regards to this standard approval process.

My Officials expect that this scheme will be approved shortly.

## **Company Law**

52. **Deputy Niall Collins** asked the Tánaiste and Minister for Business, Enterprise and Innovation the reason section 9 of the Statutory Audits Bill 2017 deletes subsection (7) of the Companies Act 2014 (details supplied); her plans to retain the audit exemption for small and micro sized companies as provided for in most other EU member states. [48618/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** Section 9 of the Companies (Statutory Audits) Bill 2017 repeals section 343(7) of the Companies Act 2014. Section 343(7) provided for a company to apply to the District Court for an extension of time to file its annual return. A consequence of getting such an Order from the Court was that the company concerned retained an exemption from audit.

Section 343(7) replaced a previous scheme whereby a company could apply to the Registrar of Companies for its late filing fees to be waived. A consequence of getting such a waiver from the Registrar was the company lost the audit exemption as it was still late filing its annual return.

Section 343(7) was commenced on 1 June 2015. The number of Orders granted by the District Court in the course of 2016 was more than double the number of waivers granted by the Registrar in 2014 under the previous scheme. This is a matter for concern as the timely filing of annual returns and financial statements by companies is an important transparency measure and safeguard for third parties such as suppliers, employees and other creditors. Companies have up to 10 months to prepare and file their financial statements. Any further delay risks making that information less meaningful to those third parties.

For this reason, section 9 of the Companies (Statutory Audits) Bill 2017 repeals section 343(7) and section 10 of the Bill replaces that repealed subsection with a new section 343A, to be inserted into the Companies Act 2014. The new section 343A provides that a company may apply to the District Court for an Order waiving the fee required for the late filing of its annual return. This is similar to the position that obtained before the enactment of the Companies Act 2014, whereby a company could apply to the Registrar.

Companies that meet the thresholds for either the “small” or “micro” categories will continue to qualify for the audit exemption. The Companies (Accounting) Act 2017, which was

commenced in June of this year, raised the thresholds for the “small” category to the maximum allowed under EU law, so as many Irish registered companies as possible will be able to claim the audit exemption.

### **International Bodies Membership**

53. **Deputy Niall Collins** asked the Tánaiste and Minister for Business, Enterprise and Innovation the joining membership cost and the annual cost for Ireland to become a member of both CERN and the European Southern Observatory. [48619/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** The increased capital allocation I secured for innovation in Budget 2018 will enable Ireland to join the European Southern Observatory (ESO) in 2018. The once-off joining fee for ESO will be approximately €14m. However, the payment of this fee can be ameliorated over 10 years. The recurrent, annual cost of membership will be approximately €3m. The exact costs and scheduling of the payments is subject to negotiation and agreement with ESO.

There is no joining fee for CERN and the recurrent, annual cost of full membership of CERN would be approximately €15m per annum. Associate membership is available for 10% of the full cost, or approximately €1.5m per annum. However, there would be a commensurate reduction in benefits with associate membership.

In view of the intense demands on the capital programme and the tight fiscal constraints it will not be possible progress membership of both CERN and ESO in 2018. Nevertheless, membership of CERN will remain on our policy agenda and my department will keep the issue under active review.

Membership of ESO has been prioritised over membership of CERN because of the large, established community of astronomy researchers in Ireland. Astronomy is an active area of research in each of our universities and several of our institutes of technology. This community is well positioned to avail of the opportunities provided by ESO membership, thereby maximising the immediate benefit to Ireland.

In addition, the companies in Ireland that have had great success in securing contracts from the European Space Agency are well placed to bid for ESO contracts due to the overlap between the technologies used by ESO and ESA.

### **Brexit Documents**

54. **Deputy Niall Collins** asked the Tánaiste and Minister for Business, Enterprise and Innovation her views on the latest InterTradeIreland report which shows that 19 out of 20 businesses do not have a plan to deal with Brexit. [48620/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** Brexit will clearly present a number of different challenges for Irish businesses. An added complexity is that the uncertainty surrounding the precise nature of the UK’s future relationship with the EU makes planning and preparing for Brexit all the more difficult for companies here. This is partly why many businesses do not yet have detailed Brexit contingency plans in place.

My Department and its enterprise agencies are focused, however, on assisting companies to prepare for the UK’s withdrawal from the EU. This includes efforts to build awareness of par-

ticular and sector-specific challenges that Brexit is likely to pose. Much of our broader work so far to help mitigate the impact of Brexit on Irish firms is captured in my Department's recently published response paper to the UK's impending exit from the EU, entitled "Building Stronger Business - Responding to Brexit by Competing, Innovating and Trading". This paper summarises the policy measures already taken, outlines future initiatives we intend to take forward and details the steps the Department has taken already to ensure that we can work as efficiently as possible to support our companies.

Our State Agencies have also been very active themselves in taking forward projects aimed at helping businesses in Ireland prepare for the post-Brexit commercial environment. Inter-Trade Ireland, for example, has introduced a scheme to help SMEs avail of expert advice on Brexit. It has also been working hard to raise awareness of the particular challenges Brexit may present for cross-border trade.

Enterprise Ireland, meanwhile, has launched a "Brexit SME Scorecard" - effectively a new interactive platform which can be used by Irish companies to self-assess their exposure to Brexit. The Agency has also introduced a "Be Prepared Grant" that helps SME clients meet the costs of implementing a plan to mitigate risks arising from Brexit. Furthermore, the Local Enterprise Office Network are hosting information events around the country aimed at helping companies plan for Brexit.

While progress has been made in helping many different businesses prepare, we know much more work remains to be done. That is why we will remain absolutely focused on our Brexit-related initiatives and will continue to explore new avenues and means of helping our companies plan for the future.

### Horizon 2020 Strategy Funding

55. **Deputy Niall Collins** asked the Tánaiste and Minister for Business, Enterprise and Innovation the amount of Horizon 2020 funding to SMEs on an annual basis per county since it was established, in tabular form. [48621/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** The following tables provide the total Horizon 2020 (EU) funding awarded to SMEs, by county, for each of the years 2014, 2015, 2016 and 2017. The tables are based on the European Commission's most recent data release on Horizon 2020, which cover the period up to the 30th September 2017.

Information on SMEs that have secured funding in the SME Instrument of Horizon 2020 can be searched geographically at the European Commission's publicly accessible Data Hub at: <https://sme.easme-web.eu/>.

Horizon 2020 (EU) funding awarded to SMEs up to Sep 2017

Table 1: 2014

County	No. companies	Amount (€k)
CARLOW	1	266
CORK	3	1,094
DUBLIN	21	4,138
GALWAY	3	776
KERRY	4	758

Questions - Written Answers

County	No. companies	Amount (€k)
LIMERICK	1	50
OFFALY	1	50
WATERFORD	1	50
WESTMEATH	1	50

Table 2: 2015

County	No. companies	Amount (€k)
CARLOW	2	569
CLARE	1	50
CORK	10	5,961
DUBLIN	42	13,478
GALWAY	10	3,255
KERRY	2	50
KILDARE	1	58
LIMERICK	5	2,091
LOUTH	6	1,294
MAYO	1	187
TIPPERARY	1	77
WICKLOW	3	2,329

Table 3: 2016

County	No. companies	Amount (€k)
CAVAN	1	240
CORK	7	5,709
DUBLIN	50	17,549
GALWAY	4	1,969
KERRY	3	2,336
KILDARE	3	575
LIMERICK	5	842
LONGFORD	1	371
LOUTH	1	1,090
MAYO	1	137
MEATH	1	496
SLIGO	1	50
WATERFORD	1	666
WESTMEATH	1	1,014
WICKLOW	3	664

Table 4: 2017

County	No. companies	Amount (€k)
CORK	2	1,078
DUBLIN	27	11,122
GALWAY	4	4,636
KERRY	3	1,493
LIMERICK	2	3,454
MONAGHAN	1	340
WICKLOW	3	863

## Company Law

56. **Deputy Niall Collins** asked the Tánaiste and Minister for Business, Enterprise and Innovation the status of the review being carried out by the Company Law Review Group into the way in which company law is enforced here; the status of recommendations by the subcommittee on corporate governance preparing for legislative change intended to further refine the corporate governance provisions of the Companies Act 2014. [48622/17]

**Tánaiste and Minister for Business, Enterprise and Innovation (Deputy Frances Fitzgerald):** The Company Law Review Group (CLRG) operates on a two-year work programme which is determined by the Minister, in consultation with the CLRG under Section 961 of the Companies Act 2014. The current CLRG Work Programme is for the period 1 June 2016 – 31 May 2018 and is available on <http://www.clrg.org/Work-Programme/>.

Item 1 on the CLRG Work Programme requests that the CLRG examine and make recommendations on whether it will be necessary or desirable to amend company law in line with recent case law and submissions received regarding the operation of the Companies Act 2014. The CLRG Corporate Governance subcommittee has examined the functioning of Part 4 of the Companies Act 2014 as well as submissions from interested parties regarding perceived anomalies and further proposals for amendment of the Act. The subcommittee has prepared a draft report which it intends to table for consideration and potential adoption at the CLRG Plenary meeting on 30 November 2017.

Under item 3 of the CLRG Work Programme, a detailed review of the enforcement of company law is underway by the CLRG subcommittee for Compliance and Enforcement. It is intended that the subcommittee will, when the review is complete, present a report for consideration and formal adoption by the CLRG.

## Disabled Drivers and Passengers Scheme

57. **Deputy Marc MacSharry** asked the Minister for Finance if he will review the case of a person (detailed supplied) in County Sligo; if such appeal hearings can be heard locally in the future to facilitate persons who cannot travel long distances; and if he will make a statement on the matter. [48458/17]

**Minister for Finance (Deputy Paschal Donohoe):** The Disabled Drivers Medical Board of Appeal is an independent body under the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations. As such I cannot intervene in any individual cases where a person is dissatisfied in their dealings with the Board.

The Board is deemed a public body for the purposes of the Ombudsman (Amendment) Act 2012 and any person dissatisfied in their dealings with the Board can make a complaint to the Ombudsman in relation the administrative actions of the Board. I understand that the Board, when communicating with persons, advise them of this avenue of complaint and provide them with the relevant contact details.

In relation to the issue of regional hearings, hearings of the Board are held on average twice a month at the National Rehabilitation Hospital in Dun Laoghaire, which has the facilities to cater for people with mobility impairing disabilities of the kind provided for under the Disabled Drivers and Disabled Passengers Scheme.

I am informed by the Board that it has held one clinic per year, for the past five years, in

Cork City. The Board will consider holding a clinic in other areas if there is enough demand to justify the significant costs associated with holding a regional clinic and also if suitable clinical facilities can be accessed.

### **State Aid Investigations**

58. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he remains satisfied that EU authorities, in respect of taxation and state aid, are not attempting to determine Irish taxation policy, with particular reference to the need to ensure that the taxes applied to manufacturing arising from foreign direct investment here apply only to the manufacturing that has taken place in this jurisdiction and that profits derived from manufacturing in other jurisdictions should be subject to corporate profits tax in the jurisdictions in which they are made; and if he will make a statement on the matter. [48672/17]

**Minister for Finance (Deputy Paschal Donohoe):** Ireland has never accepted the Commission's analysis in the Apple State Aid Decision. An appeal has therefore been brought before the European Courts. Such an appeal takes the form of an application to the General Court of the European Union, asking it to annul the Decision of the Commission.

The Attorney General prepared the legal grounds in support of the annulment proceedings and the application has been lodged in the General Court of the European Union. As is normal practice, a summary of these has been published in the Official Journal of the European Union. This has also been published on the Department of Finance's website.

As outlined in this published summary, one of the lines of argument in Ireland's annulment application is that the Commission has exceeded its powers and interfered with national tax sovereignty. The Commission has no competence, under State Aid rules, unilaterally to substitute its own view of the geographic scope and extent of the Member State's tax jurisdiction for those of the Member State itself.

As this topic is the subject of open legal proceedings, it will not be possible to comment further, in particular on any of the individual elements of the State's legal case in defence of our position. This is important to ensure that we do not prejudice our own legal case.

### **Tracker Mortgage Examination**

59. **Deputy Clare Daly** asked the Minister for Finance further to Parliamentary Question No. 214 of 7 November 2017, the reason a case falls into categories (details supplied); and if he will make a statement on the matter. [48482/17]

60. **Deputy Clare Daly** asked the Minister for Finance further to Parliamentary Question No. 214 of 7 November 2017, if standard variable rate mortgage holders will be part of this review under the criteria. [48483/17]

61. **Deputy Clare Daly** asked the Minister for Finance further to Parliamentary Question No. 214 of 7 November 2017, if persons who, after a fixed rate period expired and they were entitled to a tracker rate, were intentionally or negligently offered a higher tracker rate than what was offered in the original loan offer letter (details supplied); and if these persons will be included in the review. [48484/17]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 59 to 61, inclusive, together.

As I advised the Deputy in my answer to her previous question, the Central Bank, as the regulator with the appropriate powers, is the institution responsible for conducting an industry-wide examination of tracker mortgage-related issues. The Central Bank has committed that all affected customers will be identified and that it will use the full range of its regulatory powers to ensure that they receive redress and compensation.

The Central Bank have stated that the review encompasses all mortgages in respect of both Private Dwelling Houses and Buy-to-Let properties that i) originated on tracker interest rates; ii) had tracker interest rates applied at any stage during the term of the underlying mortgage agreements; and/or iii) where the underlying mortgage agreements provided for contractual rights to or options for tracker interest rates at any stage during the term of the agreements.

As the Deputy will understand, I am not in a position to comment on specific customers or groups of customers. The Central Bank have clearly outlined the scope of their examination, and it will be up to them to determine, through deliberations with the banks involved, which customers it deems to have been impacted. Investigations by the Central Bank are statutorily mandated and can lead to significant sanctions. Therefore, as Minister for Finance, I must be cautious not to jeopardise any potential enforcement actions or prosecutions, and refrain from comment on any particular customer or group of customers whose case is under review as part of the ongoing process.

I expect this aspect of the examination to be finalised as soon as possible, in order to minimise the uncertainty for such customers, and for redress and compensation for further identified impacted customers to swiftly follow.

### **Tax Reliefs Eligibility**

62. **Deputy Peter Burke** asked the Minister for Finance further to Parliamentary Question No. 34 of 10 October 2017, if an application for a Revenue Commissioners EII grant by a company (details supplied) in County Longford can be expedited; and if he will make a statement on the matter. [48515/17]

**Minister for Finance (Deputy Paschal Donohoe):** I understand from Revenue that all applications in relation to the Employment and Investment Incentive (“EII”) are dealt with in date order.

The entitlement to relief under the scheme is determined after a company, which is a small or medium sized company, has issued shares to a qualifying investor. I am advised by Revenue that while they provide what is known as “outline approval” to companies there is no requirement for a company to obtain outline approval prior to issuing shares. Therefore, the absence of outline approval does not prevent a company raising capital. The conditions for the relief are objective, set out in legislation and subject to detailed Revenue guidance. If the company meets those objective criteria, it can raise the financing with confidence that relief will be available.

In addition, Revenue has advised me that outline approval is where Revenue is prepared to express the opinion that, based on the information provided, relief under EII is likely to be available for an investment in a company. It is based on the information provided and as such, does not come with any caveats other than reminding companies that actual entitlement to relief cannot be determined until such time as the shares are issued.

The company referred to by the Deputy applied for outline approval on 18 August 2017. I understand that Revenue is currently processing applications received at the start of August. The circumstances outlined in relation to the company are similar to the circumstances that all

companies who are looking to raise funding to which EII funding are in. As companies that are looking for outline approval generally express urgency, it would be unfair on those other companies to expedite the application by the named company.

### Stamp Duty

63. **Deputy Michael McGrath** asked the Minister for Finance if there are stamp duty reliefs on the transfer of business assets within a family; and if he will make a statement on the matter. [48524/17]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that the transfer of a business assets within a family constitutes a conveyance on sale for the purposes of the Stamp Duties Consolidation Act (SDCA) 1999. Stamp duty is payable by the transferee. Where the business asset is sold or otherwise transferred for less than market value, section 30 SDCA 1999 imposes a charge to stamp duty at the market value of the property transferred.

There are no reliefs that may apply in such cases. Family relationships are not relevant for stamp duty purposes, other than in the case of certain transfers of agricultural property between family members, where a measure known a consanguinity relief may apply.

### Gender Balance

64. **Deputy Mary Lou McDonald** asked the Minister for Finance the gender balance on each of the State boards under his remit, in tabular form. [48564/17]

**Minister for Finance (Deputy Paschal Donohoe):** I wish to advise the Deputy that in relation to each of the State Boards under the remit of my Department, the gender balance is provided in the following table.

The Deputy may be interested to note that this information can also be accessed on the State Boards website [www.stateboards.ie/stateboards/](http://www.stateboards.ie/stateboards/).

State Board	Gender Balance
Central Bank Commission	Female – 3 Male – 7
Credit Union Restructuring Board	Female – 2 Male – 1
Financial Services Ombudsman Council	Female – 4 Male – 3
Irish Fiscal Advisory Council	Female – 2 Male – 3
National Asset Management Agency	Female – 1 Male – 6 [Currently 2 Vacancies]
National Treasury Management Agency	Female – 4 Male – 5
Strategic Banking Corporation of Ireland	Female – 4 Male – 5

### Tax Code

65. **Deputy Niall Collins** asked the Minister for Finance Ireland's ranking in comparison to other OECD countries in respect of the capital gains tax rate applied. [48623/17]

**Minister for Finance (Deputy Paschal Donohoe):** As the capital gains tax codes of OECD member countries vary in numerous respects, member countries' codes and the respective statutory rates are not directly comparable. Capital Gains Tax (CGT) rates vary depending on a



number of factors, including, for example, whether the disposer of the asset is an individual or a company, resident or non-resident; the nature of the asset and the scope of exemptions allowed; the duration of ownership of the asset and whether or not inflation indexation of acquisition costs is allowed. As a result, it is difficult to compare like with like and comparing statutory tax rates provides only an initial indication of how taxation of capital gains compares across countries.

Taking the statutory personal CGT rate applied to long-term gains on shares, which is the rate in respect of which up-to-date information is most readily available, Ireland has the 5th highest rate – 33% – of 20 OECD countries that charge such gains to CGT – the average rate being 28.4%. It should be noted in this context that Ireland applies a uniform rate of 33% to all chargeable gains, regardless of the duration of ownership, whereas other countries may apply a higher rate to short-term gains or by reference to other factors, which, if taken into account, would result in a different ranking and average rate.

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

66. **Deputy Niall Collins** asked the Minister for Finance the reason the criteria laid down under the KEEP scheme mean a company must remain within the SME head count definition and cannot scale up beyond this level to remain eligible. [48625/17]

**Minister for Finance (Deputy Paschal Donohoe):** In Budget 2018 I announced the introduction of the new Key Employee Engagement Programme (KEEP) with the objective of supporting SMEs in Ireland in competing with larger enterprises to recruit and retain key employees. Share options can provide key employees with a financial incentive linked to the success of the company and may improve the attractiveness of an SME employment offer.

The measure is intentionally focussed on SME companies, but the issue to which the Deputy refers, whereby the current legislation may limit the growth potential of a company while KEEP options are on issue, has been brought to my attention and my officials are reviewing the matter.

I indicated at Committee Stage of the Finance Bill that officials were continuing to engage with small business representatives to ensure that the KEEP legislation was operable in practice and that it would be effective in meeting its policy objective. I also indicated that I may bring forward further amendments at Report Stage of the Finance Bill.

The operation of the KEEP scheme will be subject to compliance with European Union State Aid rules.

### **Revenue Commissioners Enforcement Activity**

67. **Deputy Michael McGrath** asked the Minister for Finance the amount collected by the Revenue Commissioners under the compliance initiative announced in budget 2017; the interest and penalties that have been applied, in aggregate form; the number of disclosures that were made in respect of each offshore jurisdiction; the nature of the tax evasion captured by the initiative, in tabular form; and if he will make a statement on the matter. [48644/17]

**Minister for Finance (Deputy Paschal Donohoe):** It was announced to the House in the Financial Statement for Budget 2017 that action would be taken to restrict, with effect from May 2017, the opportunity for tax defaulters with outstanding tax liabilities in respect of offshore matters to use the voluntary disclosure regime. In line with this undertaking, section 56

of the Finance Act 2016 provides that, as and from the specified deadline date, the making of a voluntary disclosure is no longer permitted where the tax liabilities in question relate to offshore matters.

The period during which a voluntary disclosure could be made to Revenue in relation to offshore matters ended on 4 May 2017. I am advised by Revenue that some 2,734 disclosures, with a declared value of almost €84 million, were received by that date. This amount is comprised of €53 million in tax, interest of €25 million and €6 million in penalties.

I am advised also that 1,888 (that is, 69 percent) of the disclosures received by Revenue relate to offshore matters concerning four jurisdictions, namely the United Kingdom (1,196), the United States of America (377), France (183) and Spain (132). A full breakdown of the disclosures received, by reference to the jurisdiction to which the offshore matter disclosed related, is given in the following table.

**BREAKDOWN BY JURISDICTION TO WHICH OFFSHORE MATTER RELATES**

Country	No. of Disclosures	Country	No. of Disclosures	Country	No. of Disclosures
Australia	53	Gibraltar	1	Oman	1
Austria	7	United Kingdom	1,196	Panama	1
Bahamas	4	Greece	1	Poland	26
Barbados	1	Guernsey	5	Portugal	51
Belgium	25	Hungary	43	Romania	4
Belize	1	India	5	Saint Lucia	1
Bermuda	1	Iraq	1	Singapore	2
Brazil	1	Isle of Man	38	Slovakia	3
British Virgin Islands	5	Italy	10	Slovenia	1
Bulgaria	18	Jersey	27	South Africa	30
Cambodia	1	Jamaica	1	Spain	132
Canada	39	Kenya	2	Sri Lanka	1
Cape Verde	1	Lebanon	1	Sweden	5
Cayman Islands	1	Liechtenstein	3	Switzerland	47
China	4	Lithuania	3	Thailand	1
Croatia	1	Luxembourg	30	Trinidad & Tobago	1
Cyprus	9	Malaysia	1	Turkey	18
Czech Republic	4	Malta	2	United Arab Emirates	17
Denmark	1	Mauritius	1	USA	377
Estonia	1	Monaco	1	Unspecified	178
Finland	4	Netherlands	21		
France	183	New Zealand	10		
Germany	64	Norway	5	Total	2,734

The following table gives details, by category, of the types of previously undisclosed income sources and assets that gave rise to the disclosures made to Revenue.

**BREAKDOWN BY SOURCE OF INCOME AND ASSETS**

Source	Number	Percentage
Pension	428	16%
Bank Account	471	17%
Shares	555	20%
Property	795	29%
Offshore Fund	117	4%
Trust	24	1%
Earned Income	75	3%
Inheritance	24	1%
Multiple	113	4%
Unspecified	132	5%
Total	2,734	

Anybody who had tax liabilities relating to offshore matters and who did not act by 4 May to address them now faces the prospect of substantially higher penalties, publication in Revenue's quarterly list of tax defaulters and possible prosecution. Revenue will be making full and effective use of the large volume of data that it is receiving, under international arrangements for the automatic exchange of information, to identify and pursue anybody who attempts to evade his or her tax obligations by using offshore accounts, assets or structures.

**Paradise Papers.**

68. **Deputy Michael McGrath** asked the Minister for Finance the work the Revenue Commissioners are carrying out in respect of the information revealed by the leaking of the Paradise Papers; and if he will make a statement on the matter. [48645/17]

**Minister for Finance (Deputy Paschal Donohoe):** I am informed by Revenue that it is aware of, and actively examining, the information and allegations currently being published by various media outlets that originate from the "Paradise" papers. If further information and allegations become available from the same source over the coming days, Revenue will likewise examine any such further information or allegations that emerge.

Until all relevant information and allegations have emerged it is not possible for Revenue to formulate and decide its overall response to the information and allegations contained in the Paradise papers.

Revenue is determined that any tax evasion identified in relation to Irish taxpayers will be thoroughly investigated. Where tax evasion is uncovered Revenue will seek to have the maximum sanctions applied up to and including criminal prosecutions.

If instances of aggressive tax avoidance emerge, all such instances will be rigorously investigated and challenged by Revenue. Where anti-avoidance legislation can be applied to recover tax avoided through the use of unacceptable tax avoidance practices and schemes, Revenue will seek to apply such legislation with a view to recovering any Irish tax avoided together with all associated interest and tax avoidance surcharges.

Revenue's work in the area of identifying offshore tax evasion has been, and continues to be, a priority. The international environment has changed significantly in the years since Revenue started to investigate offshore bank accounts and other offshore assets. Tax authorities

worldwide now cooperate on a much wider and more intensive basis in investigating those who hide their profits or gains offshore than they did in the past. Initiatives such as FATCA (an Inter-Governmental agreement to share financial account information with the United States), DAC (EU Directives on Administrative Cooperation), and CRS (the OECD's Common Reporting Standard) are all now helping to ensure that tax administrations have greater access to information in respect of offshore assets and income of their residents. Revenue will make full use of information received from other jurisdictions under these new initiatives on offshore assets to identify and pursue those who have attempted to use offshore accounts, structures or assets to evade or avoid their tax obligations.

In the context of these new information sharing initiatives now becoming available, the Government introduced specific measures in the Finance Act 2016 to ensure that, as and from May 2017, tax defaulters whose default relates to offshore matters are unable to avail of the benefits of the voluntary disclosure regime. Anyone who did not come forward by 4 May 2017 to regularise his or her tax affairs now faces the prospect of substantially higher penalties, publication in the Quarterly List of Tax Defaulters and possible criminal prosecution.

Revenue will also work in close cooperation with other tax administrations, in the framework of the OECD's Joint International Taskforce on Shared Intelligence and Cooperation, in addressing issues raised by the papers, and will, as appropriate share information with these other tax administrations under existing legal frameworks.

### **Tracker Mortgage Examination Data**

69. **Deputy Michael McGrath** asked the Minister for Finance the number of the 6,000 new cases identified by a bank (details supplied) that were buy-to-let mortgages; the number that were primary dwelling house mortgages; the number that led to mortgage arrears cases; and the number that led to the loss of the home. [48648/17]

**Minister for Finance (Deputy Paschal Donohoe):** In response to the Deputy's question, officials in the Department of Finance have received the following response from the bank:

“Bank of Ireland provided an update to the market on this matter on 9 November 2017 in which it set out that an additional c. 6,000 accounts would now be included within the scope of the compensation scheme. The Bank has stated that all impacted customers who continue to have an open mortgage account will be returned to their correct tracker rate as soon as possible, and aims to compensate all these customers, subject to their agreement, as quickly as possible starting before the end of 2017. Of these additional 6,000 accounts approximately 5,200 relate to Owner Occupier properties with the remainder being Buy to Let. The Bank will provide further updates as it progresses through the programme.

The Bank commenced the compensation process for impacted customers on 10 November. The recent statements made by the bank on the matter are available here:

Press Release - <https://www.bankofireland.com/about-bank-of-ireland/press-room/press-releases/item/635/bank-of-ireland-sets-out-path-for-resolution-of-tracker-mortgage-issue/#november>

RNS - <https://investorrelations.bankofireland.com/press-releases/stock-exchange-announcements/>”.

70. **Deputy Michael McGrath** asked the Minister for Finance the interest projected to be earned from the bonds issued by the Central Bank to fund the wind down of Anglo Irish Bank in each of the years 2017 to 2021; the impact this will have on Central Bank profits; the impact this will have on Exchequer revenue and the fiscal position of the State; and if he will make a statement on the matter. [48649/17]

**Minister for Finance (Deputy Paschal Donohoe):** The Deputy might kindly note that the bonds in question were not issued by the Central Bank. In February 2013, the Central Bank of Ireland acquired a range of assets following the liquidation of the Irish Bank Resolution Corporation (IBRC), including Promissory Notes (non-standard instruments) which were exchanged for a portfolio of eight Floating Rate Notes (FRNs) (standard long-dated government bonds with a floating rate coupon, i.e. a regular interest payment which varies with market rates) amounting to €25.034 billion.

The Central Bank's remaining holdings of these bonds (the FRNs) totals €16.034 billion and the average coupon, or interest rate, (weighted by holding) is 6-month Euribor +266 basis points. For reference, the 6-month Euribor as at 14 November 2017 is -0.275%.

The 6-month Euribor is reset every 6 months and so is subject to change on those occasions. The last coupons fixed on 15 June for reset on 19 June. 6-month Euribor was -0.271% on 15 June 2017. The coupons will again fix at 6-month Euribor on 14 December for reset on 18 December.

As stated previously, the Central Bank is committed to disposing of the assets acquired as part of the IBRC liquidation as soon as possible, provided financial stability conditions permit.

The Central Bank also indicated a minimum schedule of disposals as follows:

2014-2018 €0.5 billion per annum;

2019-2023 €1 billion per annum; and

from 2024 onwards €2 billion per annum until all bonds are sold.

As at 15 November 2017, the Bank has so far disposed of €9 billion nominal of the Floating Rate Notes:

€0.5 billion in 2014;

€2 billion in 2015;

€3 billion in 2016; and

€3.5 billion so far this year.

The Central Bank met its disposal target in 2014, and has significantly exceeded its disposal targets in 2015, 2016, and already in 2017.

Due to the volatility associated with the disposal of these assets, Budget 2018 contains prudently-based estimates of Central Bank income out to 2021, which factors in interest earned on the FRNs, however, it is not possible to give an exact figure due to the number of unknown variables. Table 10 of the Economic and Fiscal Outlook illustrates the total impact of the estimates distributed into the component which benefits the general government balance and the remainder which counts positively towards the Exchequer only (available at the following link: [http://budget.gov.ie/Budgets/2018/Documents/Budget\\_2018\\_Economic\\_and\\_Fiscal\\_Outlook.pdf](http://budget.gov.ie/Budgets/2018/Documents/Budget_2018_Economic_and_Fiscal_Outlook.pdf)). Under the EU fiscal rules, expenditure is now sustainably financed and is linked to the

trend economic growth rate rather than revenue developments.

### IBRC Liquidation

71. **Deputy Michael McGrath** asked the Minister for Finance the interest rate earned on the bonds issued by the Central Bank to fund the wind down of Anglo Irish Bank promissory notes; the interest rate on the new national debt issued to fund the purchase by the NTMA of the promissory notes from the Central Bank; and if he will make a statement on the matter. [48650/17]

**Minister for Finance (Deputy Paschal Donohoe):** Subsequent to the liquidation of IBRC the Central Bank acquired €25.034bn of Floating Rate Notes (FRNs) and €3.46bn of the fixed rate 5.4% Treasury Bond 2025.

The following table sets out the interest rate on each of these bonds:

Note Type	Rate	Maturity	Original Nominal acquired by CBI (€m)
Floating Rate Note	6 month Euribor+268bps	18/06/53	5,034
Floating Rate Note	6 month Euribor+267bps	18/06/51	5,000
Floating Rate Note	6 month Euribor+265bps	18/06/49	3,000
Floating Rate Note	6 month Euribor+262bps	18/06/47	3,000
Floating Rate Note	6 month Euribor+260bps	18/06/45	3,000
Floating Rate Note	6 month Euribor+257bps	18/06/43	2,000
Floating Rate Note	6 month Euribor+253bps	18/06/41	2,000
Floating Rate Note	6 month Euribor+250bps	18/06/38	2,000
Fixed Rate	5.40%	13/03/25	3,461

The floating rate notes with original maturities of 18/06/2038, 18/06/2041, 18/06/2043 and 18/06/2045 have been fully bought back and cancelled by the NTMA.

It is important to note that there was no specific issuance undertaken to fund the purchase of these notes. Instead, the proceeds of all Exchequer borrowings are lodged to the Exchequer account at the CBI and all moneys within that account are fungible.

The first of the floating rate notes was purchased by the NTMA in December 2014.

The weighted average yield on fixed rate benchmark bond issuance by the NTMA in 2015, 2016 and to date in 2017 are as follows:

2015: 1.51%

2016: 0.82%

2017 year to date: 0.89%

## Tax Code

72. **Deputy Bernard J. Durkan** asked the Minister for Finance the correct level of taxation applicable in the case of a person (details supplied); and if he will make a statement on the matter. [48659/17]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that the details provided in respect of the person concerned differ from Revenue's information.

If the person concerned is married, they may be entitled to claim the Married Persons Tax Credit by completing and returning a Form IT2 assessable spouse election form which can be found online at [www.revenue.ie](http://www.revenue.ie) or by claiming the credit on MyAccount, the online service for PAYE customers.

In addition, if the individual is married and their spouse does not work or has income per annum of less than €7,200 (or €5,080 for years up to and including 2015), they may also be due the Home Carer Tax Credit which can also be claimed on MyAccount.

## Pension Provisions

73. **Deputy Louise O'Reilly** asked the Minister for Public Expenditure and Reform if his attention has been drawn to a mechanism for public servants who are members of the single public service pension scheme to access AVCs in the same way as persons on the previous scheme; and if he will make a statement on the matter. [48501/17]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Single Public Service Pension Scheme applies to all new entrants appointed to pensionable posts in the public service from 1 January 2013. Irrespective of the public service pension scheme of which they are a member, and subject to Revenue and any other relevant regulatory constraints, pensionable public servants may be able to augment their retirement income by contributing to a Revenue-approved AVC Scheme or AVC PRSA, entered into at full cost to themselves with an insurance provider. Participation in AVC Schemes, some of which are affiliated with trade unions, or an AVC PRSA arrangement is a matter for individual public servants.

## Pensions Data

74. **Deputy Louise O'Reilly** asked the Minister for Public Expenditure and Reform the numbers of civil and public servants who are members of the single public service pension scheme, by grade and by employer, in tabular form; and if he will make a statement on the matter. [48502/17]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Single Public Service Pension Scheme, which was launched on 1 January 2013, is the default pension scheme for persons commencing employment in the public service, including civil servants, from that date onward.

The Single Scheme is administered at workplace level by each public service body (termed a relevant authority) to which the Scheme applies.

My Department does undertake an annual census of members across all relevant authorities at the end of each year. The last annual census undertaken was for the year ended 31 Decem-

ber 2016 and this noted some 64,000 persons were enrolled as members of the Single Scheme at that time. This number includes significant numbers of temporary staff, not all of whom would have remained in post subsequent to 31 December 2016. My Department does not hold information on the grades of individual members of the Single Scheme. A breakdown of total membership advised by relevant authorities to my Department at 31 December 2016 has been provided to the Deputy and is outlined in the table at the following link:

[<a href="/debates%20authoring/webattachments.nsf/0/02336A7EB1F6F8F2802581DA005C9EBA/\$File/Table%201%20-%20Single%20Scheme%20Membership%20Break-down%20at%2031.12.2016.pdf?openelement">Pension Scheme</a>]

### **Pension Provisions**

75. **Deputy John Brady** asked the Minister for Public Expenditure and Reform the way in which the supplementary pension for public servants works; and if he will make a statement on the matter. [48639/17]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** In 1995, as a public service pension reform measure, it was agreed that all future entrants to the public service would pay full PRSI and be eligible for a Contributory State Pension as a part of their overall pension entitlement.

As a consequence, occupational pensions for those recruited between 1995 and 2012 are made up of an occupational pension payment plus Contributory State Pension (where payable) such that the maximum total pension available with full service is half salary at retirement, i.e. the same as pre-1995 recruits. This limit applies whether the pension is integrated with the State pension or not.

Where a post-1995 recruit retires before the State Pension age of 66, their occupational pension is calculated to take account of social welfare benefits payable, so that when those benefits are payable, in full or in part, they are no worse off than a comparative pre-1995 recruit. Where this parity does not arise their occupational pension is modified through a supplementary adjustment, taking account of social welfare benefits payable, so they are no worse off than a comparative pre-1995 recruit. A public service pensioner may only qualify for a supplementary pension if they are not engaged in paid employment, do not qualify for social insurance benefit or fail to qualify for such benefit at less than the maximum rate, and their failure to qualify is due to causes outside their control.

In a further pension reform measure, the Single Public Service Pension Scheme which applies to all new entrants since 1 January, 2013, does not make provision for such supplementary adjustments.

### **Flood Prevention Measures**

76. **Deputy Tom Neville** asked the Minister for Public Expenditure and Reform if road defence works will be carried out in an area (details supplied); and if he will make a statement on the matter. [48463/17]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** The Office of Public Works (OPW) allocated funding of €100,000 to Kerry County Council under the Minor Flood Mitigation Works & Coastal Protection Scheme in Feb-



ruary, 2012 for embankment strengthening works at Cromane Lower. The Council has already drawn down this funding. OPW is not responsible for the upkeep of this embankment. Following the coastal storms, which affected the western seaboard in December 2013 and January 2014, Kerry County Council was allocated €1,243,270 for a programme of repair works, which included funding for a project at Cromane Lower. All funding has been expended.

It is a matter for Kerry County Council in the first instance to investigate and address issues of coastal protection and flooding at the location indicated. If, following assessment, Kerry County Council can identify any economically and environmentally viable measures to address the flooding problem at this location it is open to Kerry County Council to undertake any required remedial works using its own resources. Alternatively, if appropriate, it may apply for further 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/minorfloodworkscostalprotectionscheme/>

### **Legislative Programme**

77. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the date by which the Public Sector Standards Bill 2015 will be enacted. [48497/17]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Public Sector Standards Bill provides for the disclosure of registerable interests by members of the Oireachtas and public servants, and for investigation of possible non-compliance with the legislation. The Bill consolidates the current legislative framework governing the ethical obligations of public officials. It aims to significantly enhance the existing framework for identifying, disclosing and managing conflicts of interest and minimising corruption risks, to achieve a shift towards a more dynamic and risk-based system of compliance and to ensure that the institutional framework for oversight, investigation and enforcement is robust and effective.

The Bill was published on the 23rd of December 2015 and completed Second stage in the Dáil on the 20th of January 2016. Committee stage commenced on the 6th of April 2017 and 42 of the 66 sections in the Bill were passed that day. The Committee requested that, prior to the rescheduling of the Bill for completion of Committee stage, all TD's, Senators and Local Authority representative organisations be written to by the Minister giving information about the Bill. These letters issued on 10th May. In addition, a briefing session for Oireachtas members was held on 30th May.

In an effort to further assist in the understanding of the Bill, Minister of State O'Donovan is currently meeting with opposition spokespersons on a one-to-one basis. It is hoped that following these meetings, Committee Stage will be recommenced and the Bill can progress through the Houses of the Oireachtas without further delay. It is anticipated that the Bill will be enacted in the first half of 2018.

### **Appointments to State Boards**

78. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the action that is taken by his Department in cases in which a State board fails to meet its gender quota; and if he will make a statement on the matter. [48540/17]

80. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform his Department's latest guidelines on appointments to State boards. [48643/17]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I propose to take Questions Nos. 78 and 80 together.

As the Deputy will be aware, the Government overhauled the system for State Board appointments during 2014, building on a number of earlier innovations originally introduced in 2011.

The revised approach has the following three key principles at its core:

- the promotion of wider access to opportunities on State boards;
- the establishment of detailed and comprehensive criteria for those roles; and
- the introduction of transparent and rigorous assessment of candidates against these criteria.

While it remains the responsibility of the relevant Minister to appoint members of the State boards under his or her auspices, the Public Appointments Service (PAS) now has a significant role under the new arrangements in preparing a sufficient list of suitable candidates so that Ministers are able to exercise effective choice. This provides independent assurance that the appointee is of sufficient calibre and quality to add significant value to the work of the relevant board.

My predecessor as Minister for Public Expenditure and Reform issued Guidelines on Appointments to State Boards in November 2014 setting out clearly how the new appointments process would work in practice.

In terms of the specific objective of increasing the participation of women on State Boards, the Government agreed to set a target of 40% female membership of such boards and that where a board met the 40% target that the aim should be to increase to 45%.

A database maintained by my Department on State Board Appointments (available at [www.StateBoards.ie](http://www.StateBoards.ie)) shows that steady progress is being made on increasing female participation. Some 40% of all board members are now female, although this percentage obviously varies from Board to Board.

Indications are that 48% of State Boards have reached the target of a minimum of 40% female membership set by the Government and indeed that some 35% of boards have met the higher 45% target. This compares very favourably with the private sector, with a figure of somewhere around 13% female participation. The position on individual State Boards is a matter for the relevant Minister.

Up to the end of September this year, over 500 appointments have been made under the new system. Some 30% of the applications received for state board appointment came from women, who made up some 45% of the appointments made by Ministers.

As I mentioned, each Minister is ultimately responsible for appointments to boards under their aegis and must have regard to the Guidelines. Relevant issues relating to the effective operation of each board, including those such as diversity, gender balance and mix of expertise are for each Minister to consider. Personally I would encourage all Ministers, through their Departments, to encourage measures to increase awareness of State Boards in their sectors with the particular aim of increasing applications from women.

## Gender Balance

79. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the gender balance on each of the State boards under his remit, in tabular form. [48569/17]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Public Appointments Service (PAS) is the only State Board under my remit. The gender breakdown of that Board in tabular form is as follows:

Total Membership as per Legislation	Vacancies	Current Members	Gender Breakdown	
9	3	6	Male 66.7%	Female 33.3%

*Question No. 80 answered with Question No. 78.*

## Departmental Schemes

81. **Deputy Tom Neville** asked the Minister for Education and Skills his views on a matter (details supplied); and if he will make a statement on the matter. [48460/17]

**Minister for Education and Skills (Deputy Richard Bruton):** There are no schemes or provisions currently in operation along the lines set out in the details supplied with the Deputy's question.

Supporting school leadership is a major priority of mine, and I am conscious of the importance of developing and motivating school leadership at all levels. Budget 2017 allowed me to make a start at re-investing in school leadership in terms of Deputy Principal and middle management posts. Questions of school leadership improvement and development are the subject of ongoing consideration and review by my Department.

Suggestions and proposals to support school leadership improvement and development may be considered in that context. In considering suggestions which have cost implications, such as for example those set out in the details supplied with the Deputy's question, it is essential to have regard to the most effective use of financial resources, and value for money for taxpayers.

## Special Educational Needs Service Provision

82. **Deputy Tom Neville** asked the Minister for Education and Skills his views on a matter (details supplied) regarding a school; and if he will make a statement on the matter. [48462/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I wish to advise the Deputy that DES Circular 0013/2017 for primary schools and 0014/2017 for post primary schools were published on 7th March 2017.

These Circulars set out the details of the new model for allocating special education teachers to schools.

The revised allocation process replaces the generalised allocation process at primary and post primary school level for learning support and high incidence special educational needs, and the National Council for Special Education (NCSE) allocation process which provided

additional resource teaching supports to schools, to support pupils assessed as having Low Incidence disabilities.

The new Special Education Teaching allocation provides a single unified allocation for special educational support teaching needs to each school, based on each school's educational profile.

Under the new allocation model, schools have been provided with a total allocation for special education needs support based on their school profile.

The provision of a profiled allocation is designed to give a fairer allocation for each school which recognises that all schools need an allocation for special needs support, but which provides a graduated allocation which takes into account the actual level of need in each school.

I wish to advise the Deputy that the school referred to in his question received an allocation of 42.05 hours special education teaching support, based on its school profile and an enrolment of 90 pupils at the time that the school profile developed. This is a substantial allocation of hours for a school of this size.

Whereas the profiled allocation had indicated a need of 40 hours for this school, based on its school profile and size, and relative to the profiled needs of all other schools, the school was allocated 42.05 hours, which was equivalent to the allocation the school received in 2016/17.

There has therefore been no reduction to the allocation of special educational needs teaching support for this school.

Under the new allocation model schools are frontloaded with resources, based on each school's profile, to provide supports immediately to those pupils who need it without delay. This reduces the administrative burden on schools as schools no longer have to complete an application process annually and apply for newly enrolled pupils who require resource hours. Children who need support can have that support provided immediately rather than having to wait for a diagnosis.

Schools will therefore no longer have to make applications, for newly enrolled pupils for whom resource teaching hours may have been provided under the old model, or for pupils who have received a new diagnosis, as schools will now receive a single allocation for all of their special education teaching needs, based on their school size and profile.

It should be noted that this is a brand new model of allocation and is not comparable to the existing model. By using a broad range of attainment and socio-economic criteria, it is expected that generally, a school's profile will remain relatively constant from year to year. Each year, some students with additional teaching needs will leave and others will enrol, broadly balancing the school profile. Resources allocated under this model will not normally be adjusted between allocations.

Both my Department and the National Council for Special Education (NCSE) are committed to ensuring all schools are treated equally and fairly in the manner in which their school profiles have been calculated.

Accordingly, a number of review processes have been put in place to support schools.

In March of this year, the National Council for Special Education (NCSE) published details of an appeal process for schools.

Schools were advised that this appeal would consider circumstances where schools consid-

ered that their school profile was calculated incorrectly, using the data set out in DES Circulars 0013 and 0014 2017. An appeal could be submitted for a review of the information used and of the calculation of the allocation.

Schools who wished to submit an appeal on this basis were asked to do so by March 31st 2017. These appeals have been processed and this appeal process has now concluded.

A second process has been put in place to address circumstances where the school profile significantly changed following the allocation process e.g. a developing school where the net enrolment numbers significantly increased.

The criteria for qualification for mainstream school developing school posts are set out in DES Circular 17/2017 (Primary School Staffing Schedule) and DES 10,11,12/2017 (Post Primary School Staffing Schedule).

Schools who qualified of additional mainstream developing school posts in accordance with these criteria also qualified for additional Special Education Teaching Allocations to take account of this developing status.

Schools were also advised that it acknowledged that there are some circumstances, which may arise in schools, which fall outside the appeals process, or allocations for developing school status.

These relate to exceptional or emergency circumstances which could not have been anticipated e.g. where the school profile changes very significantly, or where other exceptional circumstances have arisen in a school and which may require a review of schools capacity to provide additional teaching support for all pupils who need it in the school, or of their utilisation of their allocations.

The NCSE has now published details of how schools can seek a review of their allocations, including the utilisation of their allocations, in circumstances where a school considers that very exceptional circumstances have arisen subsequent to the development of the profile.

Should a school consider they fulfil the criteria for a review on the grounds of exceptional circumstances, they may request such a review at:

<http://ncse.ie/review-of-special-education-teacher-supports-where-there-are-exceptional-circumstances-or-needs-arising-in-a-school>

Finally, with regards to mainstream teaching posts, the criteria used for the allocation of teaching posts is published annually on my Departments website. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the previous 30 September. The staffing schedule also includes an appeals mechanism for schools to submit an appeal under certain criteria to an independent Appeals Board.

The staffing schedule operates in a clear and transparent manner and treats all similar types of schools equally irrespective of location.

The Primary Staffing Appeals Board meets three times per year. The third and final meeting for the 2017/18 school year took place in October, 2017.

The school referred to by the Deputy submitted an application for consideration by the Appeals Board at its June 2017 meeting under the class size criterion. The appeal was refused by the Appeals Board on the basis that the grounds of your appeal did not warrant the allocation of

an additional post for the 2017/18 school year.

The Primary Staffing Appeals Board operates independently of my Department and its decision is final.

### **Pupil-Teacher Ratio**

83. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will address a matter (details supplied) regarding the pupil-teacher ratio of a school; and if he will make a statement on the matter. [48474/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The criteria used for the allocation of teaching posts is published annually on the Department website. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the previous 30 September.

The staffing schedule operates in a clear and transparent manner and treats all similar types of schools equally irrespective of location.

The Staffing Schedule includes the provision where schools experiencing rapid increases in enrolment can apply for additional permanent mainstream posts on developing grounds. The staffing schedule also includes an appeals mechanism for schools to submit an appeal under certain criteria to an independent Appeals Board. This process includes a provision in which schools that are not gaining an additional teaching post under the developing schools criterion can submit an appeal to the independent Appeals Board. This appeal criterion is targeted at those schools that make a significant contribution to the provision of school places and so assist the response to demographic growth within their area.

The Primary Staffing Appeals Board meets three times per year. The third and final meeting for the 2017/18 school year took place in October, 2017. There is no record of Milltown Nagle Rice School having submitted an application to the appeal board.

The Primary Staffing Appeals Board operates independently of the Department and its decision is final.

In April 2015 the school referred to moved into a new school building provided by my Department to cater for a long term projected mainstream staffing compliment of Principal plus 12 mainstream teachers.

Subsequently, in late 2016, the school referred to submitted an application for additional accommodation due to increases in pupil enrolments. The application was processed, having regard to the demographic information available for the school planning area within which the school in question is located, and it was determined that there was sufficient capacity within the school planning area to meet the demand for primary school places. In that regard the application was not approved.

My Department is currently reviewing updated demographic data nationally, including the school planning area within which the school referred to is located. This review will advise whether any additional demographic demand is required. In that context the application from the school referred to will be reconsidered and the school authorities will be advised if there is any change in the position.

## Teacher Training Provision

84. **Deputy John Brady** asked the Minister for Education and Skills the number of teachers who qualified to teach home economics in each of the years 2014 to 2016 and to date in 2017. [48490/17]

85. **Deputy John Brady** asked the Minister for Education and Skills the colleges that provide teacher training for home economics. [48491/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 84 and 85 together.

I wish to advise the Deputy that St Angela's College, Sligo is the sole provider of initial teacher education for teachers of Home Economics in Ireland.

The Deputy may wish to note that I have increased from 85 to 101 the number of students admitted to St Angela's, Sligo to follow the Home Economics ITE programme in the current year, with further expansions in future years being considered.

The information requested by the Deputy is set out in the following table.

### Number of teachers who received a qualification in Home Economics

Year	Number of teachers
2014	51
2015	53
2016	70
2017	63

## School Curriculum

86. **Deputy John Brady** asked the Minister for Education and Skills the percentage of post-primary schools that have home economics on their curriculum. [48492/17]

**Minister for Education and Skills (Deputy Richard Bruton):** There were 711 post-primary schools in Ireland in 2016/17. Of these, 586 (82%) offered Home Economics at Junior Cycle level and 567 (80%) offered Home Economics at Senior Cycle.

## School Textbooks

87. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills the cost of providing free school books to all primary and secondary school children in 2017; and if he will make a statement on the matter. [48525/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The information sought is not available to my Department, however one estimate from publishers' sources suggests that the Irish school book market is worth approximately €60 million per annum.

My Department supports the operation of book rental schemes through the funding provided under its school books grant scheme. Under this scheme, my Department provides funding of €16 million annually to primary and post-primary schools in the free education scheme.

School book rental schemes have an important role to play in reducing the cost of school

books for parents. Circa. 94% of primary schools and 65% of post-primary schools operate a book rental scheme.

One of the actions as part of the Action Plan for Education is to strengthen the focus on reducing school costs for parents by increasing the financial support for book rental schemes, in order to reduce/eliminate school book costs for parents as resources permit.

Providing additional funding for book rental schemes will be addressed during the lifetime of the Action Plan for Education.

My Department has published a circular to school authorities and ETBs regarding measures to be adopted by schools to reduce the costs which include the provision of a book rental scheme. The circular can be accessed on my Department's website at the following link: [www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0032\\_2017.pdf](http://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0032_2017.pdf).

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

88. **Deputy Eoin Ó Broin** asked the Minister for Education and Skills when a person (details supplied) will be provided with a place in a special class for children with a diagnosed disability in view of the recommendation by the HSE on 23 October 2017. [48529/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The policy of my Department is to ensure that all children with special educational needs can be provided with an education appropriate to their needs.

My Department provides for a range of placement options and supports for schools, which have enrolled students with special educational needs, in order to ensure that wherever a child is enrolled, s/he will have access to an appropriate education.

Department policy is that children with special educational needs should be included where possible and appropriate in mainstream placements with additional supports provided. In circumstances where children with special educational needs require more specialised interventions, special school or special class places are provided for.

The National Council for Special Education (NCSE) is a separate independent statutory body whose functions include planning and co-ordinating the provision of education and support services to children with special educational needs in conjunction with schools and the Health Service Executive (HSE). The NCSE, through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from schools for special educational needs supports as required. This includes the establishment of special classes in various geographical areas where there is an identified need. The NCSE is aware of emerging need from year to year and where special provision is required it is planned and established to meet that need.

Students enrolling in special classes must have a report from a relevant professional or team of professionals (for example, psychologist, speech and language therapist, psychiatrist) stating that:

- S/he has a disability (in line with the designation of the special class in question, and
- S/he has significant learning needs that require the support of a special class setting and the reasons why this is the case.

170 new special classes have been opened for the 2017/18 school year and the NCSE con-



tinues to establish additional special classes as required. Since 2011 the NCSE has increased the number of special classes by over 130% from 548 in 2011 to 1,302 for the 2017/18 school year.

Schools may apply to the NCSE to open a special class where a need has been identified in their area i.e. a number of students have professional reports indicating they require the support of a special class.

SENOs may also approach a school directly where they are aware that a special class is or will be required in the near future. SENOs consult with other education parties (e.g. NEPS and Inspectorate) when planning to set up a special class.

Before approaching schools to request the establishment of a special class, SENOs take into account both present and future potential needs within the area and must be satisfied that the class is sustainable and appropriately located.

Parents/Guardians who may need advice or are experiencing difficulties in locating a school placement, including special class placement, should contact their local Special Educational Needs Organiser (SENO) who can assist in identifying an appropriate educational placement for their child. The NCSE's SENO responsibility includes planning and co-ordinating the provision of education and support services to children with special educational needs, including supporting children and parents in identifying school placement options and resource needs. Each SENO works in an assigned local area with parents, schools, teachers, psychologists, health professionals and other staff who are involved in the provision of services in that area for children with special educational needs. Contact details are available on [www.ncse.ie](http://www.ncse.ie).

Details of all special classes for children with special educational needs, including those in the area to which the Deputy refers are available on [www.ncse.ie](http://www.ncse.ie) in county order, and with new classes identified.

As the matter referred to by the Deputy involves a special class placement for an individual child, I have arranged for the NCSE to respond directly to the Deputy on the issue.

### **School Staff**

89. **Deputy Joan Collins** asked the Minister for Education and Skills the reason a permanent Irish teaching post has not been filled in a school (details supplied) in Dublin 12; his views on this matter; and his plans to make provision for an additional full-time teacher. [48538/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I am pleased to have been in a position to significantly expand the recruitment of teachers at primary and post primary levels. Some 2,300 new teachers were recruited in 2016-2017 and 2,900 will be recruited in 2017-2018. The figure of 2,900 is 21% more than the number announced in budget 2017 so we have in fact been able to recruit more new teachers than we have announced. All of the 2016-2017 posts have been successfully filled and the process for filling the additional posts in the current year is almost complete. We are successfully filling the posts that we are making available.

However, I am aware that some schools have experienced difficulty in recruiting adequately qualified teachers in particular subjects, including Irish, and I am committed to examining all possible means of addressing this issue. My Department has been made aware of the case of the school referred to by the Deputy.

I have taken certain initiatives to address some of the supply pressures in particular subjects.

These include, as part of the implementation of the Policy on Gaeltacht Education, increasing from 2018/19 the number of places available on the existing Irish medium post primary initial teacher education programme in NUIG, to which I have granted two additional posts from September 2017. This measure will strengthen the Irish-language proficiency of newly qualified teachers across a range of subjects and, it is anticipated, also increase the supply of Irish language teachers.

I have also undertaken measures to increase the pool of teachers available to schools, in particular to fill short term vacancies. My Department informed all teachers retiring in 2017 that in order to remain eligible for employment in a state funded teaching post for a period of more than five consecutive days or to supervise the State examinations, a teacher must maintain his/her registration with the Teaching Council. My Department also increased the limits for employment while on career break at post primary level to a maximum of 300 hours in a school year and at primary level to a maximum of 90 days in a school year.

The Deputy will be aware of the report of the Technical Working Group on teacher supply, 'Striking the Balance' which, while focussing on the development of a model of primary teacher supply, outlined the work which will be required to establish a long term model of post-primary teacher supply. The Deputy will appreciate that there are difficulties in developing a reliable model of teacher supply at second level and this was recognised in the work of the Teaching Council as teaching is competing with many other sectors for graduates in areas like Maths, Science, and Irish. The Teaching Council, which has an advisory role in this matter, recently convened a consultative forum on teacher supply with relevant stakeholders with the aim of producing teacher supply proposals and I look forward to seeing the report from this forum which will further inform our thinking in this matter.

I am currently reviewing with my Department other potential initiatives on teacher supply. In that context my Department intends engaging with the various stakeholders, including school management bodies and the HEA, regarding further actions in this area.

### **School Patronage**

90. **Deputy Sean Sherlock** asked the Minister for Education and Skills his plans to facilitate the establishment of a school (details supplied) in County Cork. [48546/17]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy may be aware, the report of the Advisory Group to the Forum on Patronage and Pluralism in the Primary Sector recommended that demand for patronage diversity should be met in areas of stable population by divesting patronage of existing schools where there is evidence of parental demand for change. Following surveys conducted by my Department in areas of stable population, sufficient demand emerged in 28 areas, including the Fermoy area. Under this patronage divesting process, ten new schools have opened from 2013 to 2016.

As the Deputy may be aware following discussions on patronage divesting with education stakeholders and patron bodies in 2016, on the 30th January 2017, I announced new plans aimed at providing more multi-denominational and non-denominational schools across the country, in line with the choices of parents, families and school communities and the Programme for Government commitment in this area. I believe that the new schools reconfiguration for diversity process has the potential to significantly increase patron diversity in our school system with a target of reaching 400 multi-denominational and non-denominational schools by 2030.

In tandem with the implementation of the schools reconfiguration process, my Department

is continuing to work with the main stakeholders to progress delivery of diversity in the areas already identified, including Fermoy.

### **Public Sector Pensions**

91. **Deputy John Brassil** asked the Minister for Education and Skills the reason the members of an organisation (details supplied) who are public sector employees and employees of Kerry ETB and pay a pension levy are excluded from the public sector pension scheme; his plans to allow them join the scheme; and if he will make a statement on the matter. [48552/17]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department's funding relationship with Kerry ETB for the organisation referred to by the Deputy is predicated on the basis that it is self-financing and that its financial activities are separate from the overall ETB finances. Accordingly, annual grants for same are contributory in nature.

Generally, only pensionable public servants who (a) are not members of the Single Public Service Pension Scheme (Single Scheme and Other Provisions) Act 2012, and (b) are appointed under section 19 of Education and Training Boards Act 2013 to be a member of staff of an education and training board, shall, on their appointment to the education and training board concerned, become and be a member of a relevant superannuation scheme (e.g. Education Sector Superannuation Scheme, SI 290 of 2015) in accordance with its terms and conditions. Access to a Public Sector Pension Scheme is determined by a number of factors, which includes in the case of part time workers, that there is a whole time pensionable comparator in the sector.

It is a matter for each ETB to determine whether a person is eligible to become a member of the relevant superannuation scheme in accordance within the relevant rules and regulations.

Under Section 2 of the Financial Emergency Measures in the Public Interest (FEMPI) Act, 2009, as amended, a person is liable to pay the pensions-related deduction if he or she is a public servant on or after the 1 March 2009 and is a member of a public service pension scheme, is entitled to a benefit under the scheme or receives a payment in lieu of membership of such a scheme.

Accordingly, an individual who is not entitled to a pension benefit from his/her employment may be liable to pay the pension related deduction (PRD) in certain other circumstances, including if he/she receives a payment in lieu of membership of a public service pension scheme. In that regard, for example, a non-pensionable gratuity is payable to certain staff of educational training boards whose service is not reckonable for superannuation purposes.

The PRD forms part of a wider set of financial emergency measures affecting public service pay and pensions which were directed at securing a stabilisation in the public finances. The FEMPI Act has been amended in respect of PRD to provide for a significant easing of the PRD burden on affected public servants by way of revised thresholds.

### **Gender Balance**

92. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the gender balance on each of the State boards under his remit, in tabular form. [48562/17]

**Minister for Education and Skills (Deputy Richard Bruton):** Information on the gender balance on the boards of each of the State agencies under the aegis of my Department is included in the following table. Comprehensive information on board appointments to agen-

cies under the remit of my Department can also be downloaded from my Department's website <http://www.education.ie>.

The current Government target is for at least 40% of each gender on boards. 14 of the 18 boards under the aegis of my Department have reached or exceeded the target. Overall female representation is 47%.

Name of Board	Positions currently vacant	Men	Women	Total current membership	%Women
An Comhairle um Oideachas Gaeltachta agus Gaelscolaíochta (COGG)	0	6	6	12	50%
Caranua (Residential Institutions Statutory Fund)	0	5	4	9	44%
Commission to Inquire into Child Abuse	0	2	4	6	67%
Grangegorman Development Agency Board	0	9	6	15	40%
HEA	2	7	6	13	46%
Irish Research Council	0	6	6	12	50%
Léargas	0	5	4	9	44%
National Centre for Guidance in Education (NCGE)	0	5	8	13	62%
National Council for Curriculum and Assessment (NCCA)	0	10	15	25	60%
National Council For Special Education (NCSE)	0	6	7	13	54%
Quality & Qualifications Ireland (QQI)	4	3	3	6	50%
Residential Institutions Redress Board	0	4	7	11	64%
Residential Institutions Review Committee	0	4	1	5	20%
Skillnets Limited	0	8	5	13	38%
SOLAS (An tSeirbhís Oideachais Leanúnaigh agus Scileanna)	0	8	5	13	38%
State Examinations Commission (SEC)	0	3	2	5	40%
The Teaching Council	0	23	14	37	38%
Educational Research Centre	0	3	2	5	40%
<b>Total</b>	<b>3</b>	<b>117</b>	<b>105</b>	<b>222</b>	<b>47</b>

**Departmental Functions**

93. **Deputy James Lawless** asked the Minister for Education and Skills the functions of his Department that have been legally delegated to the Minister of State, Deputy Mary Mitchell O' Connor; the relevant delegation orders; and if he will make a statement on the matter. [48576/17]

94. **Deputy James Lawless** asked the Minister for Education and Skills the functions of his Department that have been legally delegated to the Minister of State, Deputy John Halligan; the relevant delegation orders; and if he will make a statement on the matter. [48578/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 93 and 94 together.

Two Ministers of State were appointed at my Department, Mary Mitchell O'Connor T.D. as Minister of State with responsibility for Higher Education and John Halligan T.D. as Minister of State with responsibility for Training, Skills, Innovation and Research and Development.

There are two Delegation of Functions Orders in place. These Orders were made on 18 July 2017 and are available at [www.irishstatutebook.ie](http://www.irishstatutebook.ie) website.

S.I. No. 333/2017 - Education and Skills (Delegation of Ministerial Functions) Order 2017 - John Halligan, Minister of State at the Department of Education and Skills

S.I. No. 334/2017 - Education and Skills (Delegation of Ministerial Functions) (No. 2) Order 2017 - Mary Mitchell O'Connor, Minister of State at the Department of Education and Skills

### **Schools Refurbishment**

95. **Deputy Dara Calleary** asked the Minister for Education and Skills the status of a capital project application by a school (details supplied) in County Mayo; if all documentation requested by his Department has been received; the timeframe for processing of the application; and if he will make a statement on the matter. [48579/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The school to which the Deputy refers was approved a devolved grant under my Department's Additional Accommodation Scheme 2012 to provide 5 general classrooms, to relocate existing ball courts and to provide a set down and bus drop off area for pupils. This project was devolved to the local Education and Training Board for delivery.

Following the tendering process, a number of issues were identified by my Department and the ETB was instructed to re-tender the project in accordance with my Department's guidelines.

The ETB has recently submitted the revised tender report and supporting documentation. Once this has been assessed by my Department the ETB will be notified of the outcome.

### **Third Level Funding**

96. **Deputy Thomas Byrne** asked the Minister for Education and Skills his views on reports that EUROSTAT has asked the Central Statistics Office, CSO, to determine whether universities are on or off the Exchequer's balance sheet; the implications of a finding that the universities are on balance sheet; if his Department has made representations to EUROSTAT, the CSO or another State organisation about same; and if he will make a statement on the matter.

[48581/17]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy will be aware currently universities are classified as outside General Government Balance for Eurostat purposes, while Institutes of Technology are classified as within. This arises primarily from the difference in funding sources in the two sectors, with the university sector raising a greater proportion of income from non-State sources.

The classification of the universities in Ireland has been reviewed a number of times over the past 10-15 years through Eurostat questionnaires and national classification reviews. As part of the latest review, Eurostat has asked the Central Statistics Office (CSO) to carry out an independent review of the universities classification.

Officials from my Department and the Higher Education Authority (HEA) met with Eurostat representatives earlier this year in relation to the matter, and have been liaising with the CSO in relation to the review. The review involves assessment of a number of different areas including the legal status of the universities and their ability to make independent decisions about their courses of study and academic programme. The review has recently been completed and my Department awaits the decision of Eurostat following its consideration of the CSO's submission.

### **School Placement**

97. **Deputy Fergus O'Dowd** asked the Minister for Education and Skills the availability of school placements in Drogheda, south County Meath and east County Louth in his Department's schools for persons (details supplied); the most appropriate procedure to make sure the persons can enter in the current school term; and if he will make a statement on the matter. [48651/17]

**Minister for Education and Skills (Deputy Richard Bruton):** In relation to school admissions, parents can choose which school to apply to and where the school has places available the pupil should be admitted. However, in schools where there are more applicants than places available a selection process may be necessary.

This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. However, this may result in some pupils not obtaining a place in the school of their first choice. As the Deputy will appreciate, my Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places.

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

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

In relation to school places my Department uses a Geographical Information System (GIS) to identify where the pressure for school places across the country will arise. The GIS uses data

from a range of sources, including the Central Statistics Office, Ordnance Survey Ireland, the Department of Social Protection and my Department's own databases. With this information, my Department carries out nationwide demographic exercises to determine where additional school accommodation is needed.

Where demographic data indicates that additional provision is required, the delivery of the additional provision is dependent on the particular circumstances of each case and may, depending on the circumstances, be provided through either one, or a combination of, the following:

- Utilising existing unused capacity with a school or schools,
- Extending the capacity of a school or schools,
- Provision of a new school(s).

The nationwide demographic exercises of all school planning areas nationwide at primary and post-primary level, which will determine where additional school accommodation will be needed in the future, is ongoing. It is anticipated that decisions based on the review will be announced later in 2017.

### **Foreign Conflicts**

98. **Deputy Róisín Shortall** asked the Minister for Foreign Affairs and Trade the status of the work his Department has engaged in on a bilateral and multilateral level to raise the issue of the ongoing crisis in northern Rakhine state in Myanmar and the resultant refugee crisis; the steps that have been taken to provide assistance to the groups running refugee camps in Bangladesh; and if he will make a statement on the matter. [48585/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** Reports indicate that a clearly excessive response by the Myanmar security forces to the attacks by the Arakan Rohingya Salvation Army on 25 August have had a devastating impact in Northern Rakhine State. Over 600,000 people, mostly members of the Rohingya community, have now fled from Myanmar and are facing extremely challenging circumstances in Bangladesh. This Government has consistently expressed our concern about the violence which has taken place in Northern Rakhine State, and the ensuing humanitarian crisis which has developed in neighbouring Bangladesh.

Ireland has stressed the need for a full restoration of humanitarian aid and media access to Rakhine State, and an investigation into the allegations of human rights violations by the Myanmar security forces. Ireland has also called upon the Government of Myanmar to implement the recommendations of the Annan-led Advisory Commission on Rakhine State in full.

We are fully engaged in the EU's efforts to engage Myanmar on this issue, and our position is reflected in Conclusions adopted by the Foreign Affairs Council on 16 October. I raised Ireland's concerns in my own statement on this issue on 15 September, and in my statement to the UN General Assembly on 23 September. My officials are also engaged in deliberations in UN fora on this issue, most recently by co-sponsoring a resolution on the situation in Myanmar [which is expected to be adopted on 16 November by the Third Committee of the UN General Assembly].

Ireland is committed to contributing to international efforts to alleviate the immediate needs of the refugees that have entered Bangladesh, which now number over 600,000. To this end, at the Pledging Conference for the Rohingya Refugee Crisis in Geneva on 23 October we pledged

€2m in direct support. €1m has already disbursed to civil society partners and international organisations that are providing services to vulnerable refugees in Cox's Bazar and two experts have been deployed via the Irish Aid Rapid Response Corps. The UN Central Emergency Response Fund (CERF) and the International Committee of the Red Cross, to which Ireland contributes funding, have also scaled up their operations in Bangladesh and in Myanmar. My Department will continue to closely monitor the humanitarian situation as it unfolds.

While the level of violence has decreased in recent weeks, the situation on the ground has not significantly improved. The ASEM Foreign Minister's Meeting will take place in Nay Pyi Taw next week and will present an important opportunity for Ireland and the EU to engage with the Government of Myanmar on this issue.

## **Brexit Issues**

99. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade if his departmental officials are working on suggestions on the way to prevent a physical border on the island of Ireland. [43831/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Government's priority of protecting the Good Friday Agreement in all its parts and the gains of the peace process, including avoiding a hard border on this Island, is clear. This priority is fully reflected in the European Commission Task Force's Guiding Principles paper on Ireland/Northern Ireland of 7 September. It makes clear that it is the UK's responsibility to propose workable solutions and take the policy decisions required to deliver on the shared objective of avoiding the border. The Government fully supports this paper.

I welcome the UK's commitment to protecting the Good Friday Agreement, maintaining the Common Travel area and avoiding "any physical infrastructure at the border". While I acknowledge the sincerity of this commitment, the EU has made it clear that it needs to be backed up with workable solutions that consider fully the complexities presented by the UK's decision to leave the European Union.

In committing to concrete plans to avoid a hard border, the UK must also take account of and comprehensively address the risks presented by any regulatory divergence from the rules of the EU Internal Market and Customs Union.

The Government remains of the view that any solution to the border issue will, first and foremost, need to be political. Flexible and imaginative solutions will be required to avoid a hard border which not only address the economic challenges but also take account of the societal challenges and how important the current invisible border is for sustaining the peace process and the Good Friday Agreement. This is about ensuring that people's lives and livelihoods are protected and that communities and businesses in the border region are given every opportunity to develop and prosper.

Planning is ongoing across Government to prepare for all possible scenarios, including in the event of no deal being reached, but we are not at the cliff edge yet. The focus remains on working with our EU partners and the UK in seeking an orderly withdrawal, that protects the peace process, avoids a hard border, maintains the Common Travel Area and secures a transitional arrangement that leads to the closest possible relationship between the EU and the UK. This will be a long and complex process and an outcome is far from determined. The Government remains hopeful that the sufficient progress required can be made in the coming weeks before the next meeting of the European Council on 14-15 December that could enable it to



decide to move onto phase 2 and the parallel discussions on a framework for the EU's future relationship with the UK and on transitional arrangements. This will require hard work, and political will.

### **Brexit Negotiations**

100. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade the status of EU negotiations concerning the British decision to leave the European Union in 2019; and if he will make a statement on the matter. [48530/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** At its meeting on 20 October, the European Council welcomed the progress made in the EU-UK negotiations to date but agreed that further work is needed before it can agree that sufficient progress has been made on all of the exit issues - citizens' rights, the UK's financial settlement and the issues unique to Ireland – to enable discussions on the framework for a future EU-UK relationship and transitional arrangements to begin.

While it had been hoped that the UK's position would be more advanced, the European Council outcome was not unexpected. It was clear well in advance that it would not be possible for the EU's Chief negotiator, Michel Barnier, to recommend that sufficient progress has been made.

I welcome the call by the European Council for work in the negotiations to continue, and its commitment to reassess progress at its next meeting in December. The EU has been clear on what is expected from the UK in phase 1 and now is the time for the UK to make the necessary commitments across all three exit issues.

Importantly, the European Council also agreed to begin internal preparatory discussions on priorities for the future framework for the EU-UK future relationship, and for transitional arrangements. The aim of such discussions, which began at official level last week, is to ensure that the EU is ready to begin phase 2 negotiations with the UK as soon as sufficient progress has been recorded. This should be seen not just as prudent preparation but as a signal of goodwill.

There was some progress on citizens' rights during the negotiating round of 9/10 November. More work needs to be done but we note the Task Force's view that the UK has provided useful clarifications that are a good basis for further work. There is however significantly more work to be done on the issue of the financial settlement, where more detail is needed from the UK as to how it will honour its commitments, as promised by the Prime Minister in her Florence speech in September.

On the Irish specific issues, the support of our EU partners for finding solutions to the unique challenges facing the island of Ireland has been strong and consistent throughout this process. The basis of the EU's position remains as set out in the European Council Guidelines of 29 April and the Task Force's Guiding Principles paper of 7 September. The EU's approach to this week's round of negotiations has not departed from this, but has built upon it.

Overall, more needs to be done before the December European Council. We do not underestimate the challenges ahead but the Government remains hopeful that, with hard work and political will, sufficient progress can be made in the intervening period. I believe that this is the shared view of all EU-27 Member States and I also believe, based on my own discussions and on reports from our Missions, that the British Government is increasingly aware of the steps it needs to take.

**Northern Ireland**

101. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade his plans to meet with the British Government and the parties in Northern Ireland regarding the urgent need to have the Northern Ireland Executive and Assembly restored; and if he will make a statement on the matter. [48531/17]

103. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade the discussions he has had recently with civic society groups in Northern Ireland in relation to the need to have the Northern Ireland Executive and Assembly restored; and if he will make a statement on the matter. [48583/17]

110. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the extent to which he continues to have direct contact with all parties with interest in Northern Ireland with a view to the restoration of the power sharing government and as a consequence the peace process in Northern Ireland in view of the importance of the issue for both jurisdictions; and if he will make a statement on the matter. [48667/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 101, 103 and 110 together.

As a co-guarantor of the Good Friday Agreement, the Government, working with the British Government, has spared no effort in supporting and facilitating talks on formation of a new Executive, over many months.

However, devolved power-sharing government can only operate on the basis of an agreement reached between the two largest parties. The other parties represented in the Assembly - which have shown considerable patience - also have a critical role to play.

I am disappointed that, after several phases of negotiations in different formats, we still do not have an agreement to form an Executive. The issues under discussion – particularly those on language and culture – go to the heart of the divisions in society in Northern Ireland and agreement on them was always going to be challenging.

I have always believed that it remains possible to reach an honourable compromise which ensures implementation of previous agreements and reflects the core principles of the Good Friday Agreement and power-sharing itself - partnership, equality and mutual respect. It remains my conviction that this is achievable.

I maintain regular engagement on behalf of the Government with civic society across all communities and regions in Northern Ireland. The Taoiseach and other Government Ministers also visits Northern Ireland on a regular basis. There is in addition extensive engagement, North and South, through the Government's ongoing All-Island Civic Dialogue on Brexit.

All of the Government's engagement with civic society in Northern Ireland, confirms our view that there is an urgent need and demand for the effective operation of the power-sharing Executive and Assembly, to deliver representative and accountable devolved Government, as provided for under the Good Friday Agreement and as mandated by the public in the last Assembly election.

The introduction of a Budget Bill for Northern Ireland at Westminster this week is a significant development for the political process in Northern Ireland, founded on the Good Friday Agreement. A budget for Northern Ireland is a matter that should be considered and decided on by the power-sharing Executive and Assembly.

As there is no Executive in place at present, the necessary budgetary decisions cannot be made by the devolved institutions. In the meantime, a statutory basis for the continued funding of public services in Northern Ireland is required.

The Secretary of State for Northern Ireland has confirmed that the Budget Bill reflects the advice of the Northern Ireland Civil Service, and has not been subject to political decision-making outside of Northern Ireland.

I would acknowledge that this step has been taken by the British Government with reluctance and at the latest possible stage in order to seek to preserve the role of the devolved institutions to decide on budgetary and other matters within their responsibility when they are operating again.

It is important to clearly affirm that the Good Friday Agreement remains the indispensable framework for relationships within Northern Ireland, on the island of Ireland and between the UK and Ireland. The Government has confirmed that this week, as has the British Government.

In the event that the devolved institutions cannot function, it is the responsibility of the British and Irish Governments to ensure that the North/South and East-West institutions of the Agreement can continue to operate effectively and in accordance with the letter and the spirit of the Good Friday Agreement and subsequent agreements.

The Government has consistently affirmed our unwavering commitment to the Good Friday Agreement, and determination, as a co-guarantor of the Agreement, to secure the effective operation of all of its institutions. The Taoiseach and I continue to engage with the British Government and the parties in Northern Ireland to give full effect to that commitment.

### **Gender Balance**

102. **Deputy Mary Lou McDonald** asked the Minister for Foreign Affairs and Trade the gender balance on each of the State boards under his remit, in tabular form. [48565/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** There are no State bodies or boards that fall under the aegis of my Department.

*Question No. 103 answered with Question No. 101.*

### **Foreign Conflicts**

104. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the extent to which he directly and in conjunction with his EU and UN colleagues have been appraised of and are engaged in the co-ordination of assistance in Yemen with particular reference to abuses of human rights, war, famine and starvation; and if he will make a statement on the matter. [48661/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The situation in Yemen is deeply concerning. The conflict has entered its third year, the political process has stalled and the fighting is having devastating consequences for civilians. This conflict has been characterised by allegations of violations of human rights, massive starvation and disease, and infringements of international humanitarian law.

Seven million Yemenis are on the brink of famine, including approximately two million

severely malnourished children. In addition, Yemen has experienced a surge in cholera cases since April, with almost one million suspected cases and over two thousand associated deaths according to the World Health Organization.

The only way to bring about a long-term sustainable improvement in the situation for the Yemeni people is through peaceful resolution of the conflict. Ireland is working, including through the EU and UN, to support efforts to bring about a peaceful resolution to the conflict, to investigate and prosecute alleged violations of human rights and international humanitarian law, and to support the humanitarian needs of the Yemeni people.

Ireland fully supports the efforts of UN Special Envoy Ismail Ould Cheikh Ahmed and his team, who are working towards a peace agreement that is acceptable to all parties to the conflict. I welcome the Special Envoy's announcement following his meeting with senior Yemeni and Saudi officials last month, of the steps that are currently being explored. These include: reinstating the cessation of hostilities, confidence building measures on the humanitarian side, and the return to the negotiating table.

EU Foreign Ministers last discussed the situation in Yemen at the Foreign Affairs Council in April. The Council called on the parties to start negotiating a peace agreement, and committed to increasing its engagement with Yemen once a political solution to the conflict is agreed. The EU is the largest humanitarian donor to Yemen and has provided over €170 million in aid since the conflict began, to which Ireland contributes via the EU Development Budget.

In addition, Ireland has also contributed over €10 million in humanitarian assistance from our Aid Programme since 2015. This includes our commitment made in April to provide €4 million to the UN Humanitarian Fund for Yemen, which provides rapid and flexible funding to NGOs and UN agencies for health, water and sanitation, and nutrition.

Ireland is also providing €20 million annually for 2016-2018 to the UN World Food Programme which is active in providing food assistance in Yemen. In addition, Ireland is the 8th largest contributor to the UN Central Emergency Response Fund, which has allocated \$84.8 million to Yemen since 2015.

Ireland is also working through the UN system to address the human rights situation in Yemen. At the Human Rights Council in September 2017, Ireland was part of a small core group of countries that drove forward the adoption of a Resolution on Yemen. This Resolution established a group of international experts to examine allegations of human rights violations of human rights during the conflict, and to report back to the UN Human Rights Council next year. This investigation is an important step towards accountability in Yemen, and will help establish the facts in relation to violations of human rights and humanitarian law on the ground.

I can assure the Deputy that Ireland will continue to take every appropriate opportunity to press for a negotiated settlement to the conflict, respect for human rights and international humanitarian law and improved humanitarian access going forward.

### **Disaster Response**

105. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the extent to which humanitarian abuse, war and starvation has been noted by the international community at various locations globally to date; the extent to which aid is directed at such locations; the efficacy of this aid; and if he will make a statement on the matter. [48662/17]

107. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the

degree to which the international community is geared to respond to various disasters globally from natural disasters to war; and if he will make a statement on the matter. [48664/17]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon):** I propose to take Questions Nos. 105 and 107 together.

The international community is currently challenged by the scale of humanitarian crises globally resulting from war, conflict, drought, famine and natural disasters. Over 145 million people in 39 countries around the world are now in need of urgent humanitarian assistance. The UN estimates that a record \$24.1 billion is needed this year to respond effectively to these needs.

The UN has identified the emergencies in Syria, Iraq, Yemen and the Democratic Republic of the Congo as particularly complex crises in conflict situations which have resulted in significant displacement, food insecurity, rising malnutrition levels and serious concerns for the protection of civilians. Coordinated responses from the international community are required in order to deal effectively with complex crises such as these.

Despite a huge gap between the total requirements of the UN-coordinated appeals and the funding received, the international community's coordinated response can and is working. For example, the international community provided more than \$2.4 billion in humanitarian support this year to address the four famines then threatening more than 20 million people across South Sudan, Somalia, Nigeria and Yemen. While a severe threat remains, the relief efforts coordinated by the UN Office for the Co-ordination of Humanitarian Affairs (OCHA) saved lives and alleviated imminent famine. Ireland provided €2.9 million in core funding this year to OCHA. Such funding not only supports OCHA's core function of coordination of humanitarian response, but enables it to manage a number of UN humanitarian pooled fund mechanisms including the Central Emergency Response Fund (CERF). Ireland is a strong supporter of this mechanism, which enables the quick provision of funding to humanitarian responders whenever and wherever crises hit. Ireland is the sixth largest donor to the CERF in 2017.

To respond effectively and in a timely manner to the unprecedented level of demands facing the international community, Ireland provided more than €194 million for humanitarian assistance in 2016. Our assistance is focused on where needs are greatest, providing support to the most vulnerable and hard to reach populations. We remain committed to responding in a timely and effective manner to the most severe humanitarian crises and emergencies, in particular to protracted and forgotten crises. However, we recognise that the provision of humanitarian aid alone is not the answer. Humanitarian need will continue to rise unless durable solutions are found to the conflicts driving the great majority of humanitarian crises. Ireland will focus our efforts on supporting the international system to find peaceful political solutions to war and violence. At the same time, we will continue to work to ensure faster and more effective delivery of humanitarian aid.

### **Foreign Conflicts**

106. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the degree to which the incidents of war, ethnic cleansing, human rights abuses and the use of child soldiers continue in the Horn of Africa; if direct or indirect international aid is having a positive impact; and if he will make a statement on the matter. [48663/17]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon):** I am deeply concerned at ongoing incidents of conflict and violence in the Horn of

Africa. Conflict and violence, together with the impact of climate change, lead to loss of livelihoods and acute hunger, and drive massive population displacements and humanitarian needs across the region. Ethnic violence, grave human rights abuses and the recruitment of child soldiers are a feature of many of the conflicts in the region.

Ireland, together with our EU and UN partners, will continue to support conflict resolution in South Sudan. This conflict has now taken on an increasingly ethnic dimension and widespread human rights abuses are carried out by all parties. We fully support the efforts underway, led by the Intergovernmental Authority on Development, to revitalise the peace process and the implementation of the 2015 peace agreement.

The overall security situation in Somalia remains extremely fragile, and Al-Shabaab's insurgency continues to threaten the stability of the country. The EU is providing considerable support for AMISOM, the African Union-led peacekeeping mission in Somalia, and is supporting highly effective capacity building operations focused on maritime security and military training, as part of its Common Security and Defence Policy.

Ireland's humanitarian assistance to the Horn of Africa region, which amounts to €138 million over the 2012-2017 period, is having a positive impact. We are working through a range of UN, NGO and Red Cross partners providing shelter and protection to displaced populations, providing emergency food assistance and livelihoods support, treating acute malnutrition, and providing emergency services in water and sanitation, education and healthcare to vulnerable communities.

Ireland also provides significant amounts of longer-term development assistance in the Horn of Africa. For example, this year Irish Aid's development assistance programme in Ethiopia is providing €29 million to support the poorest people in the country through social protection, agriculture, health, nutrition and programmes. Irish Aid also supports the development work of missionary and civil society organisations across the region.

Together with our EU and UN partners, and through our Embassies on the ground, we will continue to closely monitor crises across the Horn of Africa, support political efforts to resolve conflicts, end ethnic violence and human rights abuses, and target our overseas assistance to communities most in need.

*Question No. 107 answered with Question No. 105.*

## **Human Rights**

108. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the efforts being made at international level to combat human rights abuses and the persecution of religious minorities at various locations globally including Myanmar; if specific action is required to deal with the issue; and if he will make a statement on the matter. [48665/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The right to freedom of thought, conscience and religion is regarded as a fundamental and universal right for every human being, provided for under Article 18 of both the Universal Declaration of Human Rights and the International Convention on Civil and Political Rights.

Freedom of religion and belief is one of the priorities of Ireland's international engagement on human rights. At the United Nations General Assembly Ireland consistently condemns all forms of persecution, intolerance and discrimination based on religion or belief. We also raise our concerns at the Universal Periodic Review, (UPR) a unique peer mechanism of the Human

Rights Council under which the human rights records of all UN Member States are reviewed. The current round of UPR is taking place from 6 to 17 November.

In September at the 36th session of the Human Rights Council, Ireland strongly condemned all forms of persecution on the basis of religion or belief, irrespective of where they occur or who the victims are.

Ireland consistently supports the EU-led resolutions on freedom of religion or belief at the UN, most recently at the current UN General Assembly in November 2017 and during the 34th session of the Human Rights Council in March 2017. The EU is a strong supporter of the mandate of the UN Special Rapporteur on freedom of religion or belief, an independent expert appointed by the UN Human Rights Council.

During the Irish Presidency of the EU in 2013, Ireland played a key role in the development and adoption of the EU Guidelines on Freedom of Religion or Belief. The Guidelines provide a framework for the promotion of freedom of religion or belief in the EU's external human rights policy and reaffirm the EU's determination to promote freedom of religion or belief as a right to be exercised by everyone everywhere.

In 2015 Ireland secured the inclusion of a reference to the promotion of freedom of religion or belief in the EU Action Plan for Human Rights and Democracy 2015-2019. In May 2016, on the basis of a European Parliament resolution, the EU established the role of Special Envoy for the promotion of freedom of religion and belief outside the EU. The mandate aims to address the growing restrictions on religious freedom internationally. In May 2017, the Commission extended the mandate of the special envoy for an additional year.

The human rights situation in Myanmar has received increased attention in multilateral for a in recent months following the most recent outbreak of violence in Rakhine State, which has led to credible allegations of human rights abuses by the Myanmar security forces.

The EU has led an annual resolution on the human rights situation in Myanmar at Human Rights Council, most recently in March 2017, which provides a basis for the mandate of the UN Special Rapporteur on Human Rights in Myanmar, Ms. Yanghee Lee, who regularly reports to the Council. This year's resolution led to the establishment of a UN Fact Finding Mission to carry out an investigation into alleged human rights violations by the security forces in Rakhine State.

The current situation in Rakhine State was also the subject of a Presidential Statement by the UN Security Council on 6 November, while the Third Committee of the UN General Assembly adopted a resolution on the situation in Myanmar [on 14 November] which was co-sponsored by Ireland and which raised concerns about the recent allegations of human rights abuses.

In addition to engaging in multilateral fora, the EU, including Ireland, is active in raising our concerns about the human rights situation in Myanmar in bilateral contacts with Myanmar. The upcoming ASEM Foreign Ministers Meeting on 20-21 November in Nay Pyi Taw presents a further opportunity in this context.

An EU-Myanmar Human Rights Dialogue also takes place on a regular basis, and is expected to next take place in early 2018.

## **Foreign Conflicts**

109. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade if the

international community can bring about a stabilisation of the situation in Libya with particular reference to establishing basic democratic principles; and if he will make a statement on the matter. [48666/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The situation in Libya is very unstable and is of grave concern. The government has only partial control of the Libyan territory, and, in the vacuum of state authority, armed groups have been responsible for systematic human rights violations. Ultimately, bringing real improvements to the lives of Libyans will require restoration of political stability and an end to lawlessness, through the formation of a functioning government and a return to order throughout the country.

I welcome the appointment of Ghassan Salamé as UN Special Representative and Head of the UN Support Mission in Libya, and I support his efforts to bring new momentum to the UN-led dialogue. UNSR Salamé briefed EU Foreign Ministers on his efforts when we met in New York in September.

The EU has repeatedly called for all parties to end the conflict and give their support to the UN-led negotiations process, and encourages inclusive and constructive dialogue among the parties. The EU has also addressed the serious humanitarian consequences of the conflict and its appalling impact on the Libyan people.

The Gaddafi era has left Libya a legacy of weak state institutions, and the years since then have seen a political and security vacuum. Building stable and inclusive political institutions in Libya will therefore be a slow and difficult process, and will require a sustained effort by all Libyans. The international community stands ready to support this.

I reiterate Ireland's full support for an inclusive, Libyan-led political solution. I believe that such a political agreement achieved through dialogue is the best hope for restoring effective governance, and law and order to Libya. I will continue to monitor the situation in Libya closely.

*Question No. 110 answered with Question No. 101.*

### **Consular Services Provision**

111. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the extent to which his attention has been drawn to the situation of a person (details supplied) imprisoned in Turkey for the alleged theft of a mobile telephone for which he was sentenced to seven and a half years; if contact has been made with the authorities there with the objective of appealing the sentence or repatriation; and if he will make a statement on the matter. [48668/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Department of Foreign Affairs and Trade, through the Irish Embassy in Ankara and our Honorary Consulate in Antalya has been providing extensive consular assistance to this Irish citizen since his detention in July of this year. While a sentence of 6 years and 3 months has been handed down, I understand that an appeal is now underway in this case. The conduct of an appeal is a matter for the citizen's legal representatives and the Irish Government has no role in a matter such as this which is before the courts in another jurisdiction.

I can assure the Deputy that my Department will continue to provide all appropriate consular assistance to this citizen.

Questions relating to prisoners being repatriated to Ireland to serve their sentences are a



matter for the Department of Justice and Equality.

### **Consular Services Provision**

112. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the number of Irish persons currently serving prison sentences throughout the Middle East; the extent to which this situation continues to be monitored; and if he will make a statement on the matter. [48669/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Department of Foreign Affairs and Trade provides consular assistance to any Irish citizen imprisoned overseas who requests such assistance. My Department provides direct assistance in many cases, through consular visits and practical advice and assistance to individual detainees, and also works indirectly to support Irish prisoners through our partnership with the Irish Council for Prisoners Overseas (ICPO), which receives funding from our Emigrant Support programme, and which provides a range of supports for Irish men and women imprisoned around the world.

Support and assistance in all such cases is provided in a non-judgemental way, irrespective of the offence for which the citizen has been accused or convicted.

At any one time there are approximately 1,200 Irish Citizens in prisons overseas, including both those on remand and those who have been through a trial process and are serving sentences.

There are cases where Irish citizens choose not to exercise their right to be in contact with their local Embassy or Consulate. There are also cases, unfortunately, where some authorities in third countries fail to notify our consular officials of the detention of our citizens. Consequently, we are not able to say definitively the number of Irish persons imprisoned in any country or region at any precise moment.

The Department and/or the ICPO are currently aware of two Irish Citizens who are in prisons in countries in the Middle East region.

I would also note in this context that there are severe limitations under international law to what the Irish Government can do in the case of dual nationals imprisoned abroad, particularly if they are detained in the country of their other citizenship. In these circumstances my Department cannot demand consular access.

If the deputy is concerned about any specific case, I would be happy to look into it if he wishes to pass on the details to my office.

### **Brexit Issues**

113. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the extent to which the Irish response to Brexit remains consistent and cognisant of the need to ensure the continued application of the Single Market and customs union in view of the UK decision to leave the European Union; the likely economic impact in the event of a reintroduction of customs and border controls on this island; and if he will make a statement on the matter. [48670/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Government has been consistent and clear in its priorities for the Brexit negotiations. These are: protecting the

peace process, no hard border, maintaining the Common Travel Area, securing an effective transitional arrangement leading to the closest possible trading relationship with the UK, and working for the future of the European Union itself.

The border is a complex issue, and therefore flexible and imaginative solutions will be required to avoid a hard border which not only address the economic challenges but also take account of the societal challenges and how important the current invisible border is for sustaining the peace process and the Good Friday Agreement. This is about ensuring that people's lives and livelihoods are protected and that communities and businesses in the border region are given every opportunity to develop and prosper. Any solution must respect the integrity of the Single Market and the Customs Union and Ireland's place in them and must not anticipate the outcome of the wider discussions on the EU's future relationship with the UK.

It is therefore the Government's view that the UK staying in the Customs Union and Single Market, or the closest possible arrangement to that, would be the best solution to avoid a hard border on the island. Failing that, Northern Ireland should continue to enjoy the benefits of the Customs Union and the Single Market, of course with all the rights and obligations that would come with that. If the UK continues to rule out this option, the solutions that it offers must be concrete and workable and must achieve the shared objective of protecting the Good Friday Agreement in all its parts and the gains of the peace process, including avoiding a hard border on the island of Ireland. Now is the time for the UK to provide strong political assurances and tangible commitments, which must also take account of and comprehensively address the risks presented by any regulatory divergence from the rules of the EU Internal Market and Customs Union.

My officials and I will continue to work very closely with Michel Barnier and his team to ensure that Ireland's positions continue to be fully reflected in the negotiations. This is a long process and the outcome is far from determined but I remain hopeful that, with hard work and political will, progress can be made in the coming weeks before the next meeting of the European Council on 14-15 December.

### **Brexit Issues**

114. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the extent to which his Department continues to make preparation for Brexit; and if he will make a statement on the matter. [48671/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** As Minister for Foreign Affairs and Trade with special responsibility for Brexit, I have responsibility for coordinating the whole-of-Government response to Brexit. In this capacity, I am working closely with colleagues across Government to address the many challenges resulting from Brexit.

Work at Cabinet level is being prepared through cross-Departmental coordination structures. These represent a frequent and active channel through which all relevant Departments are providing their research, analysis and overall policy input to the Government's wider response to Brexit, including its priorities for the ongoing Article 50 negotiations between the EU and the UK.

Aside from its wider co-ordination responsibilities, the Department of Foreign Affairs and Trade has lead responsibility for planning for, preparing positions on, and following the EU-UK negotiations. This requires research on and analysis of very many legal, institutional, and political issues. Within my Department, this work is led by the European Union Division in co-

operation with the Ireland and United Kingdom and Americas Division, the Legal Division, the Political Division and the Trade Division. Our Permanent Representation in Brussels, and our Embassies in all Member States, send in a constant stream of reports describing and analysing the concerns and priorities of the EU Institutions and our partners.

My Department is also analysing the possible impact of Brexit on policy areas within its remit, notably the EU's Common Foreign and Security Policy and the EU's policy on international development.

We have already seen the implications that Brexit has had for our consular and passport services. There has been a marked increase in demand for passports and citizenship via foreign birth registration from applicants in Northern Ireland and Great Britain. In this regard, the Passport Service in Dublin, Cork and London as well as Consular Division have recruited a number of additional temporary and fulltime officers to meet increased Passport and Foreign Birth Registration demands including increased demand as a result of Brexit.

My Department also works closely with the European Commission and European Parliament Offices here in Dublin and with civil society organisations including the Institute for International and European Affairs and European Movement Ireland. With funding from this Department, the IIEA is undertaking research on the future shape of the EU and the new strategic alliances that Ireland will need to develop within the EU after Brexit. The analysis will also consider the macro-economic effects of Brexit and the EU institutional implications of Britain's withdrawal from the EU. This work will build on the extensive analysis being undertaken by a range of organisations, both in Ireland and further afield, and will be presented in a series of public research papers over the coming months and years.

Notwithstanding all this ongoing analysis, preparation and contingency planning, the Government is already actively responding to the implications of Brexit and putting measures in place to mitigate the adverse effects for Ireland. Significant measures were announced in Budget 2018 including increased funding for the Department of Foreign Affairs and Trade, which will, among other things, support the opening of six new diplomatic missions as part of Global Footprint 2025 to help our exporters find new markets and diversify their exports.

We are not under any illusions about the complexity of Brexit and the EU-UK negotiations but the Government remains hopeful that progress can be made in the negotiations in the coming weeks so that a decision can be taken by European Council at its meeting in December to allow for parallel phase 2 discussions on future relationship and possible transitional arrangements to begin. Ireland will continue to work closely with the Commission Task Force to advance these issues in the negotiations with the UK.

### **Passport Services**

115. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the extent to which the smaller version of Irish passports approved some time ago have been acceptable and popular for international travel; and if he will make a statement on the matter. [48673/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Passport Card was launched in October 2015 and since then over 73,000 cards have been issued to Irish citizens across the world.

An application for the card can be made online via my Department's website [www.dfa.ie](http://www.dfa.ie).

The Passport Card can be used by Irish citizens for travel to 31 countries in total including the EU/EEA and Switzerland. It offers the same protections and entitlements as a passport book, while incorporating the very highest levels of cutting-edge security measures.

## **EU Issues**

116. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the extent to which EU relations with Ukraine and Georgia continue to be positive; and if he will make a statement on the matter. [48674/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The EU continues to have positive relations with Ukraine and Georgia. Both countries are active participants in the EU's Eastern Partnership Initiative which provides a framework for cooperation with the six countries of Eastern Europe and the Caucasus region. Both Georgia and Ukraine worked with the EU to develop concrete proposals for the period up to 2020, captured in the document "Eastern Partnership - 20 Deliverables for 2020" which will be adopted at the Eastern Partnership Summit on 24 November. The EU has also ratified Association Agreements with Georgia and Ukraine which aim to promote political association and economic integration with the Union based on shared values.

The EU remains fully committed to assisting Ukraine in delivering its political and economic reform programme and has provided unprecedented levels of support to underpin the Government's efforts. This support includes loans, budget support, humanitarian aid, technical assistance and trade preferences. In addition, the EU is playing a key role in helping to reform the civilian security sector through its Advisory Mission to Ukraine.

1 September 2017 marked an important milestone in relations with Ukraine when the EU-Ukraine Association Agreement legally entered into force. The fully ratified Agreement will allow the EU to further strengthen political and economic ties with Ukraine. The provisional application of the trade part of the Agreement since last year has already seen a welcome increase of 25% in two way trade and this is expected to continue in the coming years.

The most recent EU-Ukraine Summit took place in Kyiv on 13 July and provided an opportunity to assess progress on the reforms, in particular the fight against corruption.

As regards the conflict in eastern Ukraine, the EU continues to fully support ongoing efforts to secure implementation of the Minsk peace agreements within the framework of the OSCE Trilateral Contact Group (OSCE, Russia and Ukraine) and the Normandy Format (France, Germany, Russia and Ukraine). The Minsk accords offer the only basis for a political resolution to the conflict and the European Union will continue to push for their full implementation.

As with Ukraine, the EU remains committed to its political association and economic integration with Georgia and the successful implementation of the Association Agreement, including its Deep and Comprehensive Free Trade Area. The EU has praised Georgia's reform efforts as well as underlining the need to ensure sustainability of the reforms. The recently revised EU-Georgia Association Agenda provides a practical framework and guidance for the implementation of priorities for joint work until 2020, based on the Association Agreement. Justice sector reform is one of the key priorities. The EU also fully supports Georgia's territorial integrity within its internationally recognised borders. The appointment of a new EU Special Representative for the South Caucasus and the crisis in Georgia, as well as the EU Monitoring Mission are visible and substantial signs of the EU's commitment to helping Georgia address its security challenges.

## EU Issues

117. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the extent to which positive relations continue to be generated between the EU and Armenia; and if he will make a statement on the matter. [48675/17]

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The European Union continues to have positive relations with Armenia. Armenia participates in the EU's Eastern Partnership initiative which provides a framework for co-operation with the six countries of Eastern Europe and the Caucasus region. Armenia has worked with the EU and the other Eastern Partners to develop concrete proposals for the period up to 2020, captured in the document "Eastern Partnership - 20 Deliverables for 2020" which will be adopted at the Eastern Partnership Summit on 24 November. Armenia receives considerable funding from the EU, with up to €170 million allocated for the period 2014-2017. This is focused on supporting private sector development and driving reforms in the areas of public administration and justice.

In December 2015, negotiations began on a framework agreement between the EU and Armenia covering political, economic and sectoral cooperation. This will replace the current EU-Armenia Partnership and Cooperation Agreement which dates from 1999. The text of the Agreement was initialed on 21 March 2017 and is expected to be signed in the coming weeks.

## Gender Equality

118. **Deputy Clare Daly** asked the Minister for Justice and Equality his plans to introduce mandatory reporting by companies registered here of the gender pay gap in their companies as part of annual reporting requirements; and if he will make a statement on the matter. [48510/17]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** The Programme for a Partnership Government includes a commitment to promote wage transparency by requiring companies of 50 or more employees to complete a wage survey. Reflecting this, the National Strategy for Women and Girls 2017-2020 contains an action to promote wage transparency by requiring companies of 50 or more employees to complete a wage survey periodically and report the results.

A public consultation on Measures to Tackle the Gender Pay Gap concluded on 4 October and an analysis of the submissions is under way. The issue, and in particular the role of wage surveys, will be considered at a symposium planned for 4 December. I intend that a programme of actions on the gender pay gap will be developed, following the symposium and further consultation with stakeholders, to be undertaken in 2018. As part of this, the details of the wage survey measure will be elaborated.

## Garda Misconduct Allegations

119. **Deputy Alan Kelly** asked the Minister for Justice and Equality if the previous Minister for Justice and Equality gave information or documentation to an inquiry (details supplied); and if he will make a statement on the matter. [48591/17]

131. **Deputy Alan Kelly** asked the Minister for Justice and Equality if persons in his Department gave information or documentation to an inquiry (details supplied); and if he will make a statement on the matter. [48592/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I propose to take Questions Nos. 119 and 131 together.

As the Deputy is aware, following consultation with the Attorney General, my predecessor as Minister for Justice and Equality, Frances Fitzgerald TD appointed Mr Justice Iarfhlaith O'Neill to undertake a review of certain protected disclosures which had been made to her. The terms of reference of the Review were primarily to review the allegations of wrongdoing contained in the two disclosures made to her, to make any inquiries that he considered appropriate in relation to the review and to report on the conclusion of the review, including any recommendations in relation to any further action which may be appropriate and warranted to address the allegations.

On appointment, Mr Justice O'Neill was provided with all relevant documentation necessary to undertake his Review.

As the Deputy is aware, the report which was submitted by Mr Justice O'Neill led to the establishment of the Disclosures Tribunal, the work of which continues.

### **Immigrant Investor Programme Data**

120. **Deputy Joe Carey** asked the Minister for Justice and Equality the number of €1 million investments successfully made through the immigration investor programme that have contributed to social housing projects; and if he will make a statement on the matter. [48453/17]

121. **Deputy Joe Carey** asked the Minister for Justice and Equality the number of persons who have made €1 million investments since January 2017 under the immigration investor programme (details supplied); and if he will make a statement on the matter. [48454/17]

122. **Deputy Joe Carey** asked the Minister for Justice and Equality the number of visas granted under the endowment option of the immigration investor programme in 2017; and if he will make a statement on the matter. [48455/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I propose to take Questions Nos. 120 to 122, inclusive, together.

I have been advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the investment threshold for applications to the Immigrant Investor Programme was returned to the original €1.0m for any application received from the 2nd January 2017.

Since January 2017, some 262 applications have been received. 233 are for an investment of €1.0m. per investor. 34 of the applicants have made an application at €1.0m to invest in a social housing project.

In respect of the endowment option under the overall scheme, 29 applications have been received since January 2017, of which 20 have been approved and the remaining 9 are at varying stages of processing.

### **Proposed Legislation**

123. **Deputy Joe Carey** asked the Minister for Justice and Equality the position regarding the Domestic Violence Bill 2017; and if he will make a statement on the matter. [48467/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Domestic Violence Bill 2017 is awaiting resumption of Committee Stage in the Seanad. The Deputy will understand that it is not possible for me to predict the outcome of the legislative process with regard to this or any other Bill. However, my aim is that the Bill will be enacted as soon as possible.

### **Garda Deployment**

124. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality the number of dedicated community gardaí in the service of An Garda Síochána in each of the past seven years; and the number of dedicated community gardaí in the Cork city Garda district in each of the past seven years. [48473/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate, it is the Garda Commissioner who is responsible for the distribution of resources, including personnel, among the various Garda Divisions and I, as Minister, have no direct role in the matter. Garda management keeps this distribution of resources under continual review in the context of crime trends and policing priorities so as to ensure that the optimum use is made of these resources.

Community policing is at the heart of An Garda Síochána. It provides a means of recognising that every community – both urban and rural – has its own concerns and expectations.

I am informed by the Garda Commissioner that the Garda National Model of Community Policing plays a key part in responding to crime by taking into account and responding to local conditions and needs. Clear objectives are set, such as high visibility in the community, ease of contact by members of the public, and enhanced support for crime prevention strategies. All Gardaí have a role to play in community policing in carrying out their duties. In addition, the National Community Policing Office, attached to the Garda Community Relations Bureau, captures best practice in community policing initiatives and disseminates these practices through its communication network.

An Garda Síochána's Modernisation and Renewal Programme 2016-2021, published in June 2016, places a strong emphasis on developing and supporting the community policing ethos of the organisation and enhancing the current delivery model so that Gardaí spend more time in the community, gaining public confidence and trust and providing a greater sense of security. It will result in the introduction of multi-skilled Community Policing Teams in every District.

These Community Policing Teams will be made-up of Gardaí from a number of different units who will work with the local community to prevent and detect crime. In addition, each Community Policing Team will be supported by a Community Safety Forum. The Forum which will comprise of local Gardaí, members of the public and community groups will promote crime prevention strategies. This clear and consistent approach to community policing will ensure a better service and enhanced community safety.

In terms of progress on this important initiative, I am informed by the Commissioner that a draft Community Policing Framework which outlines the manner in which Community Policing Teams and Community Safety Fora will be established has been completed and is subject to internal review before being approved by the Executive for implementation.

This Government is committed to ensuring a strong and visible police presence throughout the country in order to maintain and strengthen community engagement, provide reassurance to citizens and to deter crime. The substantial increase in Garda numbers is tangible progress on achieving this Government's vision of an overall Garda workforce of 21,000 personnel by 2021

comprising 15,000 Garda members, 2,000 Reserve members and 4,000 civilians.that a number of Community Policing Teams will be established on a pilot basis early next year.

I am informed by the Commissioner that since the reopening of the Garda College in September 2014, close to 1,400 recruits have attested as members of An Garda Síochána and have been assigned to mainstream duties nationwide, 119 of whom have been assigned to the D.M.R. West Division. In addition, another 200 trainee Garda are scheduled to attest later this year which will see Garda numbers, taking account of projected retirements, increase to around the 13,500 mark by year end - an increase of 500 since the end of 2016.

I am pleased to say that Budget 2018 will support the continuation of this high level of investment in the Garda workforce and ensure that the vision of an overall workforce of 21,000 by 2021 remains on track. A further 800 new Garda Recruits will enter the Garda College, an additional 500 civilians will also be recruited to fill critical skills gaps across the organisation and to facilitate the redeployment of Gardaí from administrative and technical duties to front-line operational duties. There are plans to strengthen the Garda Reserve with new Reserves expected to commence training early in 2018.

This focus on investment in personnel is critical. The moratorium on recruitment introduced in 2010 resulted in a significant reduction in the strength of An Garda Síochána. We are now rebuilding the organisation and providing the Commissioner with the resources needed to deploy increasing numbers of Gardaí across every Garda Division, including the D.M.R. West Division, in the coming years.

The information requested by the Deputy is set out in the following table.

Strength of Community Gardaí 2009-2017\*

Year	Total Strength	Cork City Division
2010	1182	32
2011	1112	31
2012	1034	31
2013	939	32
2014	852	28
2015	807	24
2016	718	26
2017*	744	27

\*up to 30 September 2017

### Immigration Controls

125. **Deputy Richard Boyd Barrett** asked the Minister for Justice and Equality the avenue for complaint that exists for a naturalised citizen when they are constantly being stopped by immigration officers when coming through Irish airports (details supplied). [48481/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I refer to my response to the Deputy's question of 26 October 2017 (Dáil Question No. 118) when I made it clear that racial profiling is not a feature of Irish immigration control. I want to reiterate that position.

A person who wishes to make a complaint at Dublin Airport in respect of frontline immigration checks may do so by submitting details of the subject matter of the complaint to Border Management Unit at [bmu@justice.ie](mailto:bmu@justice.ie).



At an airport outside of Dublin, where immigration officers are members of An Garda Síochaná, complaints may be made to the Garda Síochaná Ombudsman Commission.

### Legislative Measures

126. **Deputy John Curran** asked the Minister for Justice and Equality his plans to amend the Electronic Commerce Act 2000 in order to facilitate the use of a digital signature for deeds of transfer and for sworn affidavits; and if he will make a statement on the matter. [48505/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The position is that section 10(1) of the Electronic Commerce Act 2000 contains the following exclusion from its scope:

(a) the law governing the creation, execution, amendment, variation or revocation of—

(i) a will, codicil or any other testamentary instrument to which the Succession Act 1965 , applies,

(ii) a trust, or

(iii) an enduring power of attorney,

(b) the law governing the manner in which an interest in real property (including a leasehold interest in such property) may be created, acquired, disposed of or registered, other than contracts (whether or not under seal) for the creation, acquisition or disposal of such interests,

(c) the law governing the making of an affidavit or a statutory or sworn declaration, or requiring or permitting the use of one for any purpose, or

(d) the rules, practices or procedures of a court or tribunal,

except to the extent that regulations under section 3 of the Act may from time to time prescribe.

Subsections (2) and (3) of section 10 provide, however, that the scope of the Act may be extended to excluded areas or subjects by means of regulations made by the Minister concerned where the Minister is of the opinion that:

(a) technology has advanced to such an extent, and access to it is so widely available, or

(b) adequate procedures and practices have developed in public registration or other services, so as to warrant such action, or

(c) the public interest so requires,

Before doing so, the Minister is required to consult with such Minister or Ministers as in the Minister's opinion has or have a sufficient interest or responsibility in relation to the area or subject concerned.

During Second Stage discussions of the Bill on 23 May 2000, the then Minister for Public Enterprise explained the background as follows:

“Part 2 [of the Bill] provides for equivalence between the electronic and paper world. Section 9 lays down the fundamental principle on which the Bill is founded, that information in electronic form cannot be denied legal effect, validity or enforceability merely on the basis that

it is in electronic form. A number of areas of our laws to which it is proposed the Bill will not initially apply are outlined in section 10. Laws governing the registration of immovable property, wills, trusts and enduring powers of attorney are excluded because it is felt the technology and systems are not yet at a stage where they could cope with the execution of such transactions electronically. These areas are excluded only for the time being. Once it is appropriate to extend the legislation to these areas, the Minister of the day has the power to make regulations to extend the application of the legislation to them.”

It is clear, therefore, that exclusions from the scope of the Act are not intended to be permanent. However, any extension of the Act to excluded areas or subjects must have regard to the need for safeguards against fraud and impersonation. This applies in particular to situations in which the signature of witnesses is currently required.

In light of the foregoing, it is clear that any future extension of the scope of the Electronic Commerce Act will necessitate a comprehensive consultation process involving all relevant stakeholders. Responsibility for launching such a process lies, in the first instance, with the relevant Minister and Department, i.e. the Minister and Department of Communications, Climate Act and Environment as the holders of responsibility for the relevant area of the former Minister and Department for Public Enterprise. I can, of course, confirm that my Department is willing to engage in any such consultations. I would also encourage and expect that other important statutory and non-statutory stakeholders, including the Courts Service and the legal and business communities, to contribute to such a consultation process.

### **Garda Deployment**

127. **Deputy Jack Chambers** asked the Minister for Justice and Equality the number and position of gardaí and community gardaí stationed in Dublin metropolitan region west in each of the years 2009 to 2016, in tabular form; and if he will make a statement on the matter. [48511/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate, it is the Garda Commissioner who is responsible for the distribution of resources, including personnel, among the various Garda Divisions and I, as Minister, have no direct role in the matter. Garda management keeps this distribution of resources under continual review in the context of crime trends and policing priorities so as to ensure that the optimum use is made of these resources.

Community policing is at the heart of An Garda Síochána. It provides a means of recognising that every community – both urban and rural – has its own concerns and expectations.

I am informed by the Garda Commissioner that the Garda National Model of Community Policing plays a key part in responding to crime by taking into account and responding to local conditions and needs. Clear objectives are set, such as high visibility in the community, ease of contact by members of the public, and enhanced support for crime prevention strategies. All Gardaí have a role to play in community policing in carrying out their duties. In addition, the National Community Policing Office, attached to the Garda Community Relations Bureau, captures best practice in community policing initiatives and disseminates these practices through its communication network.

An Garda Síochána’s Modernisation and Renewal Programme 2016-2021, published in June 2016, places a strong emphasis on developing and supporting the community policing ethos of the organisation and enhancing the current delivery model so that Gardaí spend more time in

the community, gaining public confidence and trust and providing a greater sense of security. It will result in the introduction of multi-skilled Community Policing Teams in every District.

These Community Policing Teams will be made-up of Gardaí from a number of different units who will work with the local community to prevent and detect crime. In addition, each Community Policing Team will be supported by a Community Safety Forum. The Forum which will comprise of local Gardaí, members of the public and community groups will promote crime prevention strategies. This clear and consistent approach to community policing will ensure a better service and enhanced community safety.

In terms of progress on this important initiative, I am informed by the Commissioner that a draft Community Policing Framework which outlines the manner in which Community Policing Teams and Community Safety Fora will be established has been completed and is subject to internal review before being approved by the Executive for implementation. The Commissioner anticipates that a number of Community Policing Teams will be established on a pilot basis early next year.

I am informed by the Commissioner that on the 30 September 2017 the latest date for which figures are readily available the strength of the Dublin Metropolitan Region West Division was 652, 66 of which were Community Gardaí. There are also 27 Garda Reserves and 49 civilians attached to the Division. When appropriate, the work of local Gardaí is supported by a number of Garda national units such as the National Bureau of Criminal Investigation, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau.

I am further informed by the Commissioner that since the reopening of the Garda College in September 2014, close to 1,400 recruits have attested as members of An Garda Síochána and have been assigned to mainstream duties nationwide, 119 of whom have been assigned to the D.M.R. West Division. In addition, another 200 trainee Garda are scheduled to attest later this year which will see Garda numbers, taking account of projected retirements, increase to around the 13,500 mark by year end - an increase of 500 since the end of 2016.

This Government is committed to ensuring a strong and visible police presence throughout the country in order to maintain and strengthen community engagement, provide reassurance to citizens and to deter crime. The substantial increase in Garda numbers is tangible progress on achieving this Government's vision of an overall Garda workforce of 21,000 personnel by 2021 comprising 15,000 Garda members, 2,000 Reserve members and 4,000 civilians.

I am pleased to say that Budget 2018 will support the continuation of this high level of investment in the Garda workforce and ensure that the vision of an overall workforce of 21,000 by 2021 remains on track. A further 800 new Garda Recruits will enter the Garda College, an additional 500 civilians will also be recruited to fill critical skills gaps across the organisation and to facilitate the redeployment of Gardaí from administrative and technical duties to front-line operational duties. There are plans to strengthen the Garda Reserve with new Reserves expected to commence training early in 2018.

This focus on investment in personnel is critical. The moratorium on recruitment introduced in 2010 resulted in a significant reduction in the strength of An Garda Síochána. We are now rebuilding the organisation and providing the Commissioner with the resources needed to deploy increasing numbers of Gardaí across every Garda Division, including the D.M.R. West Division, in the coming years.

I am informed by the Commissioner that the Garda strength and the Community Garda Strength of the D.M.R. West Division by rank, in each of the years 2009 to 2016 is as set out in the following tables.

**Strength of Community Garda in D.M.R. West Division 2009-2016**

Year	Sergeant	Garda	Total
2009	9	74	83
2010	9	80	89
2011	7	76	83
2012	8	72	80
2013	8	60	68
2014	5	57	62
2015	7	56	63
2016	5	48	53

**GARDA STRENGTH OF D.M.R. WEST 31 DECEMBER 2009**

DISTRICT	STATION	GD	SG	IN	SU	CS	AC	TOTAL
BLANCHARD-STOWN	BLANCHARDSTOWN	169	29	3	2	1		204
	CABRA	60	9	1				70
	FINGLAS	105	12	1				118
	TOTAL	334	50	5	2	1		392
CLONDALKIN	BALLYFERMOT	84	10	1				95
	CLONDALKIN	82	11	4	1			98
	RATHCOOLE	23	1					24
	TOTAL	189	22	5	1			217
LUCAN	LUCAN	74	10	3	1			88
	RONANSTOWN	78	13	1				92
	TOTAL	152	23	4	1			180
D.M.R. WEST TOTAL		675	95	14	4	1		789

**GARDA STRENGTH OF D.M.R. WEST 31 DECEMBER 2010**

DISTRICT	STATION	GD	SG	IN	SU	CS	AC	TOTAL
BLANCHARD-STOWN	BLANCHARDSTOWN	157	31	4	2	1		195
	CABRA	60	8					68
	FINGLAS	105	14	3				122
	TOTAL	322	53	7	2	1		385
CLONDALKIN	BALLYFERMOT	84	13	2				99
	CLONDALKIN	83	13	3	1			100
	RATHCOOLE	26	2					28
	TOTAL	193	28	5	1			227
LUCAN	LUCAN	67	9	3	1			80
	RONANSTOWN	81	14	1				96
	TOTAL	148	23	4	1			176
D.M.R. WEST TOTAL		663	104	16	4	1		788

**GARDA STRENGTH OF D.M.R. WEST 31 DECEMBER 2011**

DISTRICT	STATION	GD	SG	IN	SU	CS	AC	TOTAL
BLANCHARD-STOWN	BLANCHARDSTOWN	155	24	4	2	1		186
	CABRA	66	9					75
	FINGLAS	103	14	3				120

DISTRICT	STATION	GD	SG	IN	SU	CS	AC	TOTAL
	TOTAL	324	47	7	2	1		381
CLONDALKIN	BALLYFERMOT	83	11	2				96
	CLONDALKIN	81	13	3	1			98
	RATHCOOLE	25	2					27
	TOTAL	189	26	5	1			221
LUCAN	LUCAN	61	6	4	1			72
	RONANSTOWN	81	15	1				97
	TOTAL	142	21	5	1			169
D.M.R. WEST TOTAL		655	94	17	4	1		771

### **GARDA STRENGTH OF D.M.R. WEST 31 DECEMBER 2012**

DISTRICT	STATION	GD	SG	IN	SU	CS	AC	TOTAL
BLANCHARD- STOWN	BLANCHARDSTOWN	139	18	2	2	1		162
	CABRA	75	10					85
	FINGLAS	101	13	3				117
	TOTAL	315	41	5	2	1		364
CLONDALKIN	BALLYFERMOT	80	11	2				93
	CLONDALKIN	79	12	3	1			95
	RATHCOOLE	25	1					26
	TOTAL	184	24	5	1			214
LUCAN	LUCAN	61	7	4	1			73
	RONANSTOWN	80	12	1				93
	TOTAL	141	19	5	1			166
D.M.R. WEST TOTAL		640	84	15	4	1		744

### **GARDA STRENGTH OF D.M.R. WEST 31 DECEMBER 2013**

DISTRICT	STATION	GD	SG	IN	SU	CS	AC	TOTAL
BLANCHARD- STOWN	BLANCHARDSTOWN	134	21	4	2	1		162
	CABRA	72	10	1				83
	FINGLAS	95	11	2				108
	TOTAL	301	42	7	2	1		353
CLONDALKIN	BALLYFERMOT	76	9	2				87
	CLONDALKIN	77	10	3	1			91
	RATHCOOLE	22	1					23
	TOTAL	175	20	5	1			201
LUCAN	LUCAN	60	7	4	1			72
	RONANSTOWN	77	13	1				91
	TOTAL	137	20	5	1			163
D.M.R. WEST TOTAL		613	82	17	4	1		717

### **GARDA STRENGTH OF D.M.R. WEST 31 DECEMBER 2014**

DISTRICT	STATION	GD	SG	IN	SU	CS	AC	TOTAL
BLANCHARD- STOWN	BLANCHARDSTOWN	130	20	4	2			156
	CABRA	64	8	1				73
	FINGLAS	93	13	2				108
	TOTAL	287	41	7	2			337

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DISTRICT	STATION	GD	SG	IN	SU	CS	AC	TOTAL
CLONDALKIN	BALLYFERMOT	73	11	1				85
	CLONDALKIN	75	9	4	1			89
	RATHCOOLE	22	1					23
	TOTAL	170	21	5	1			197
LUCAN	LUCAN	59	10	4	1			74
	RONANSTOWN	77	13	1				91
	TOTAL	136	23	5	1			165
D.M.R. WEST TOTAL		593	85	17	4			699

**GARDA STRENGTH OF D.M.R. WEST 31 DECEMBER 2015**

DISTRICT	STATION	GD	SG	IN	SU	CS	AC	TOTAL
BLANCHARD- STOWN	BLANCHARDSTOWN	127	20	4	2	1		154
	CABRA	60	6	1				67
	FINGLAS	92	12	2				106
	TOTAL	279	38	7	2	1		327
CLONDALKIN	BALLYFERMOT	74	11	1				86
	CLONDALKIN	76	8	2	1			87
	RATHCOOLE	20	1					21
	TOTAL	170	20	3	1			194
LUCAN	LUCAN	60	9	3	1			73
	RONANSTOWN	80	13	1				94
	TOTAL	140	22	4	1			167
D.M.R. WEST TOTAL		589	80	14	4	1		688

**GARDA STRENGTH OF D.M.R. WEST 31 DECEMBER 2016**

DISTRICT	STATION	GD	SG	IN	SU	CS	AC	TOTAL
BLANCHARD- STOWN	BLANCHARDSTOWN	117	19	4	2	1		143
	CABRA	52	7	2				61
	FINGLAS	95	10	1				106
	TOTAL	264	36	7	2	1		310
CLONDALKIN	BALLYFERMOT	72	12	1				85
	CLONDALKIN	78	12	3	1			94
	RATHCOOLE	18	1					19
	TOTAL	168	25	4	1			198
LUCAN	LUCAN	60	9	4	1			74
	RONANSTOWN	77	13	1				91
	TOTAL	137	22	5	1			165
D.M.R. WEST TOTAL		569	83	16	4	1		673

**Residency Permits**

128. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality the status of a case (details supplied). [48512/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I have been informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned applied on 31 December 2012 for a residence card as a family member of an EU citizen

under the provisions of Article 20 of the Treaty on the Functioning of the European Union and the Judgement of the Court of Justice of the European Union in *Chen*, C-200/02. They stated at that time that they were the parent of a minor EU citizen child.

This application was refused on 04 July 2013 as the person concerned had failed to establish that they were the primary carer of the minor EU citizen child concerned. As such, they were informed the provisions of the CJEU Judgment in *Chen* did not apply in their case.

The person concerned made a second application under the provisions of the *Chen* judgment on 17 December 2014. On foot of this application, they provided evidence that they were the primary carer of the EU citizen child in question, that they were in possession of private medical insurance, and that they had been offered part-time employment in the State. The person concerned was informed on 07 May 2015 that their application had been approved and that they were to be provided with permission to remain in the State under Stamp 4 conditions for a period of two years, until 06 May 2017.

On 12 May 2017, the person concerned made a further application under the *Chen* judgment. However, they were informed on 03 October 2017 that their application had been refused. This was because they had failed to provide a valid passport and had failed to provide documentary evidence that they and the EU citizen child were in possession of private medical insurance. Furthermore, the person concerned had failed to provide satisfactory evidence that they were residing in the State with sufficient resources, as is required under the *Chen* judgment.

The person concerned applied for a review of this decision on 20 October 2017. This request has been acknowledged, and the person concerned has been informed that their request for a review has been accepted. The person concerned has also been advised that this review will be carried out on the basis of the documentation and information available to the Decision Officer at the time the original decision was made. They have also been advised that that it is open to them to submit any representations they may wish to make outlining where they feel the Decision Officer in their case erred in fact or law, along with any evidence they may have to support this.

This application will be considered in due course, and the applicant will be informed of the decision of the Review Officer. Although it is not possible at the present time to provide a definitive date by which this application will be considered, there will be no avoidable delay in processing said application.

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.

### **Firearms and Ammunition Security**

129. **Deputy Joe Carey** asked the Minister for Justice and Equality the membership of the firearms consultative panel; the reason that a representative organisation (details supplied) is not a member; and if he will make a statement on the matter. [48513/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The re-establishment of the Firearms Consultative Panel (FCP) was part of a package of measures which the previ-

ous Minister announced in September 2015 to address both immediate and long term issues in relation to firearms licensing. It is important to have the views of a broad range of interests represented on the panel. At the same time, it is necessary to strike a balance and not allow this panel to expand to the point where the numbers hamper progress being made. The membership of this panel is made up of the following organisations:

- Sports Coalition
- National Association of Regional Game Councils
- Target Shooting Ireland
- National Rifle Association of Ireland
- Irish Sports Council
- National Parks & Wildlife Service
- Wild Deer Association
- Irish Deer Society
- Irish Clay Pigeon Shooting Association
- Countryside Alliance
- Irish Farmers' Association
- National Association of Sporting Rifle and Pistol Clubs
- An Garda Síochána

Officials from my Department met with the organisation in question in July of this year to discuss matters of concern to them, including matters relevant to firearms dealers. The Department advised that membership of the FCP was at maximum capacity and that there was little benefit to be gained from duplicating representatives of firearms dealers on the group. In addition, other sectors might well respond by also seeking increased representation, making the whole process unmanageable. In this regard it should be noted there are currently 4 firearms dealers on the group.

### **Gender Balance**

130. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the gender balance on each of the State boards under his remit, in tabular form. [48568/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The information requested by the Deputy in relation to these boards is set out in the following table. The National Strategy for Women and Girls 2017 - 2020 will provide renewed impetus for action to ensure that all State Boards achieve the 40% target for representation of women and men. Where the 40% target has been reached, Ministers and nominating bodies will be encouraged to move to a 45% target aimed at achieving gender parity in State Board representation.



Name of board	Total number on the board	Number of Women on the board	Number of Men on the Board	Percentage of Women on the Board	Percentage of Men on the Board
Classification of Films Appeal Board	7	3	4	43%	57%
Censorship of Publications Board	5	3	2	60%	40%
*Censorship of Publications Appeal Board	0	0	0	0	0
Courts Service Board	14	3	11	21%	79%
Garda Síochána Arbitration Board	3	0	3	0	100%
*Garda Síochána Ombudsman Commission	2	1	1	50%	50%
*Irish Human Rights and Equality Commission	8	5	3	62%	38%
Judicial Appointments Advisory Board	10	3	7	30%	70%
*Legal Aid Board	12	7	5	58%	42%
Mental Health(Criminal Law) Review Board	4	3	1	75%	25%
National Disability Authority	13	7	6	54%	46%
Ordnance Survey Ireland	9	2	7	22%	78%
Parole Board	12	2	10	17%	83%
Policing Authority	8	4	4	50%	50%
Private Security Authority	11	2	9	18%	82%
Private Security Appeals Board	6	2	4	33%	67%
Property Registration Authority	11	5	6	45%	55%
Property Services Appeal Board	5	2	3	40%	60%
Property Services Regulatory Authority	11	6	5	55%	45%
Valuation Tribunal	25	9	16	36%	64%

\* Vacancies currently exist on the Boards of the Garda Síochána Ombudsman Commission, Irish Human Rights and Equality Commission and Legal Aid Board and are currently being addressed. Therefore the numbers indicated above are those based on the last full composition for those boards.

Existing members of the Censorship of Publications Board were re-appointed for a second term in February 2017. As the Board has a minimal workload and no appeals have been received since the terms of appointment of the last Censorship of Publication Appeals Board expired, it is not proposed to conduct a State Boards recruitment and selection process to appoint members to the Appeals Board at this time.

*Question No. 131 answered with Question No. 119.*

### Residency Permits

132. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedure to be followed to regularise residency in the case of a person (details supplied); and if he will make a statement on the matter. [48653/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that from the limited information provided, it appears that the person concerned may never have had permission to remain in the State, and they should be aware that under Section 5 of the Immigration Act 2004 it is unlawful for a non-national to be in the State other than in accordance with the terms of any

permission given by the Minister for Justice and Equality. The person concerned should present themselves at their local Immigration Office without delay.

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.

### **Family Reunification Applications**

133. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the status of an application for family reunification in the case of a person (details supplied); and if he will make a statement on the matter. [48654/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that an application for family reunification was received in December 2016 in respect of the person concerned. The application is currently being processed. Applications for family reunification are dealt with in strict chronological order to ensure fairness to all applicants.

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

### **Immigration Status**

134. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current and-or expected residency status in the case of persons (details supplied); if the case will be examined as a matter of urgency with a view to naturalisation; and if he will make a statement on the matter. [48655/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** From the limited information provided, it appears that the person concerned currently has no permission to remain in the State, and they should be aware that under section 5 of the Immigration Act 2004 it is unlawful for a non-national to be in the State other than in accordance with the terms of any permission given by the Minister for Justice and Equality. As the person in question does not appear to have immigration permission to remain in the State, they are not entitled to work. Against this background, the person concerned should be advised to write to Unit 2 Residence Division, INIS, Burgh Quay, Dublin 2 without delay and to include their current address, an outline of their history in the State, and a full copy of their passport or passports since their arrival in the State.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process.

The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Immigration Status**

135. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding the residency and eligibility for naturalisation in the case of a person (details supplied); and if he will make a statement on the matter. [48656/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I have been informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned was granted permission to reside in this State on Stamp 4 EUFam conditions for a period of 5 years on 16 July 2013 on the basis of their marriage to an EU citizen.

I understand that INIS wrote to the person concerned on 30 May 2017 in relation to concerns regarding non-compliance with the requirements of community law. I am further advised that representations made by the person concerned on 16 June 2017 are under investigation by INIS.

I am also informed that the person concerned subsequently submitted a separate application to INIS for a change of status of residence permission on 01 June 2017. INIS is not in a position to consider this distinct application until such a time as the matter referred to above has been finalised by INIS.

I am also advised by INIS that there is no record of a current application for a certificate of naturalisation from the person referred to by the Deputy. A determination on whether an applicant satisfies the statutory criteria attendant to naturalisation can only be made after an application is received. Detailed information on Irish citizenship and naturalisation, as well as the relevant application forms, is available on the INIS website at [www.inis.gov.ie](http://www.inis.gov.ie)

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

### **Immigration Status**

136. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedures applicable to regularise residency and determine eligibility for naturalisation in the case of a person (details supplied); and if he will make a statement on the matter. [48657/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the application for the Reactivation of Employment Permit Permission for the person concerned remains under consideration. To allow full consideration of the circumstances of this case, INIS inform me that they have had to write to the person concerned on at least six separate occasions in order to seek clarification on the person's situation. INIS awaits a reply to its latest correspondence dated 27 October 2017.

Queries in relation to the status of individual immigration cases may be made directly to the

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

### **Direct Provision System**

137. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a person (details supplied) can be re-accommodated in direct provision; and if he will make a statement on the matter. [48660/17]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** The Reception and Integration Agency (RIA) of my Department offers accommodation and related services to those in the International Protection process. At the end of October 2017, RIA was accommodating over 4,800 persons and the effective vacancy rate was just over 2% of its overall capacity.

The focus of RIA at the present time is to offer these vacancies (while managing its overall portfolio) to those who are entering the process rather than making accommodation available to those who already have accommodation with colleagues or friends while their application for protection is being considered.

Due to on going pressure on the accommodation available to the Department it is not possible at this time to offer the person in question accommodation within the portfolio available to the Department.

This matter is of course under continuous review and should there be a material change in the level of accommodation available to us we will revisit the matter.

### **Seirbhísí Oileán**

138. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Cultúir, Oidhreacht agus Gaeltachta cén uair a lorgófar léirithe spéise agus tairiscintí don tseirbhís lastais go dtí Oileáin Árann; cé a dhéanfaidh meastóireacht ar na tairiscintí; cé mhéid ama a bheidh ag lucht tairiscinte tairiscintí a chur isteach tar éis an fógra tairiscinte a bheith foilsithe; an mbeidh rogha ann ó thaobh cala-phoirt do na seirbhísí seo de; agus an ndéanfaidh sí ráiteas ina thaobh. [48535/17]

**Minister of State at the Department of Culture, Heritage and the Gaeltacht (Deputy Joe McHugh):** Beidh mo Roinn ag tabhairt faoi phróiseas tairisceana maidir le seirbhís lastais d'Oileáin Árann go luath. Cheana féin, tá céimeanna tógtha ag mo Roinn ina thaobh. Ina measc, chuaigh sí i gcomhairle le hionadaithe ó na hoileáin d'fhonn a dtuairimí a fháil. Fógrófar mionsonraí na tairisceana san Iarratas ar Thairiscintí a eiseofar in am trátha.

### **Gender Balance**

139. **Deputy Mary Lou McDonald** asked the Minister for Culture, Heritage and the Gaeltacht the gender balance on each of the State boards under her remit, in tabular form. [48560/17]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Heather Humphreys):** I am

committed to achieving the target, set out in the Government's Guidelines on Appointments to State Boards, of at least 40% representation of each gender on Boards. The gender balance on each of the State boards under my remit is outlined in the following table. I am pleased to say that I have achieved the gender ratio target on the Boards of the Arts Council, the Heritage Council, the Irish Manuscripts Commission, the Irish Museum of Modern Art, the National Archives Advisory Council, the National Gallery of Ireland, the National Museum of Ireland, the National Library of Ireland and the National Concert Hall. Overall the gender balance on Boards under my remit is 49% male and 51% female. Vacancies on the Board of Údarás na Gaeltachta have recently been publicly advertised by the Public Appointments Service. I will continue to actively seek to meet the target of at least 40% representation of each gender.

It should be noted that appointments to the boards of Foras na Gaeilge and the Ulster-Scots Agency (agencies of the North South Implementation Body, An Foras Teanga) are made by the North/South Ministerial Council, arising from nominations on a 50:50 basis from each jurisdiction. In addition, the Irish Manuscripts Commission is a commission of academics rather than a governing board and the National Archives Advisory Council is an advisory body rather than a governing board.

	No on Board	No. Male	No. Female	% Male	% Female
Arts Council	12	5	7	42%	58%
Crawford Art Gallery	11	4	7	36%	64%
Foras na Gaeilge	13	7	6	54%	46%
Heritage Council	11	5	6	45%	55%
Irish Film Board	7	2	5	29%	71%
Irish Manuscripts Commission	20	11	9	55%	45%
Irish Museum of Modern Art	11	5	6	45%	55%
National Archives Advisory Council	12	7	5	58%	42%
National Concert Hall	9	5	4	56%	44%
National Gallery of Ireland	17	8	9	47%	53%
National Library of Ireland	12	6	6	50%	50%
National Museum of Ireland	15	6	9	40%	60%
Tha Boord o Ulstèr-Scotch	8	5	3	63%	38%
Údarás na Gaeltachta	12	8	4	67%	33%

### Departmental Contracts

140. **Deputy Róisín Shortall** asked the Minister for Culture, Heritage and the Gaeltacht the contracts that exist between her Department and an organisation (details supplied); the tendering process implemented for the granting of same; the value and duration of same; the due diligence carried out with respect to the corporate governance of the organisation; the minimum standards operative to determine whether and the extent to which organisation is competent to perform the role for which it is contracted. [48582/17]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Heather Humphreys):** My Department has no contracts with the organisation in question.

### Food Labelling

141. **Deputy Charlie McConalogue** asked the Minister for Health his views on the introduction of a voluntary colour coded nutritional labelling scheme for food products in France; the impact this will have on food exports; and the status of EU level discussions on countries that have introduced similar labelling schemes and the potential issues arising. [48632/17]

**Minister for Health (Deputy Simon Harris):** Regulation (EU) No. 1169/2011 on the provision of food information to consumers (FIC) came into effect in December 2014. It is now the main regulation governing the labelling of foods. It introduced a requirement to provide nutrition labelling on pre-packaged foods - that is a declaration of the energy value, and the amounts of fat, saturates, carbohydrate, sugars, protein and salt contained in such products.

The regulation also provides that EU Member States can recommend the use within their own territory of a voluntary scheme which provides for additional forms of expression or presentation of nutrition information for specified nutrients, once the proposed scheme meets certain criteria.

The French Nutri-Score system is one such voluntary national scheme. Given that it is a voluntary scheme, there is no obligation that products from Ireland which are sent to France should conform to this scheme. Moreover, it is a requirement of the FIC Regulation that the application of such a scheme must not create obstacles to the free movement of goods within the EU. The UK has introduced a similar voluntary scheme - the Colour Codes Guideline Daily Amount (GGDA). Any demand for products made in Ireland to be labelled in accordance with such schemes can only arise from business specifications which form an integral part of commerce.

I have been informed by the Food Safety Authority of Ireland (FSAI) that it has been reported in the media that voluntary schemes have not met with universal acceptance by the food industry within the individual Member States where they were introduced.

This Government's National Obesity Policy Action Plan, A Healthy Weight for Ireland 2016-2025 contains policy action 2.3, "Review EU consumer information labelling of food products and with a view to its application in the Irish market". The Department's Health and Wellbeing Unit is leading on this action plan and will consider this in due course.

The application of the FIC rules is usually discussed within an expert working group convened by the European Commission. I have been advised by the FSAI that any complaints about the details or operation of any voluntary scheme are normally dealt with on a bilateral basis by the European Commission and the relevant Member State.

### **Hospital Appointments Delays**

142. **Deputy Niamh Smyth** asked the Minister for Health the reason an appointment scheduled for a person (details supplied) has been deferred for two months; if an earlier appointment will be facilitated; and if he will make a statement on the matter. [48451/17]

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

The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014*, has

been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

### **Hospital Waiting Lists**

143. **Deputy Michael Healy-Rae** asked the Minister for Health if a procedure for a person (details supplied) will be expedited; and if he will make a statement on the matter. [48461/17]

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

### **Occupational Therapy Waiting Lists**

144. **Deputy Alan Farrell** asked the Minister for Health the waiting list times for occupational therapy services with specific reference to the HSE clinic in Skerries; the steps he will take to address these waiting list times to ensure persons can access the services they require in a timely manner; and if he will make a statement on the matter. [48466/17]

**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.

### **UN Convention on the Rights of Persons with Disabilities**

145. **Deputy Dara Calleary** asked the Minister for Health if he has made representations to have Ireland adopt the United Nations Convention on Rights of People with Disabilities; and if he will make a statement on the matter. [48488/17]

**Minister for Health (Deputy Simon Harris):** This is a matter in the first instance for my colleague the Minister for Justice and Equality who has lead responsibility for progressing Ireland's ratification of the United Nations Convention on Rights of People with Disabilities.

As the Deputy may be aware, Ireland signed the Convention on the Rights of Persons with Disabilities in 2007 and since then, successive Governments have emphasised Ireland's strong commitment to proceed to ratification as quickly as possible, taking into account the need to ensure all necessary legislative and administrative requirements under the Convention are met.

This Government is committed to ratification of the Convention. Considerable progress has already been made to overcome the remaining legislative barriers to Ireland's ratification

of the Convention. While this work is being led by Department of Justice and Equality, other Departments, including my Department, are providing relevant input to the process, as and when required.

### **Hospital Appointments Status**

146. **Deputy Barry Cowen** asked the Minister for Health the status of a case (details supplied); and when the person may expect an appointment with the Royal Victoria Eye and Ear Hospital, Dublin. [48498/17]

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

### **Parliamentary Questions**

147. **Deputy Clare Daly** asked the Minister for Health further to Parliamentary Question No. 650 of 26 July 2017, if same was forwarded to the HSE for reply; and if so, when a reply is likely to issue (details supplied). [48504/17]

**Minister for Health (Deputy Simon Harris):** I can advise the Deputy that the HSE's National Programme Director, National Women and Infants Health Programme, responded to her questions PQ Ref 34909/17 and 35417/17 on 8 August 2017, addressing the issues raised.

I trust that this clarifies the position satisfactorily.

### **Primary Care Centres Provision**

148. **Deputy Niamh Smyth** asked the Minister for Health the status of a development (details supplied); the timeframe for works; and if he will make a statement on the matter. [48506/17]

**Minister for Health (Deputy Simon Harris):** As the HSE has responsibility for the provision, along with the maintenance and operation of Primary Care Centres and other Primary Care facilities, the Executive has been asked to reply directly to the Deputy.

### **Primary Care Centres Expenditure**

149. **Deputy Louise O'Reilly** asked the Minister for Health if his attention has been drawn to the ongoing building works in the new primary care centre in Balbriggan; the reason for these works; and if he will make a statement on the matter. [48507/17]

150. **Deputy Louise O'Reilly** asked the Minister for Health the cost of the building of the new primary care centre in Balbriggan; the amount by which this has exceeded the original



estimate; and if he will make a statement on the matter. [48508/17]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 149 and 150 together.

As the HSE has responsibility for the provision, along with the maintenance and operation of Primary Care Centres and other Primary Care facilities, the Executive has been asked to reply directly to the Deputy.

### **Hospital Waiting Lists**

151. **Deputy Eugene Murphy** asked the Minister for Health if a person (details supplied) can be advised of the date of a hip replacement operation in Merlin Park hospital, Galway; and if he will make a statement on the matter. [48509/17]

**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 Status**

152. **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. [48514/17]

**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**

153. **Deputy Niamh Smyth** asked the Minister for Health the status of an appointment for a person (details supplied); and if he will make a statement on the matter. [48520/17]

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

The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed

national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

### Hospital Appointments Status

154. **Deputy Niamh Smyth** asked the Minister for Health the status of an appointment for a person (details supplied); and if he will make a statement on the matter. [48521/17]

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

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

### Hospitals Building Programme

155. **Deputy Niamh Smyth** asked the Minister for Health his plans to grant funding to extend and refurbish a hospital (details supplied); and if he will make a statement on the matter. [48522/17]

**Minister for Health (Deputy Simon Harris):** The Emergency Department in Cavan has been performing well this year. Performance information from the HSE show a 51% reduction in trolley numbers at the Hospital in comparison with the same period in 2016.

The RCSI Hospital Group has identified the need for development of the resuscitation area in Cavan Emergency Department. Future investment in Cavan General Hospital will be considered within the overall acute hospital infrastructure programme, the prioritised needs of the hospital groups and within the overall capital envelope available to the health service.

The HSE will continue to apply the available funding for hospital development in the most cost effective way possible to meet current and future needs of the health service.

The new Capital Envelope announced in October in the context of Budget 2018 will be used by the HSE to revise the Capital Plan for 2018 and will form the basis of the Department's submission for the forthcoming 10 year National Investment Plan.

As part of Budget 2018 an additional €40 million was announced for 2017 to prepare for and manage the expected peak in demand for our health services over the upcoming winter period.

A further €45 million has been allocated for measures to improve access to unscheduled care and other acute hospital priorities in 2018.

The Department of Health is also undertaking a Health Service Capacity review in line with the Programme for a Partnership Government commitment, the findings of which are due to be published before the end of the year, and which will provide an evidence base for future capacity decisions.

In addition I can confirm to the Deputy that all Hospital Groups and Community Health Organisations, including Cavan General Hospital, have developed and put in place integrated winter preparedness plans for their locality focussed on planning and escalation preparedness, maintaining patient flow processes and ensuring public health preparedness.

### **Primary Care Services Provision**

156. **Deputy Brendan Smith** asked the Minister for Health his plans to provide additional resources for primary care in 2018; and if he will make a statement on the matter. [48532/17]

**Minister for Health (Deputy Simon Harris):** The development of primary care is central to the Government's objective to deliver a high-quality, integrated and cost-effective health care system. The Oireachtas Committee on the Future of Healthcare also made significant recommendations in relation to shifting the model of healthcare towards a more comprehensive and accessible primary care service in order to deliver better care close to home in communities across the country.

The provision of a €25 million primary care development fund in Budget 2018 is evidence of this Government's continued investment in primary care. This funding has been allocated to enable a range of primary care initiatives to be progressed in 2018 which will focus on disease prevention and early intervention, particularly through the further development and expansion of GP services, community intervention teams and the recruitment of additional occupational therapy posts. Throughout 2018 there will also be a continued focus on the development of primary care centres and primary care teams.

The details of the 2018 Budget will be finalised with the HSE in the context of approval of its 2018 National Service Plan, which will also outline the total amount of funding for all services in 2018.

### **General Practitioner Services**

157. **Deputy Brendan Smith** asked the Minister for Health his plans to provide additional support in 2018 for the work of general practitioners, particularly in rural communities; and if he will make a statement on the matter. [48533/17]

**Minister for Health (Deputy Simon Harris):** The development of primary care is central to the Government's objective to deliver a high-quality, integrated and cost effective health service for patients in Ireland. The Programme for Government and Sláintecare commit to shifting the model of Irish healthcare towards a more comprehensive and accessible service that can deliver better patient care closer to home in communities across the country, including in rural and disadvantaged urban areas. As part of this process, Budget 2018 allocated a further €25 million to the funding for primary care services.

In the context of the publication by my colleague the Minister for Public Expenditure and

Reform of the Public Service Pay and Pension Bill 2017, I announced my intention to undertake a process of engagement with the representative bodies of contracted health professionals in 2018. This process will aim to establish a new multi-annual approach to fees, in return for service improvement and contractual reform in line with Government priorities for the health service.

The Government is committed to ensuring the continued sustainability of general practice in rural communities. An enhanced supports package for rural General Practitioners was introduced in May 2016. The new Rural Practice Support Framework includes improved qualifying criteria for rural support and an increase in the financial allowance from €16,216 to €20,000 per annum. Over 300 General Practitioners now benefit from rural practice supports under this Framework, a significant increase on the 167 General Practitioners who received the Rural Practice Allowance prior to the introduction of the new measures.

General Practitioners play an important role in the primary care system. The next phase of negotiations on a new GMS contract with the representatives of General Practitioners is currently underway. There is a clear need to modernise the GMS contract and ensure that General Practice is a viable and rewarding career for medical graduates. I am confident that with the continued constructive engagement of the parties involved, progress on this important issue can be made in the period ahead.

### **Hospital Waiting Lists**

158. **Deputy Noel Grealish** asked the Minister for Health the number of persons on the waiting list for ophthalmology services in County Galway (details supplied); the length of time they have been on the waiting list; and if he will make a statement on the matter. [48536/17]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Hospital Waiting Lists Action Plans**

159. **Deputy Noel Grealish** asked the Minister for Health the steps that are being taken to reduce the waiting lists for ophthalmology services in County Galway; the expected timeframe for the service to return to normal; and if he will make a statement on the matter. [48537/17]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Hospital Appointments Status**

160. **Deputy Martin Ferris** asked the Minister for Health when a person (details supplied) will receive an appointment in the South Infirmity Victoria University Hospital, Cork; and if he will make a statement on the matter. [48542/17]

**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.

### **Disability Services Funding**

161. **Deputy Brendan Smith** asked the Minister for Health the funding provided in 2017 for disability services; the projected expenditure by the end of 2017; and if he will make a statement on the matter. [48547/17]

**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.

Funding of €1.69 billion was allocated by the Health Service Executive (HSE) for disability services in 2017. The details of projected expenditure by year end is a matter for the Executive. Accordingly I have referred the Deputy's question to the HSE and have asked that it reply directly to the Deputy on the matter raised.

### **Disability Services Funding**

162. **Deputy Brendan Smith** asked the Minister for Health the funding provided in his Department's Estimates for disability services in 2018; the additional services to be provided with this financial allocation; and if he will make a statement on the matter. [48548/17]

**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 recently announced by the Government, the overall health budget for 2018 is almost €15.3 billion. The allocation for disability services for 2018 will be over €1.76 billion. The Health Service Executive is currently in the process of finalising its National Service Plan for 2018, in consultation with officials from my Department. Detailed Operational Plans for the coming year for each of the Executive's service areas, including disability services, will stem from this process. Pending the conclusion of this process, I am not in a position to comment on the exact quantum of services that will be available in 2018.

### **Gender Balance**

163. **Deputy Mary Lou McDonald** asked the Minister for Health the gender balance on

each of the State boards under his remit, in tabular form. [48566/17]

**Minister for Health (Deputy Simon Harris):** Section 16 of the Department of Public Expenditure and Reform's Guidelines on Appointments to State Boards states that compliance with the Government Decision of 23 July 2014 on Gender Balance on State Boards is an essential requirement for all State Boards. This requirement is for a minimum of 40% of both men and women appointed as Ministerial representatives to all State Boards. My Department in conjunction with the Public Appointments Service (PAS) currently seeks expressions of interest for membership of boards as vacancies arise, where I, as Minister for Health, have nominating rights under relevant legislation. In considering applications made through PAS due regard is given to Government policy on gender balance on State Boards.

I also appoint members on the nomination of various bodies, again in accordance with the relevant legislation. The external body is requested, where practical, to nominate both a male and female nominee. In so far as possible when making appointments to State Boards, I endeavour to ensure an appropriate balance between men and women.

The information requested by the Deputy is set out in the following table.

Statutory Board	Total Serving Membership	% Female	% Male
Beaumont Hospital Board	10	30%	70%
Consultative Council on Hepatitis C	6	50%	50%
Dental Council	18	22%	78%
Dietitians Registration Board	12	75%	25%
Dublin Dental Hospital Board	11	45%	55%
Food Safety Authority Of Ireland	10	40%	60%
Health and Social Care Professionals Council	25	52%	48%
Health Information and Quality Authority	10	70%	30%
Health Insurance Authority	5	40%	60%
Health Products Regulatory Authority (Formerly IMB)	9	44%	56%
Health Research Board	10	30%	70%
Irish Blood Transfusion Service	11	55%	45%
Leopardstown Park Hospital Board	7	57%	43%
Medical Council	25	52%	48%
Medical Scientists Registration Board	13	69%	31%
Mental Health Commission	13	46%	54%
National Cancer Registry Board	7	43%	57%
National Haemophilia Council	11	55%	45%
National Treatment Purchase Fund Board	9	33%	67%
Nursing and Midwifery Board of Ireland	22	50%	50%
Occupational Therapists Registration Board	11	64%	36%
Optical Registration Board	13	38%	62%
Pharmaceutical Society of Ireland Council	20	50%	50%
Physiotherapists Registration Board	8	63%	38%
Pre-Hospital Emergency Care Council	17	18%	82%
Psychologists Registration Board	13	69%	31%
Radiographers Registration Board	12	75%	25%
Social Care Workers Registration Board	13	31%	69%
Social Worker's Registration Board	13	46%	54%
Speech and Language Therapists Registration Board	10	80%	20%

Statutory Board	Total Serving Membership	% Female	% Male
St. James's Hospital Board	11	27%	73%
Tallaght Hospital Board	11	36%	64%
Voluntary Health Insurance Board	11	27%	73%
Totals	407	48%	52%

### Hospital Appointments Status

164. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when a person (details supplied) in County Louth will receive a hospital appointment. [48615/17]

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

### Medical Card Applications

165. **Deputy Bernard J. Durkan** asked the Minister for Health the status of an application for a medical card in the case of a person (detail supplied); and if he will make a statement on the matter. [48652/17]

**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 Health Service Executive has been asked to examine this matter and to reply to the Deputy directly.

### Animal Welfare

166. **Deputy Tom Neville** asked the Minister for Agriculture, Food and the Marine his views on a matter (details supplied); and if he will make a statement on the matter. [48450/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department has in recent years received a number of complaints in relation to the organisation named. In addition I am aware of significant social media commentary in respect of the organisation. I would emphasise that all complaints received by the Department are investigated thoroughly.

The Department has had occasion to require the owner take corrective action where its inspectors had reason to believe that the welfare of animals may have been compromised.

The Department will continue to keep the organisation under review and on-going an-

nounced and unannounced inspections are carried out.

### **Greyhound Industry**

167. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine the number of veterinary inspections at clubs (details supplied) in 2015, 2016 and to date in 2017; and if he will make a statement on the matter. [47710/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Under the provisions of the Greyhound Industry Act, 1958, the regulation of coursing is chiefly a matter for the Irish Coursing Club (ICC) subject to the general control and direction of Bord na gCon (BnG).

A Monitoring Committee on Coursing is in place, comprising of officials from my Department, the National Parks and Wildlife Service (NPWS) and the ICC to monitor developments in coursing and in that regard the situation is kept under constant review to ensure that coursing is run in a well controlled and responsible manner in the interests of both hares and greyhounds.

Although veterinary inspectors from my Department conduct inspections at 10% of coursing clubs each season, I understand that no veterinary inspections were carried out by my officials at the coursing clubs named during that time frame.

### **Fishing Industry Data**

168. **Deputy Pat Casey** asked the Minister for Agriculture, Food and the Marine the number of fishing boats that transferred tonnage to other boats in each of the years 2007 to 2014 while they were out of commission due to essential maintenance and repairs or due to illness of persons; the length of time each boat was out of commission; the reason the boat was out of commission; the fishing sector tonnage that was transferred in, in tabular form; and if he will make a statement on the matter. [48464/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The Registrar General of Fishing Boats, who is an official of my Department, is legally charged with maintaining a Fishing Boat Register and with the proper management of the capacity (i.e. gross tonnes and kilowatts) of Irish sea-fishing boats. He is empowered to enter a sea-fishing boat in the Register or remove it from the Register

Capacity is not an asset owned by the Department or by the Licensing Authority for Sea Fishing Boats. It is a privately owned tradable asset that, with certain exceptions, may be sold, traded or realised as a financial asset on the tonnage market.

Under EU law and National policy, the entry of new capacity into the fleet must be compensated by the previous withdrawal of at least the same amount of capacity whereby licence applicants provide replacement capacity at a ratio of 1:1 under fleet segmentation rules.

In order for capacity to be traded or transferred to a replacement vessel, it must be off-register from a de-registered vessel. Off-register capacity is traded by individuals and companies by way of private contract and the Licensing Authority/Registrar General only has an approval role in this regard. Vessels which are out of commission short-term due to essential maintenance and repairs or due to illness of persons are not required to be de-registered and the capacity of such vessels does not automatically become off-register and is not tradable or transferrable. For the capacity of such vessels to become tradable or transferrable, the only criterion that applies



is that vessels must be de-registered and their capacity becomes off-register. Consequently the Registrar General does not maintain or hold information or statistical data on the length of time and reason why boats are out of commission.

The following table contains statistical information on the fleet capacity levels for the years 2007 to 2014.

Year	Fleet Capacity (i.e. On-Register) 31 December	No. Vessels (Excluding Aquaculture Vessels)
2007	66,620 GT 196,888 kW	1,903
2008	65,076 GT 181,030 KW	1,951
2009	63,858 GT 181,088 KW	2,016
2010	64,581 GT 185,392 KW	2,046
2011	59,566 GT 182,325 KW	2,071
2012	60,342 GT 186,544 KW	2,113
2013	59,515 GT 181,641 KW	2,050
2014	58,908 GT 179,659 KW	2,014

### Afforestation Programme

169. **Deputy Tony McLoughlin** asked the Minister for Agriculture, Food and the Marine when a decision can be expected on an afforestation licence application by a person (details supplied); and if he will make a statement on the matter. [48470/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** An application for the Afforestation Grant and Premium Scheme, on behalf of the person named, was received on 10th October, 2017. This application was completed on 30th October and advertised on my Department's website on 1st November.

As part of the public consultation process, members of the public have 30 days from the date of publication on my Department's website to make a submission on an afforestation application. Any submissions received will form part of the review of the application.

Once this review is completed, there will be a decision on the application which will be communicated to the applicant and their registered forester.

### Agriculture Scheme Administration

170. **Deputy Paul Kehoe** asked the Minister for Agriculture, Food and the Marine if a person removes vegetation the reason that they must replant same (details supplied); and if he will make a statement on the matter. [48477/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** In 2009

hedgerows, trees in a line, drains and ditches were designated as landscape features, deeming them eligible for payment under the Direct Payments Schemes and as a result of the designation they cannot be removed and must be retained and maintained. However in exceptional circumstances, landscape features may be removed only if a replacement hedge, line of trees, drain is planted/dug in advance of the removal and is of similar length to the feature removed. You can only replace like with like, for example if a hedge is removed a hedge must be replanted at another location on the holding and the species used must be traditional to the area and the replacement landscape feature cannot be for amenity purposes, e.g. around farmyard or driveway.

Failure to adhere to this requirement may result in a cross compliance sanction being applied under Good Agricultural and Environmental Conditions (GAEC) 7. The Explanatory Handbook for Cross Compliance Requirements detailing all of the requirements for cross compliance issued to all farmers in November 2016.

### **Departmental Schemes**

171. **Deputy Niamh Smyth** asked the Minister for Agriculture, Food and the Marine his plans to set up a task force comprising farming organisations (details supplied) and officials from his Department for farmers who are facing into a difficult winter and spring due to volatile weather conditions; and if he will make a statement on the matter. [48503/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** It is clear that weather conditions have been challenging this Autumn creating difficulties for farmers in the Western and heavier land types.

Grass growth rates through the autumn have been ahead of last year. However the poor weather resulted in cattle being housed earlier than normal in places, particularly on the heavier soils; it also affected late cut silage making operations.

It appears that there are supplies of fodder in the form of silage and hay available across the country for those farmers who may require to supplement their own fodder supply. However, I have asked Teagasc to work locally in areas with fodder difficulties, to support good budgeting of fodder supplies on farms for the winter ahead.

The European Commission agreed to my request for an advance payment of the 2017 Basic Payment Scheme. This has been prompted by the protracted inclement weather conditions and also market difficulties caused by currency fluctuations. This means an increase from 50% to 70% in the rate for the BPS to those applicants whose applications were confirmed fully clear. These payments were recently issued, and balancing payments will be made with effect from early December. There will also be an increase permitted to the advance for Pillar II Rural Development schemes.

These payments and the payments under the Areas of Natural Constraints Scheme, have injected over €800 million into the Irish rural economy. These payments are providing a very welcome boost for Irish farm families and will help to finance fodder purchase where necessary.

Taking account of this, there are no plans at this time to establish a task force. My Department will continue to closely monitor the situation.

### **Transport of Animals**

172. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine

if new restrictions have been introduced on the transport of livestock within the State; if so, the reason therefor; and if he will make a statement on the matter. [48523/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The legislation governing the transport of livestock within Ireland is set down by Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.

This regulation requires that those transporting livestock for economic benefit on a journey of 65km or greater must hold a certificate of competence, for transporting livestock specifically, and also be in possession of valid Type 1 transport authorisation.

This current situation remains unchanged.

### GLAS Payments

173. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 412 of 17 October 2017, when a GLAS balancing payment will issue to a person (details supplied); and if he will make a statement on the matter. [48534/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named was approved into GLAS 2 with a contract commencement date of 1 January 2016 and has been paid the 85% advance payment for 2016.

During the processing of the 15% 2016 balance payment an issue presented on the computerised crosscheck of Department databases. Department officials continue to work actively to resolve this issue with a view to releasing the outstanding payment as soon as possible.

### Commonage Management Plans

174. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when a planner will be appointed to commonage ground (details supplied) in County Donegal; and if he will make a statement on the matter. [48541/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The land parcels in question were originally part of one large commonage that has since been subdivided and each parcel is now regarded as a commonage in its own right.

The Department has agreed with an organisation that they will appoint planners to unassigned commonages and final details of the Advisors concerned are awaited.

### Gender Balance

175. **Deputy Mary Lou McDonald** asked the Minister for Agriculture, Food and the Marine the gender balance on each of the State boards under his remit, in tabular form. [48556/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** There are twelve State Bodies under the aegis of my Department. The information sought by the Deputy is outlined in the following table.

I am personally committed to achieving the Government target of 40% gender balance on the Boards of State Bodies. In 2016 I wrote to the Chief Executives of some agri-business companies asking them to support women within their companies who express an interest in being appointed to the Boards of State Bodies and to encourage those who may not as yet have considered putting themselves forward to do so.

In relation to six of the State Bodies under the aegis of my Department, some of the board appointments are made by me on the basis of nominations from third-party organisations for specified vacancies as set out in legislation. These State Bodies are the Aquaculture Licensing Appeals Board, Bord Bia, Horse Racing Ireland, National Milk Agency, Teagasc and the Veterinary Council of Ireland. I actively encourage the relevant nominating organisations to be pro-active in encouraging women within their membership to consider putting themselves forward for nomination for appointment to the Board of the State Body to which the organisation makes a nomination.

I will continue to take every opportunity to achieve gender balance on the Boards of State Bodies under the aegis of my Department.

#### Gender Breakdown

State Body	Current Number of Members Including the Chairperson	Current Male Members	Current Female Members
Aquaculture Licensing Appeals Board	6	5	1
Bord Bia	14	10	4
Bord Iascaigh Mhara	6	5	1
Bord na gCon	6	5	1
Coillte	7	5	2
Horse Racing Ireland	14	11	3
Irish National Stud	7	5	2
Marine Institute	8	7	1
National Milk Agency	14	14	0
Sea Fisheries Protection Authority (Executive Board)	3	2	1
Teagasc	11	9	2
Veterinary Council of Ireland	19	13	6

*Question No. 176 withdrawn.*

#### Basic Payment Scheme Data

177. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine the percentage of farmers in County Cavan paid the single farm payment to date in 2017; the time-frame for the remainder to be issued; when it is proposed to commence payment of the balance of the single farm payment; and if he will make a statement on the matter. [48586/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Payments under the 2017 Basic Payment Scheme began issuing, on target, on 16 October. To date 96.2% of applicants in County Cavan have received their advance payment. Payments continue to issue

on a regular basis, as individual cases are confirmed eligible for payment.

Balancing payments under the Basic Payment Scheme are scheduled to commence in early December 2017. I would encourage all farmers to respond to any correspondence received from my Department regarding eligibility requirements.

### **Basic Payment Scheme Data**

178. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine the percentage of farmers in County Monaghan paid the single farm payment to date in 2017; the timeframe for the remainder to be issued; when it is proposed to commence payment of the balance of the single farm payment; and if he will make a statement on the matter. [48587/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Payments under the 2017 Basic Payment Scheme began issuing, on target, on 16 October. To date 98.7% of applicants in County Monaghan have received their advance payment. Payments continue to issue on a regular basis, as individual cases are confirmed eligible for payment.

Balancing payments under the Basic Payment Scheme are scheduled to commence in early December 2017. I would encourage all farmers to respond to any correspondence received from my Department regarding eligibility requirements.

### **Areas of Natural Constraint Scheme Data**

179. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine the percentage of farmers in County Cavan paid the areas of natural constraint payment to date in 2017; and if he will make a statement on the matter. [48588/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The 2017 ANC payments commenced on 19 September and to date some 87,600 applicants have been paid in excess of €189 million. Of the 4,755 applicants in County Cavan, some 4,280 or 90% have been paid €8.9 million to date.

Payment are continuing on a rolling basis as more farmers satisfy the scheme eligibility criteria and stocking rate requirements. I would encourage all farmers to respond to any correspondence received from my Department regarding eligibility requirements and stocking density.

### **Areas of Natural Constraint Scheme Data**

180. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine the percentage of farmers in County Monaghan paid the areas of natural constraint payment to date in 2017; and if he will make a statement on the matter. [48589/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The 2017 ANC payments commenced on 19 September and as of last Friday, some 87,600 applicants have been paid in excess of €189 million. Of the 4,004 applicants in County Monaghan some 3,621 or 90.4% have been paid €6.95 million.

Payments are continuing on a rolling basis as more farmers satisfy the scheme eligibil-

ity criteria and stocking rate requirements. I would encourage all farmers to respond to any correspondence received from my Department regarding eligibility requirements and stocking density.

### **Fishing Vessel Licences**

181. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the status of plans to introduce a system of penalty points by statutory instrument for fishing vessel licence holders; if he has consulted fishing organisations on this S.I.; the way in which this system will work; the appeals mechanism that will be in place; and when the SI will come into effect. [48626/17]

182. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the definition of serious infringements as referenced in his letter of 1 November 2017 to the Oireachtas Committee on Agriculture, Food and the Marine on plans to introduce a statutory instrument penalty points system for fishing vessel licence holders. [48627/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I propose to take Questions Nos. 181 and 182 together.

The European Union (Common Fisheries Policy) (Point System) Regulations 2016 (S.I. No. 125 of 2016) establishes a point system, which will apply to the Licence Holder of a sea-fishing boat when a serious infringement of the Common Fisheries Policy is detected. It is intended that the new Statutory instrument which I intend to sign shortly will replace S.I. No. 125 of 2016 to change the make-up of the Determination Panel set up under the 2016 S.I. to determine if on the balance of probabilities a serious infringement occurred and whether it is a serious infringement. This will involve the appointment of three independent legal professionals nominated by the Attorney General, thereby completely separating the enforcement and the determination functions. The new SI will, to the extent possible, take on board the issues of concern in relation to procedures and processes highlighted in High Court judgments on this matter. It will also address certain minor technical and drafting issues arising in S.I. No. 125 of 2016 .

Regarding the determination of a serious infringements, the S.I. (Regulation 3 of SI No. 125 of 2016) defines “serious infringement” as “...an infringement of the rules of the common fisheries policy mentioned in Annex XXX to the Commission Regulation that is determined by the Determination Panel, on the balance of probabilities, to be serious having regard to the criteria and guidance notes referred to in Regulation 6(3).”

Regulation 3 also provides that “Commission Regulation” means Commission Implementing Regulation (EU) No. 404/2011 of 8 April 2011 as amended by Commission Implementing Regulation (EU) 2015/1962 of 28 October 2015.

Regulation 6(3) referred to above provides that “The SFPA may issue guidance notes, which shall be published on its website on the internet, for the purpose of providing practical guidance in identifying the criteria, for the purpose of these Regulations, the Control Regulation and the Commission Regulation, employed in determining whether an infringement is a serious infringement.”

It is intended that the new SI will feature the same definitions. As stated above, it is envisaged that it will be for the new Determination Panel established under the new SI to determine if on the balance of probabilities an infringement occurred and whether it is a serious infringement.

Having an effective, proportionate and dissuasive system of points for all fishing vessels, Irish and non Irish, operating in our 200 mile zone is beneficial to maintaining the sustainability of fish stocks on which our seafood sector is dependant. This system will ensure that the vast majority of our law abiding fishermen are able to compete effectively and look forward to a sustainable future in the industry.

### EU Funding

183. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the funding drawn down to date on an annual basis under the European Maritime and Fisheries Fund Operational Programme 2014 to 2020 in each county and fishing port, in tabular form; the annual breakdown of funding allocated; the breakdown on all the seafood sectors, that is, fisheries, aquaculture and seafood processing; and if he will make a statement on the matter. [48628/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The information requested by the deputy is set out in the following tables. The European Maritime and Fisheries Fund (EMFF) Operational Programme provided grant aid for data collection only in 2014, while in 2015 aid was provided for Data Collection and Control and Enforcement. From 2016 onwards, supports were provided through a wide range of schemes to the sector. Figures for 2017 will not be available until 2018. Data is not available by county or fishing port. The small discrepancy between the two tables for total expenditure over the period 2014-16 is accounted for by inclusion in the first table of administrative costs of approximately €55,000.

	2014	2015	2016
Allocation	5,873,241	7,358,077	
Expenditure	5,873,241	7,358,077	17,624,092

	Fisheries	Aquaculture	Processing & marketing	Data Col-lection	Control and Enforcement
Expenditure 2014 - 2016	1,387,135.24	1,735,448.81	4,958,859.8	18,479,338	4,239,427.61

### Harness Racing Industry

184. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if he will act on the recommendations of a report (details supplied) on the harness racing sector; if he will provide seed funding on a pilot basis as recommended in the report; and if he will provide a timeframe for the implementation of these recommendations. [48629/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department funded the Indecon Review of the Irish Harness Racing Sector, which was published on Wednesday 1st November 2017. This report provides the sport with a road map for its potential development and I will be supporting the recommendations within my Department's remit from the outset.

As part of this future support, I have already committed to continuing and expanding the pilot integration programme, which will be funded by my Department.

I would also welcome progress reports from the Irish Harness Racing Association (IHRA)

on their implementation of remaining recommendations outlined in the Indecon Review, and I will consider any future funding requests in this context.

In addition to the funding provided for the Indecon Review, and the support for the report's recommendations within my remit, the IHRA have also received a number of additional supports during 2017 from my Department, namely:

- Approval for grants totalling €40,077 under the Equine Technical Support Scheme
- Support valued in excess of €25,000 for "Road Racing Education Programme"

Similarly in 2016, the IHRA received grants totalling €21,704 under the Equine Infrastructure grant scheme, with a view to supporting this sector in a targeted way.

### **EU Regulations**

185. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the planned implementation timeline for EU animal health regulation 2016/429. [48630/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The European Parliament and the Council adopted the Regulation on transmissible animal diseases ("Animal Health Law") in March 2016. This is a comprehensive law which replaces a large number of rules which have accumulated over time. The Regulation was published in the Official Journal of the European Union in March 2016. The Regulation entered into force in April 2016, and will be applicable from April 2021.

A number of delegated and implementing acts will be drafted by the Commission in the course of 2019. Member States and stakeholders will be consulted with regard to these delegated and implementing acts.

### **Teagasc Research**

186. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if the Government has taken note of the latest Teagasc research data which shows that the carbon footprint of Irish produce has been reduced by circa 15% since 1990 and that the nitrogen footprint of Irish produce has been reduced by circa 25% (details supplied). [48631/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I am very aware of the Teagasc research which shows the environmental and resource efficiency of Irish agricultural produce. This research illustrates the effectiveness of policy measures to date and the commitment of the agri-food sector to reducing the environmental footprint of food production.

The sector has already made huge strides in decoupling sector growth from gross emissions. This achievement has been delivered as a result of continued research, advances in animal genetics, health and nutrition, and through optimising the use of fertilisers.

A range of actions are being undertaken to make Irish farming even more environmentally sustainable including through the Rural Development Programme (RDP), worth almost €4 billion over seven years. Measures such as:

The Green, Low-Carbon, Agri-Environment Scheme (GLAS) incentivises agricultural pro-



duction methods to address issues of climate change, water quality and biodiversity loss. The scheme also supports low carbon agriculture through a range of cross-cutting measures, and promotes the delivery of targeted environmental advice and best practice at farm level. 50,000 farmers have prepared nutrient management plans and soil sampled their farms as an entry requirement to the scheme.

The Beef Data and Genomics Programme (BDGP) is directly targeted at the climate emissions of 30,000 beef farmers. It will assist farmers in selecting robust and resource efficient suckler cow replacements thus lowering the intensity of greenhouse gas emissions by improving the quality and efficiency of the national herd.

The knowledge transfer programmes bring the latest innovative sustainability research and practices direct to farmers.

Farmers are also being assisted in the purchase of Low Emission Slurry Spreading (LESS) equipment under the Targeted Agricultural Modernisation Schemes (TAMS) scheme. The use of this type of equipment is supported under the GLAS scheme.

Nitrogen is now more efficiently used through improved manure management and soil fertility. The Nitrates Action Programme helps in this regard and contains measures to protect surface waters and ground water from agricultural sources.

The above are just some of the measures being undertaken, however, policy interventions must be optimised by well-informed scientific research. In this regard my Department has invested heavily in climate change actions through our own Research Funding Programmes which of course complement Teagasc activities in this area. It is through this continued investment in and engagement with research initiatives that the sector will continue to make progress in reducing GHGs that are associated with agricultural production.

### **Brexit Negotiations**

187. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the status of a joint EU-UK proposal to the WTO on the way to deal with import arrangements for agricultural goods such as meat, sugar and grains post-Brexit, with the UK maintaining a portion of the EU's quotas based on the UK's average consumption over the past few years; and his views on the rejection of this proposal by other countries at WTO level. [48633/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** In a letter dated 11 October 2017, the EU and UK jointly notified the other members of the WTO of the need to make adjustments to the EU's existing quantitative commitments in the area of goods. The UK advised that it intends to replicate, as far as possible, its obligations under the current EU commitments. In the letter the EU and UK proposed that the EU's quantitative commitments in relation to tariff rate quotas (TRQ) be apportioned on the basis of existing trade flows. It sought a common approach on data sets and methodology with WTO partners. Seven WTO members - Argentina, Brazil, Canada, USA, New Zealand, Thailand and Uruguay - wrote to EU and UK expressing concern and seeking assurances that no trading partner would be left worse off due to Brexit.

Subsequently the EU and UK held a series of joint bilaterals with WTO members on the margins of the Committee of Agriculture and Committee of Agriculture in Special Session meetings in Geneva last month. They discussed their decision to take a joint approach, based on apportionment, to the adjustment of TRQs in the context of the UK's withdrawal from the

EU. The dialogue is at an early stage, and no decision has been taken on the matter.

### **Departmental Schemes**

188. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if he will consider introducing a fodder crisis scheme for farmers who have been impacted by severe wet weather. [48634/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** It is clear that weather conditions over much of this Autumn have been challenging for farmers and created difficulties for farmers particularly in the Western regions and on heavier land types.

Grass growth rates through the autumn however have been ahead of last year. However the poor weather resulted in cattle being housed earlier than normal in places, particularly on the heavier soils; it also affected late cut silage making operations.

It appears that there are supplies of fodder in the form of silage and hay available across the country for those farmers who may require to supplement their own fodder supply. However, I have asked Teagasc to work locally in areas with fodder difficulties, to support good budgeting of fodder supplies on farms for the winter ahead. My Department continues to monitor the situation.

The European Commission agreed to my request for an advance payment of the 2017 Basic Payment Scheme. This has been prompted by the inclement weather conditions and also market difficulties caused by currency fluctuations. This means an increase from 50% to 70% in the rate for the BPS to those applicants whose applications were confirmed fully clear. Issuing of these payments commenced after the 15th October and balancing payments will be made with effect from early December. There will also be an increase permitted to the advance for Pillar II Rural Development schemes.

These payments and the payments under the Areas of Natural Constraints Scheme, have already injected over €800 million into the Irish rural economy. These payments are providing a very welcome boost for Irish farm families and will help to finance fodder purchase where necessary.

Taking account of this, there are no plans at this time to establish a fodder aid scheme. My Department will continue to closely monitor the situation.

### **Trade Agreements**

189. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the status of latest Mercosur talks at EU level; his plans to protect beef farmers by ensuring that beef does not form part of a potential Mercosur deal; and if the Government will not support any final deal that contains a beef offer. [48635/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** It must be noted that no agreement on a Mercosur deal has been finalised at this point, although the Commission did make an offer to Mercosur during a recent round of negotiations which included the Tariff Rate Quota (TRQ) for beef referred to in the question.

I was deeply disappointed that the Commission decided to submit a beef tariff rate quota offer during the October round of negotiations with the Mercosur bloc, as I believe that this could

not be coming at a worse time for the EU beef sector.

I and my officials have been very active in highlighting the potentially very damaging impact of a Mercosur deal on the European agriculture sector, and on the beef sector in particular. We continue to monitor the situation closely and respond as appropriate to developments in order to defend the interests of Irish farmers, working in close co-operation with my Government colleagues, particularly the Táinaiste and Minister for Business, Enterprise and Innovation, and the Taoiseach. Indeed, the Taoiseach raised the matter in the course of recent meetings with French President Emmanuel Macron and European Commission President Jean-Claude Juncker.

At political level, I have continuously raised the issue with my Member State colleagues and with Commissioners Hogan and Malmström, both within the Council of Agriculture Ministers and in written form. These efforts have been reinforced at official level through similar contacts with Member States and the Commission, particularly through the Special Committee on Agriculture and the Trade Policy Committee.

Most recently, Ireland made the latest in a series of very strong interventions on this matter at the Trade Policy Committee in Brussels on 27 October, and I raised the matter at the Council of Agriculture Ministers in Luxembourg in October and again in Brussels on 6 November. I have also worked very closely with a number of other Member States, most notably France, including in the production of a joint paper that was submitted to the European Commission on 26 September outlining our shared concerns. And I wrote to Commissioner Malmström in early October, reiterating my concerns in relation to the tabling of the beef TRQ offer.

I believe there is a need for continued vigilance in relation to the conduct of these trade negotiations, and I will continue to insist that they are handled appropriately, and in a manner that safeguards the interests of the Irish and European beef sector. In this regard I believe full account must be taken of the findings of the Commission's own assessment of the cumulative impact of trade deals on the agri food sector, and the potentially very damaging impact of Brexit on an already delicately balanced EU beef market. Against this background I will continue to build alliances with other Member states and to defend the interests of the Irish and EU beef sectors.

### **Tillage Sector**

190. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his plans to reconvene the tillage forum in 2017; and the date of the next meeting. [48636/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I would like to give the Deputy an update on initiatives that I have progressed on behalf of the tillage sector since the last meeting of the Tillage Forum.

Stakeholders at that forum identified opportunities to increase the demand for Irish grain in the brewing and distilling sectors, both of which are expanding rapidly. Other opportunities identified included the development of a fully traceable native grain ration and availability of high-end niche markets for lifestyle foods. I invited contributions from members of the forum on developing these initiatives and how they could best be delivered. I will be inviting stakeholders to a future meeting of the High Level Implementation Committee of Food Wise 2025 to present on the more important of these initiatives.

Food Wise 2025 is of course the blueprint for the development of the agri-food sector as a

whole, including the tillage sector. This document contains a number of priority actions to support the development of the tillage sector. My own Department implements a number of these actions.

For example, in order to increase the availability of native grown protein crops for inclusion in animal feeds, a protein aid scheme was introduced in 2015, as part of the implementation of the reformed CAP package in Ireland. €3 million was set aside annually for this scheme and the rate of payment in 2016 was €246/ha.

In July of this year in response to the exceptionally challenging harvest conditions of September 2016 I introduced the Weather Related Crop Loss Support measure to assist farmers who experienced significant yield losses in spring cereal crops.

I introduced the Agriculture Cashflow Support Loan Scheme in January of this year and extended it to cover the tillage and horticulture sectors. All the finance available under this scheme has been committed and is in the process of being drawn down. There has been a very positive reaction by farmers to the Scheme, including tillage farmers.

In addition to this support I secured funding of €25 million for my Department to facilitate the development of a new Brexit response loan scheme for farmers, fishermen and food businesses in 2018. Further details will be announced in due course.

As a further support to tillage farmers I introduced the Tillage Investment Scheme under TAMS II earlier this year. The specific areas of investment include Minimum Disturbance Tillage Equipment, Sprayers, Rain Water Harvesting, Grain Storage and Grain dryers. There is a significant level of interest in investments under this measure with a total number of 687 applications received.

I secured an increase from 50% to 70% advance payment on 16 October last of the 2017 Basic Payment Scheme and Greening payments from the European Commission. This approach was prompted by the market difficulties being experienced in several sectors including tillage arising from ongoing currency fluctuations and protracted poor weather conditions.

Finally, my Department operates a range of services aimed at improving the level of production, quality and viability of the Irish cereal sector. These services include seed certification, seed testing, crop variety testing and the publication of recommended lists of varieties, research funding through the 'Stimulus' competitive research programme and funding for the quality assurance scheme. In addition, Teagasc provides research, training and advisory services for tillage producers. The value of all these support services is reflected in the fact that Irish cereals producers have consistently achieved some of the highest yields in the world.

Notwithstanding the range of current supports, I will continue to closely engage with the tillage sector on its needs, particularly through the Tillage Stakeholders Group.

### **Live Exports**

191. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his plans to ensure calf exports are not held up due to the main ferry boat involved being taken off the Ireland to France route for repairs in 2018 (details supplied). [48637/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department is aware that the regular Rosslare Cherbourg ferry will not be operating its usual journeys for a period of 4 weeks in February/March 2018 as it will be in dry dock for refurbishment

during this time. This would, unless taken up by other providers, reduce ferry capacity for the transport of a range of product, including animals, from Ireland by sea for the period in question.

The Department is aware that discussions are on-going with the company concerned, and other companies, with regard to various options to cover this period and continues to actively monitor the situation.

### **Fishing Industry**

192. **Deputy Paul Kehoe** asked the Minister for Agriculture, Food and the Marine if there is an immediate emergency compensation scheme for fishermen to recoup the cost of storm damage other than the mutual fund for adverse climatic events and environmental incidents; and if he will make a statement on the matter. [48647/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department's €240 million European Maritime and Fisheries Fund Operational Programme is the vehicle for financial supports to the seafood sector up to 2021. The Programme delivers a wide range of supports for aquaculture, fisheries and seafood processing through a suite of 15 schemes.

The EMFF Regulation provides for a special compensation scheme for fishermen experiencing significant economic losses arising from severe storms etc. Article 35 foresees the establishment by fishermen of a 'Mutual Fund for Adverse Climatic Events and Environmental Incidents'. This Fund would act as a form of mutual insurance for otherwise uninsurable losses, by paying compensation to affiliated fishermen for losses that exceed 30% of the fisherman's annual turnover arising from severe storms and other adverse climatic events, losses arising from environmental incidents and for the costs of rescue at sea for fishermen or fishing vessels.

The Fund must be established and managed by fishermen and be funded through the subscriptions of affiliated fishermen. The compensation would only be available to fishermen affiliated to the Fund. Support to the Fund from the EMFF Programme would be in the form of a contribution to the costs of compensation paid out by the Fund. Depending on the type of vessels or fishermen experiencing losses, EMFF assistance may be up to 80%.

My Department and BIM stand ready to assist and advise fishermen and their representatives in establishing the Fund, but the EMFF does not permit a financial contribution towards the costs of establishment or management of the Fund.

As this Mutual Fund is the vehicle envisaged in the EMFF Regulation for storm damage compensation, and all available funds are allocated to the EMFF Programme, I have no plans to develop an alternative scheme.

### **Inland Fisheries**

193. **Deputy Martin Ferris** asked the Minister for Communications, Climate Action and Environment his views on reports that Inland Fisheries Ireland is considering the leasing of State fisheries to private entities; and if his attention has been drawn to all the relevant facts regarding the matter. [48573/17]

**Minister of State at the Department of Communications, Climate Action and Environment (Deputy Seán Kyne):** The Deputy is likely referring to recent assertions regarding the

Galway fishery.

I met with the Board of Inland Fisheries Ireland (IFI) last week to discuss this and other issues. I am advised by the Board that they examined options for the fishery in the context of ensuring that its operation would, in as far as possible, be self-financing as regards its full costs.

The decision of the Board is to explore possibilities to make the fishery self financing, covering its costs on a fully allocated basis. This decision does not include any option to lease the fishery.

### **Departmental Contracts**

194. **Deputy Catherine Murphy** asked the Minister for Communications, Climate Action and Environment the reasons the State awarded a contract to a company (details supplied) to handle the emergency call answering service in view of the fact that this company subcontracts the work to a third party; and if he will make a statement on the matter. [48478/17]

195. **Deputy Catherine Murphy** asked the Minister for Communications, Climate Action and Environment if he has had engagements or discussions with a company (details supplied) and a third party company regarding ECAS operators in the context of working conditions and pay structure and-or pay rates; and if he will make a statement on the matter. [48479/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** I propose to take Questions Nos. 194 and 195 together.

The contract to operate the Emergency Call Answering Service was awarded to BT Ireland in 2009, following a public procurement process. In this regard and as permitted under the terms of the Concession Agreement, BT has a contractual arrangement with Conduit Global Ltd. to assist in the delivery of the service. Under the terms of the Concession contract, BT Ireland and its sub-contractor, Conduit Global, are required to comply with all employment legislation.

My officials were in close contact with BT throughout the 2016 industrial relations dispute to ensure service to the public was not affected in any way. However, operational issues, including working conditions and pay are a matter for Conduit Global and one in which I have no function. In this regard, I understand that the company has engaged with the Workplace Relations Commission Advisory Service and the Labour Court in relation to industrial relations issues raised by staff and union representatives and that the case is currently on-going before the Labour Court.

### **Inland Fisheries Regulation**

196. **Deputy Fergus O'Dowd** asked the Minister for Communications, Climate Action and Environment if an application was received to remove large amounts of sand from the area of the river Boyne adjacent to a club (detail supplied) in County Louth; and if he will make a statement on the matter. [48494/17]

**Minister of State at the Department of Communications, Climate Action and Environment (Deputy Seán Kyne):** There is no specific prohibition within the Fisheries Acts, on land-owners taking material, including sand, from rivers, however, the Fisheries Acts do make provision for the protection of fish and their habitat specifically in section 173 of the Inland Fisheries Act 1959. In addition, section 131 of that Act relates to obstruction of the free passage of fish.

Additional measures are also in place within other legislation that specifically relates to Irish provisions under the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477/2011) and any works proposed or undertaken would need to take cognisance of all EU habitat protection requirements.

Neither my Department nor Inland Fisheries Ireland (IFI) has been made aware of any specific works in the area in question but IFI will be happy to discuss matters with stakeholders to assist in seeking to ensure there is no inadvertent contravention of the relevant fisheries statutory requirements. In this regard, any person or organisation undertaking works should contact the local IFI Office.

It is imperative for any person or organisation contemplating works to ensure that all the appropriate fisheries statutory provisions can be met before contemplating commencement of works and IFI can advise and assist in this regard.

Aside from statutory requirements in a fisheries context, it may also be important that consideration be given to the potential impact of such proposed works on adjoining lands and property.

### Gender Balance

197. **Deputy Mary Lou McDonald** asked the Minister for Communications, Climate Action and Environment the gender balance on each of the State boards under his remit, in tabular form. [48559/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The information requested in the Question is set out in the following table. A complete list of all current members and vacancies is available on the State Boards website at [www.stateboards.ie](http://www.stateboards.ie).

State Body	Male %	Female %
An Post	67	33
Bord na Móna	83	17
ESB	67	33
Inland Fisheries Ireland	67	33
Sustainable Energy Authority of Ireland (SEAI)	55	45
EirGrid	60	40
RTE	50	50
TG4	56	44
DHD	56	44
National Oil Reserves Agency (NORA)	83	17
Irish National Petroleum Corporation (INPC)	100	0
Loughs Agency	75	25
Broadcasting Authority of Ireland (BAI)	56	44
Mining Board	100	0
EPA	67	33

198. **Deputy Peadar Tóibín** asked the Minister for Communications, Climate Action and Environment the reason a business (details supplied) in County Meath is not due to receive broadband in the foreseeable future which will impact upon the business in view of the fact that it is unable to increase its number of guests due to a lack of broadband; and when this situation will be addressed. [48580/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The Government's National Broadband Plan (NBP) will ensure high speed broadband access (minimum 30 megabits per second) to all premises in Ireland, regardless of location. The NBP has been a catalyst in encouraging investment by the telecoms sector so that to date approximately 1.5m or 65% of the 2.3m premises in Ireland can get access to high speed broadband and this footprint is expanding.

In April of this year, I published an updated High Speed Broadband Map which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie).

The map shows the areas targeted by commercial operators to provide high speed broadband services and the areas that will be included in the State Intervention Area under the NBP.

The Map is searchable by Eircode/address and is colour coded:

- AMBER areas represent the target areas for the proposed State led Intervention under the NBP and are the subject of an ongoing procurement process.

- BLUE represent those areas where commercial providers are either currently delivering, or have plans to deliver high speed broadband services.

- Light BLUE areas represent eir's commercial rural deployment plans to rollout high speed broadband to 300,000 premises by the end of 2018, as part of an Agreement signed with me in April.

The map shows that the townland of Kiltale, Co Meath comprises 94 premises and broadband coverage will be realised through a mix of commercial investment and through the State Intervention under the National Broadband Plan (NBP). Of the 94 premises, 40 premises fall within the State Intervention Area while the remaining 54 premises fall within the BLUE area and will be covered by commercial operators. Therefore, depending on the eircode of the address the constituent may either be in a BLUE/Light BLUE or AMBER area on the High Speed Broadband Map.

I understand that an official from my Department has provided a detailed report outlining the status of High Speed Broadband availability in the area to the individual named in the Question. While the premises referenced by the Deputy falls within an AMBER area and will be covered through the State led Intervention under the NBP, I understand that there are at least two operators (including mobile and Fixed wireless) that are capable of providing an interim solution.

My Department is in a formal procurement process to select a company or companies who will roll-out a new high speed broadband network in the State intervention area. That procurement process is now at an advanced stage. "Detailed Solutions" submitted by two bidders on 26th September are being evaluated by the NBP specialist team. The next stage in the procurement process is the receipt of final tenders followed by the appointment of a preferred bidder(s) and contract signature.

As part of this procurement process, the bidder(s) will be required to submit their strategies, including timescales, for the network build and rollout. Delivering connectivity to the 542,000



premises that fall within the State led intervention under the NBP remains a Government priority and my Department will engage with the winning bidder(s) to ensure the most efficient deployment as part of the contract.

To improve both mobile and broadband services in rural Ireland in advance of the rollout of the high speed broadband network to be built in the State intervention area I established, in July 2016, a Taskforce to identify solutions which can be implemented in the short, medium and long term to alleviate mobile phone and broadband coverage deficits, to identify priority areas for rollout and investigate how better services could be provided to consumers. These solutions will enhance the existing services prior to the full build and rollout of the network planned under the NBP State led intervention.

Under this Taskforce, engagement between telecommunications operators and local authorities through the Broadband Officers is continuing to strengthen. These Broadband Officers are acting as single points of contact in local authorities for their communities. The appointment of these officers is already reaping rewards in terms of ensuring a much greater degree of consistency in engagements with operators and clearing obstacles to developing infrastructure. There is a link to a list of these local Broadband Officers on my Department's website.

### **Greenhouse Gas Emissions**

199. **Deputy Robert Troy** asked the Minister for Communications, Climate Action and Environment if there are carbon incentives for companies to purchase products from Irish manufacturers. [48646/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** While there are no specific incentives for companies to purchase products from Irish manufacturers along the lines indicated in the question, it is Government policy to promote the use of qualifying energy efficient products, equipment and technologies. For example, the 2018 Finance Bill confirms that the existing accelerated capital allowances (ACA) scheme for energy efficient products is being extended for a further three years until 31 December 2020. Under this provision organisations who invest in the most energy efficient equipment can deduct the full cost of the equipment from their profits in the year of purchase. This reduces the taxable profit in year one by the full cost of the equipment and contributes to emissions reductions. The resulting energy savings by companies in their productive activities contribute to reduced greenhouse gas emissions.

Another initiative of benefit to businesses is EXEED (excellence in energy efficient design) which can provide advice and support leading to certification for businesses to establish a systematic approach to design, construction, and commissioning processes for new investments and upgrades to existing assets. This scheme has delivered impressive efficiency improvements in recent years. Interest in the scheme is growing, including among small and medium-sized enterprises and I am providing additional funding to the Sustainable Energy Authority of Ireland (SEAI) to allow EXEED to be expanded in 2018.

More information on both of these schemes is available on the SEAI website at [www.seai.ie](http://www.seai.ie).

### **Córas Iompair Éireann**

200. **Deputy John Brady** asked the Minister for Transport, Tourism and Sport the number of years a person who holds a temporary position (details supplied) in a company must wait in

order to maintain their rate of pay; if the number of years has changed under EU law; and if he will make a statement on the matter. [48480/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The issue raised is a matter for Córas Iompair Éireann (CIÉ) and I have forwarded the Deputy's question to CIÉ for direct reply. Please advise my private office if you do not receive a response within ten working days.

### **Driver Licences**

201. **Deputy Pearse Doherty** asked the Minister for Transport, Tourism and Sport further to the introduction of mutual recognition of driver disqualification between the State and Britain as and from 1 August 2017, in circumstances whereby a person has been convicted and found guilty of driving offences leading to that person being disqualified from driving and forced to surrender their licence here, if such a disqualification is recognised by authorities in Britain should the conviction have occurred prior to the aforementioned date; if authorities here recognise a disqualification for driving offences committed in Britain should the conviction have occurred before said date; and if he will make a statement on the matter. [48575/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Mutual Recognition of Driving Disqualifications between Ireland and the United Kingdom came into effect from 1 August 2017. The Agreement underpinning that mutual recognition provides in Article 14.3 that the Agreement shall only apply to offences committed after entry into force of the Agreement. Therefore any convictions for offences committed before 1 August 2017, in respect of covered by the Agreement, fall outside of the scope of the Agreement.

### **Driver Test Data**

202. **Deputy Joe Carey** asked the Minister for Transport, Tourism and Sport the number of sick leave days taken by each driver tester; the centres to which they were attached in each of the years 2015, 2016 and to date in 2017; the number of driving tests cancelled as a result, in tabular form; and if he will make a statement on the matter. [48456/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** This is a matter for the Road Safety Authority. I have referred the question to the Authority for direct reply. I would ask the Deputy to contact my office if a response is not received within 10 days.

### **Rail Network**

203. **Deputy Jack Chambers** asked the Minister for Transport, Tourism and Sport his plans to electrify the Connolly to Maynooth rail line; and if he will make a statement on the matter. [48495/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** In line with the Government's budgetary framework set out in Building on Recovery: Infrastructure and Capital Investment 2016-2021 published in September 2015, the Government's recently announced Budget 2018 provides for an increase in the multi-annual capital investment for public transport with a four-year capital envelope of €2.7 billion over the period 2018-2021.

This includes funding in the region of €230 million for mainline rail and DART capacity

enhancement. This will enable commencement of the initial stages of the DART Expansion programme, focussing on additional fleet and extending the electrified DART system. It will allow further progress to be made on the electrification of both the Northern rail line to Balbriggan and the Maynooth line.

In light of the National Transport Authority's (NTA) responsibility in this area, I have forwarded the Deputy's question to the NTA for further information on the issue raised. Please advise my private office if you do not receive a reply within ten working days.

### **Cycling Facilities Provision**

204. **Deputy Jack Chambers** asked the Minister for Transport, Tourism and Sport the status of the promised upgrade of the lighting and pathway along the Royal Canal path between Ashtown and Broombridge; if the budget for these works has been given to Luas cross city works; if this work will be undertaken; and if he will make a statement on the matter. [48496/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The National Transport Authority (NTA) is responsible for the development and implementation of public transport and sustainable transport infrastructure in the Greater Dublin Area (GDA).

Under the Sustainable Transport Measures Grants (STMG) Programme, my Department provides funding to the NTA for the seven local authorities in the GDA for the implementation of sustainable transport projects including cycling/walking infrastructure.

Noting the NTA's responsibility in the matter, I have referred your question to the NTA for a more detailed reply with regard to this particular project. Please advise my private office if you do not receive a reply within 10 working days.

### **Sports Capital Programme Administration**

205. **Deputy Brendan Smith** asked the Minister for Transport, Tourism and Sport when decisions will be made on the 2017 sports capital programme applications; and if he will make a statement on the matter. [48526/17]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin):** The 2017 round of the Sports Capital Programme closed for applications on the 24th February. By the closing date, a record number of 2,320 applications seeking €155 million in grants were received.

When the programme was launched, it was envisaged that €30m would be available which would have made the allocation of grants particularly challenging. Following the conclusion of the budget discussions and in order to allow as many worthwhile projects as possible to receive some funding, I am pleased that significant extra resources have been secured to allocate under this round.

The assessment of all the 2,320 applications is now nearing completion and I expect to be in a position to announce full details of the allocations in the coming weeks.

### **Regional Road Network**

206. **Deputy Brendan Smith** asked the Minister for Transport, Tourism and Sport his plans to increase the allocation for the 2018 road works programme to Cavan County Council; and if he will make a statement on the matter. [48527/17]

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

It is expected that regional and local road allocations for 2018 will be notified to local authorities in January 2018.

### **Regional Road Network**

207. **Deputy Brendan Smith** asked the Minister for Transport, Tourism and Sport his plans to increase the allocation for the 2018 road works programme to Monaghan County Council; and if he will make a statement on the matter. [48528/17]

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

It is expected that regional and local road allocations for 2018 will be notified to local authorities in January 2018.

### **Gender Balance**

208. **Deputy Mary Lou McDonald** asked the Minister for Transport, Tourism and Sport the gender balance on each of the State boards under his remit, in tabular form. [48571/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The information requested by the Deputy is available on my Department's website at the following link: <http://www.dttas.ie/corporate/english/state-board-membership-and-approved-fees>.

### **Electric Vehicles**

209. **Deputy Kevin O'Keeffe** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the anomaly in circumstances in which electric vehicles similar in size to petrol or diesel vehicles are more expensive to insure; and if he will make a statement on the matter. [48572/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The provision and price of insurance cover is a commercial matter for insurance companies. It is not a matter in which I, as Minister, have a role.

On the wider matter of EV costs, the Deputy may be aware that many of the operational costs associated with an electric vehicle are lower than those for conventional vehicles; for ex-

ample, lower motor tax, lower maintenance costs with less frequent servicing required and EVs have an estimated annual fuel saving of up to 80% compared to conventionally fuelled cars. In addition, a grant of up to €5,000 is available from the Sustainable Energy Authority of Ireland towards the purchase of a new electric vehicle, as well as Vehicle Registration Tax relief up to a maximum €5,000. At present, public charging facilities are also provided free of charge to the user.

The Government is very supportive of the transition of the car fleet to zero emissions technology, especially EVs. The Deputy may be aware that my Department and the Department of Communications, Climate Action and the Environment, have jointly convened an interdepartmental Low Emission Vehicles (LEV) Task Force to consider a full suite of potential measures to expedite the deployment of low carbon technologies under a commitment outlined in the “Programme for a Partnership Government”.

Initial recommendations from the Task Force were submitted for consideration in advance of the budgetary process and I was delighted to announce a package of measures in Budget 2018 to promote a low-carbon electric vehicle future. The measures include: continuing the VRT reduction for EVs and SEAI purchase grants; introducing a new grant to support home charger installations; a new toll incentive regime; a new grant to stimulate EV take-up in the Taxi / Hackney/Limousine (SPSV) sector; a Public Awareness Programme including driver experience opportunities; EV fleet trials in the public and commercial sectors; a new public procurement framework to allow public bodies to purchase EVs with reduced administrative burden; and a new Benefit in Kind (BIK) 0% rate to encourage the use of electric vehicles in industry.

Minister Naughten and I have committed to working together to ensure that all new passenger cars sold in Ireland from 2030 onwards will be zero emission vehicles; demonstrating Ireland’s commitment to decarbonise the transport sector and our economy as a whole.

## Ports Policy

210. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the implementation status of the national ports policy; and if he will make a statement on the matter. [48593/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** National Ports Policy, published in 2013, recommends the implementation of a number of Actions which are listed at Appendix 1 of the document.

The following table lists these Actions and the current status of each one.

### Appendix I - Actions and Timelines

Section Ref.	Action	Timeline	Status
2.3.1	Consider and respond to Competition Authority study	2013	Complete
2.6	Publish a pathway for future development of the Port of Waterford Company and Rosslare Europort	2013	Complete

Section Ref.	Action	Timeline	Status
2.7	Initiate and complete programme of discussions re transfer of certain port companies, as outlined in sections 2.7.1 – 2.7.5	2013–2015	Two port transfers are complete. Three port transfers are in progress.
2.7.7	Develop and publish legislative amendments in respect of the above	2013–2015	Complete
3.1	Introduce performance measurement system for the Ports of National Significance (Tier 1 and 2)	2016	In progress
3.3	Publish procedures to ensure port company directors are kept informed of Government policy	2013	Complete
3.4	Ensure port companies submit an acceptable dividend policy	2013	Complete
4.2	Introduce regular capacity forecasting	2018	In progress
4.2	Develop a model for on-going origin and destination data collection	2016	In progress
5.2	Work with the Irish Ports Association and the Department of Arts, Heritage and the Gaeltacht to conclude an administrative agreement under Regulation 40 of the European Communities (Birds and Natural Habitats) Regulations 2011	2013	Ongoing
5.3	Work with the Irish Ports Association and the Department of Environment, Community and Local Government to address outstanding foreshore-related issues	2013–2014	Ongoing

### Ports Development

211. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the funding awards that the Trans-European Transport Network has made to Irish ports in each year since 2007. [48594/17]

217. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the funding awards that the Connecting Europe facility has made to Irish ports in each year since 2007. [48600/17]

218. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the number of applications that his Department has made to the Trans-European Transport Network and the Connecting Europe facility on behalf of Irish ports since 2007, by year and port. [48601/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take Questions Nos. 211, 217 and 218 together.

Port Companies apply directly to the EU for funding following calls for proposals under the Trans European Network (TEN-T) and Connecting Europe Facility (CEF) and my Department endorses these applications.

Applications are processed by the Innovation and Networks Executive Agency (INEA) and details of successful projects are available on their website.

Successful TEN-T project awards are publicly available at: <https://ec.europa.eu/inea/ten-t/ten-t-projects/projects-by-country/ireland>.

And successful CEF project awards are publicly available at: <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-transport/projects-by-country/ireland>.

Dublin Port Company submitted an application for TEN-T funding in 2013 but the application was unsuccessful. A further application for funding for studies relating to the Alexander Basin Redevelopment Project was made in 2014 and was successful. The port was awarded a 50% grant up to a maximum of €2,464,000. In 2015, the port submitted an application for CEF funding for the works element of this project and was awarded €22,782,055.

In 2013, the Port of Cork Company applied for funding for studies in relation to the Redevelopment of Ringaskiddy and was awarded €1,842,000. In 2015, the port was successful in a CEF application for the works element of the project and was awarded €12,736,001.

In addition, the Port of Cork was one of a number of parties to, but not the main applicant, of the Installation of gas and water cleaning system for the upgrade of the Arch Atlantic project, in 2014. The project application over 2015-2018 was for a study with up to 50% co-funding. The port received €25,000 for this project.

Shannon Foynes port submitted an application for TEN-T funding in 2013 but was unsuccessful. The port made two further applications for CEF funding in 2015 and both were successful. The first was in respect of a Jetty Enhancement for Sea Port Infrastructure Connectivity (JESPIC) project where the port was awarded a 20% works grant, up to a maximum of €2,400,000. The second related to Connecting International Sea Cargo to the Irish Rail Network (CISCIRN) where the port was awarded a 50% studies grant, up to a maximum of €800,000.

The port submitted an application for CEF blended funding in 2017 for a Capacity Extension at Shannon Foynes (CESF) for a 20% works blended grant up to a maximum of €5,377,000. This is currently in the INEA evaluation process.

### **Legislative Programme**

212. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the implementation status of the Safety of Life at Sea Convention. [48595/17]

213. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the status of the merchant shipping Bill. [48596/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take Questions Nos. 212 and 213 together.

I take it the Deputy is referring to the planned Merchant Shipping (International Conventions) Bill. This is still at the preliminary preparatory stages in my Department, prior to seeking Government approval for its drafting in due course. The main purpose of the Bill is to provide the legislative framework for Ireland to become a party to a number of international maritime conventions.

The SOLAS Convention is an international convention of the International Maritime Or-

ganisation relating to the safety of ships (both passenger ships and cargo ships of >500 gross tonnes) that are engaged on international voyages. In effect, it sets standards for such ships' construction, equipment and operation. Ireland is a party to the SOLAS Convention, and as a Flag State is responsible for ensuring and certifying that ships on the Irish register that undertake international voyages comply with the relevant SOLAS requirements, which vary according to the size of the ship and the year of construction.

Additionally, under Port State Control, foreign ships in national ports are inspected to verify that the condition of the ship and its equipment complies with the requirements of international conventions (including SOLAS) and that the ship is manned and operated in compliance with those conventions.

Port State Control inspections are carried out by the Marine Survey Office (MSO) of my Department while Flag State activities are undertaken by the MSO and by authorised Recognised Organisations on their behalf.

### **National Transport Authority**

214. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport if he has received an implementation plan from the NTA relating to the transport strategy for the greater Dublin area 2016 to 2035; and if he will make a statement on the matter. [48597/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The NTA's Transport Strategy for the Greater Dublin Area 2016-2035 provides a framework for the planning and delivery of transport infrastructure and services in the GDA over the next two decades that will be subject to a number of influencing factors including funding availability. The 20-year Strategy will be supported and given effect through a series of sequential shorter-term implementation plans - succeeding the NTA's present "Integrated Implementation Plan 2013-2018" - that will set out the investment priorities and proposals over the coming six year period.

The NTA has been working on this and has provided a draft new implementation plan. Before approval, though, the plan will need to be finalised to appropriately reflect a number of highly relevant other strategic pieces of work that either have only recently, or are expected very shortly, to come to completion including: the Mid-Term review of the Capital Plan which has provided enhanced capital allocations for the coming 4-year period; the 10-year National Investment Plan to be published by the Department of Public Expenditure and Reform that will include Exchequer funding envelopes for the period up to 2028; the Rail Review and recent consultation by the NTA; and the Government's forthcoming new National Planning Framework which is being finalised under the leadership of the Department of Housing, Planning and Local Government.

### **Taxi Licences**

215. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the number of wheelchair accessible vehicles licensed as taxis here. [48598/17]

216. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the number of grants that have been awarded for the purposes of providing wheelchair accessible vehicles each year since 2011. [48599/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take



Questions Nos. 215 and 216 together.

The regulation of the small public service vehicle (SPSV) industry, including the licensing of wheelchair accessible SPSVs, is a matter for the National Transport Authority (NTA) under the provisions of the Taxi Regulation Act 2013. Furthermore, it is the NTA who administer the wheelchair accessible vehicle (WAV) grant for the SPSV industry on an annual basis.

I have referred your questions to the NTA for direct reply to you. Please advise my private office if you do not receive a response within 10 working days.

*Questions Nos. 217 and 218 answered with Question No. 211.*

### **Taxi Regulations**

219. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the status of his Department's review of cross-border SPSV operations. [48602/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy is aware, in order to carry persons for hire and reward, the Taxi Regulation Act 2013 requires the holding of a small public service vehicle (SPSV) licence and a SPSV driver licence. These requirements only apply to services if and when they are provided in the State. The 2013 Act does not provide for such services to be delivered on a cross border basis. The legislative position is similar in Northern Ireland.

As a result, under current legislation, if a SPSV operator wishes to operate cross-border taxi services, they would have to apply for and obtain licences in both the North and the South.

Accordingly, and to ensure that cross border taxi services can be legally facilitated and appropriately regulated, it has been decided that primary legislation will be needed in both jurisdictions, on a reciprocal basis, to provide for the exempting of particular requirements on licenced taxi operators in respect of certain cross-border services, subject to specified conditions. This approach was agreed, last year, between myself and the Minister for Infrastructure in Northern Ireland at that time, Chris Hazzard.

My Department is committed to developing the necessary legislative changes, which will require Government approval in due course. However, any changes to the Taxi Regulation Act 2013 can only be progressed and ultimately enacted, in parallel with reciprocal legislative changes being introduced by the Northern Executive.

### **Taxi Regulations**

220. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the status of his Department's review of ride sharing arrangements. [48603/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy is aware, the regulation of the small public service vehicle (SPSV) industry is provided for under the provisions of the Taxi Regulation Act 2013. This Act requires the holding of a SPSV licence and SPSV driver licence to carry passengers for hire or reward. No definition for "ridesharing" is provided for in this Act.

The current licensing regime was put in place to protect the consumer and to help ensure personal safety. While cognisant of the need to safeguard these objectives, I am conscious that

there is also a need to evolve and be open to new technologies and innovation.

In this context, I am committed to giving further consideration to this issue. Along with my officials, I regularly engage with key stakeholders in the transport industry. This helps to provide insights into the performance of our legislative frameworks and their impacts on the delivery of all modes of transport including SPSVs. My Department continues to consider the issue of ride sharing, taking into account the likely impacts and risks to the travelling public associated with any change to current provisions of the Taxi Regulation Act 2013. This work is ongoing and I am more than happy to consider new proposals and workable options.

### **Rural Transport Programme**

221. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the status of the review by the National Transport Authority, NTA, and transport co-ordination units, TCUs, of existing and potential routes of the rural transport programme. [48604/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The National Transport Authority (NTA) has national responsibility for integrated local and rural transport, including management of the Rural Transport Programme which now operates under the “Local Link” brand.

In light of the NTA’s responsibilities in this matter, I have referred your question to the NTA for direct reply to you. Please advise my private office if you do not receive a response within 10 working days.

### **Rural Transport Programme Funding**

222. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport if his Department has provided funding for the replacement of buses in use by the rural transport programme. [48605/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** My Department provides both current and capital funding for the Rural Transport Programme (RTP) to the National Transport Authority (NTA) which has, since 2012, national responsibility for integrated local and rural transport, including management of the RTP. The RTP now operates under the “Local Link” brand.

On 07 November last I replied to the Deputy’s Question (ref no 47034) regarding the amounts of current funding allocated to the RTP.

My Department has provided approximately €2.5m in capital funding towards the RTP from 2012 to 2016. The capital allocation for this year is €650,000 and this level has been maintained for next year under Budget 2018. Capital funding is provided for projects such as the development of an Integrated Transport Management System, IT hardware and software and the development of a driver/passenger App. No capital funding has been provided for the replacement of buses used in the provision of Local Link services.

### **Ministerial Meetings**

223. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the number

of times he has met with each of the agencies and companies under the aegis of his Department since assuming office. [48606/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The information requested by the Deputy is contained in the following table.

Organisation	Number of meetings
Bus Éireann	6
Dublin Bus	2
Irish Rail	4
CIE	2
Commission for Railway Regulation	2
NTA	5
Road Safety Authority	9
Medical Bureau of Road Safety	4
daa	6
IAA	3
TII	9
Dublin Port	3
Fáilte Ireland	4
Tourism Ireland	4
Sport Ireland	5

As the Deputy is aware, in addition to the above formal meetings, I have often met with Chairs, Chief Executives and senior representatives of the above companies and agencies on other less structured occasions with additional parties present, to discuss matters of mutual interest.

### Regional Airports

224. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the funding that has been awarded to each of the regional airports under the future jobs investment fund since February 2016. [48607/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I understand that the Deputy is referring to the commitment of an additional €10m in funding for the regional airports, announced in February 2016 and incorporated into the Programme for Government.

As the Deputy will be aware, that commitment, along with other Programme for Government

commitments of a capital nature, was part of the mid-term review of the current Capital Plan that was carried out by the Minister for Public Expenditure and Reform.

I am pleased to be able to inform the Deputy that my Department secured over €17 million in additional capital funding for the Regional Airports Programme to support the four smaller airports in Donegal, Knock, Kerry and Waterford, with these additional resources coming into play in the period 2019 to 2021.

This is considerably in excess of the €10 million in extra Capital Plan funding that was originally mooted in the Programme for Government.

The Regional Airports Programme will continue to support necessary safety and security investments by these airports to ensure that they can continue to contribute to enhanced regional connectivity for businesses and tourism.

Details of Exchequer support, both capital and current , provided to the four regional airports in 2016 are set out in the following table:

2016 Exchequer grant support - Regional Airports Programme (€uro)

Donegal	IWAK	Kerry	Waterford	Total
937,557	2,933,419	1,038,596	807,909	5,717,481

Details of capital grant funding approved to date in 2017 are as follows:-

2017 Approved Exchequer Capital Funding to date - Regional Airports Programme (€uro)

Donegal	IWAK	Kerry	Waterford	Total
22,500*	1,213,932	722,296	39,330	1,998,058

\*approved project deferred to 2018

My Department is currently considering the applications received recently from the airports in respect of grant assistance towards (current ) operational costs and expenses in the areas of safety and security for 2017 and I will be making an announcement in this regard before year end.

### Search and Rescue Service Provision

225. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the Government agency or Department responsible for the oversight of search and rescue services. [48608/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** In terms of ensuring the safety of Irish Coast Guard volunteers, the Irish Coast Guard, which is a Division of my Department, ensures the volunteer units are appropriately equipped and trained to carry out the type of activities for which they may be tasked. The Coast Guard carry out regular audits to determine operational readiness.

As regards the Irish Coast Guard's Search and Rescue (SAR) helicopter service, the Irish Aviation Authority issues a national SAR Approval to CHCI DAC, who are the operator contracted by the Irish Coast Guard to deliver this service. Through this practice, there is a system in place to validate the suitability of the CHCI SAR helicopters, crew, training and operational standards for SAR operations.

### Ports Policy

226. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the status of the transfer of responsibility for the five ports of regional significance to local authority structures. [48609/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** National Ports Policy 2013 recommends that the five Ports of Regional Significance, Drogheda, Dún Laoghaire, Galway, New Ross and Wicklow, be transferred to more appropriate local authority-led governance

structures. The Harbours Act 2015 provides the necessary primary legislative basis to facilitate the transfers of these ports to relevant local authority control.

To date, two of the five Ports of Regional Significance have successfully transferred to the control of the relevant local authorities. On 30 August 2016, Wicklow Port Company transferred to the control of Wicklow County Council. On that date, the company was dissolved and all of its assets, liabilities and staff transferred to the Council. Subsequently on 2 October 2017, Drogheda Port Company was transferred under a transfer of shareholding model to Louth County Council. On that date ownership of all shares in the share capital of the company vested in Louth County Council.

Work on the transfers of the three remaining port companies (Dún Laoghaire, New Ross, and Galway) is also progressing and I expect these to transfer in the coming months.

### **Climate Change Adaptation Plans**

227. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the status of his Department's climate adaptation plan; and if he will make a statement on the matter. [48610/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Transport plays a vital role in tackling Ireland's climate change challenge; not only must the sector decarbonise through mitigating measures but it must also safeguard critical transport infrastructure and services from the negative impacts of climate change.

To this end, an Adaptation Scheme for the Transport Sector has been prepared within my Department which I will consider and expect to publish soon. Furthermore, and very importantly, my Department plays a central role in supporting transport stakeholders to develop their own evidence-based responses to the challenges presented by climate change.

The Department for Communications, Climate Action and the Environment are leading the national response to climate change adaptation, with support from key Departments such as my own. A statutory National Adaptation Framework is being developed under the Climate Action and Low Carbon Development Act, 2015 and will, I understand, be submitted to Government by Minister Naughten for approval before the end of 2017. Following approval of the Framework by Government, work in this Department will be focussed on the preparation of a statutory adaptation plan for the transport sector.

### **Tourism Industry**

228. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the status of Tourism Ireland's study on new and developing tourism markets. [48611/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The matter raised by the Deputy is an operational matter for Tourism Ireland. I have referred the Deputy's Question to Tourism Ireland for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Value for Money Reviews**

229. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the status of his Department's value for money review of the tourism marketing fund. [48612/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Value for Money review of the Tourism Marketing fund began in Autumn 2017. The Steering Group has met, and Terms of Reference have been agreed for the work. Research is ongoing, and a final report is expected in the first half of 2018.

### **National Sports Policy Framework**

230. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the status of the national sports policy framework. [48613/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy is aware, I launched a public consultation process for the National Sports Policy in November 2016. Submissions were invited up to mid-January 2017, however submissions continue to be received. To date 54 submissions have been received from a number of stakeholders including Government Departments, National Governing Bodies of Sport, Local Sports Partnerships and private individuals.

My Department and I have taken the time to examine the content of these submissions in detail in the period following the public consultation. In addition, my officials have held a number of bilateral meetings with relevant Government Departments and other stakeholders during the drafting process in order to inform our decision making on various complex issues relating to sport.

The drafting of the National Sports Policy is almost at completion. I hope to submit the Policy for approval by the Government in the coming months. If approved, it will be published very shortly thereafter.

### **Rural Transport Programme Funding**

231. **Deputy Thomas Pringle** asked the Minister for Transport, Tourism and Sport the amount of grant aid provided to the private company providing a service (details supplied) in County Donegal; and if he will make a statement on the matter. [48641/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** My Department provides funding for the Rural Transport Programme (RTP) to the National Transport Authority (NTA) which has national responsibility for integrated local and rural transport, including management of the RTP which now operates under the "Local Link" brand.

In light of the NTA's responsibilities in this matter, I have referred your question to the NTA for direct reply to you. Please advise my private office if you do not receive a response within 10 working days.

### **Disabled Drivers and Passengers Scheme**

232. **Deputy Brendan Ryan** asked the Minister for Transport, Tourism and Sport if an application for the disabled drivers and disabled passengers scheme by a person (details supplied) will be expedited; and if he will make a statement on the matter. [48680/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The scheme referred to by the Deputy is run by the Revenue Commissioners in the form of tax relief on vehicles. A previous Parliamentary Question on this matter was answered by the Minister for Finance on the 7 November (PQ 46556 refers). The Drivers/Passengers with Disabilities Scheme is not under the remit of my Department.

### Commencement of Legislation

233. **Deputy Joe Carey** asked the Minister for Children and Youth Affairs the status of the Adoption (Amendment) Bill 2016; and if she will make a statement on the matter. [48469/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Adoption (Amendment) Act 2017, other than Section 24(1)(a) was commenced on the 19th of October 2017. Section 24(1)(a) which will come in to operation on the 1st February 2018, provides that before making an application for a child to be adopted because of parental failure, Tusla – the Child and Family Agency must be satisfied that every reasonable effort has been made to support the parents of the child in question.

### Rape Crisis Network Funding

234. **Deputy Róisín Shortall** asked the Minister for Children and Youth Affairs if her attention has been drawn to the significant increase in waiting times for counselling appointments at rape crisis centres; the way in which she plans to respond to this increased demand for services; and if she will make a statement on the matter. [48539/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Tusla, the Child and Family Agency, has statutory responsibility for the care and protection of victims of domestic, sexual and gender based violence whether in the context of the family or otherwise. At all times, Tusla's key priority is to ensure that the needs of victims of sexual and domestic violence are being met in the best way possible.

In 2017, my Department provided Tusla with €22.1 million in funding to support the provision of Domestic, Sexual and Gender Based Violence Services, an increase of €1.5 million over 2016 funding. Additional funding has been targeted at improving access to services including measures to address waiting times and enhancing outreach services to increase equity in access to services across the country. Funding of just under €4.27m has been allocated to organisations specifically providing services to sexual violence victims this year.

Rape crisis centres offer counselling and therapy to victims of sexual violence. Counselling services can experience increase in demand from time to time, creating longer waiting lists.

I am aware, in this regard, that particular pressures were being experienced in the Dublin area. In order to alleviate pressures, Tusla provided additional funding of €44,000 in 2017 to put Dublin Rape Crisis Centre's core services on a more sustainable footing and to resource additional counselling hours to reduce waiting lists and waiting times for services. Tusla was informed that the waiting list situation had improved as a result of the additional counselling resources provided.

Arising from Budget 2018, I will shortly be issuing Tusla with its Performance Statement for 2018 in line with the provisions of the Child and Family Agency Act, 2013. Tusla will, in response to the Performance Statement, prepare a Business Plan for 2018 which will be submit-

ted to me for consideration.

The precise level of funding to be allocated to Rape Crisis Centres will be considered by Tusla, in preparing its Business Plan, having regard to the overall level of funding available in 2018, which will exceed €753m.

### Gender Balance

235. **Deputy Mary Lou McDonald** asked the Minister for Children and Youth Affairs the gender balance on each of the State boards under her remit in tabular form. [48558/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I am responsible for the appointment of members to the boards of the Adoption Authority of Ireland, the Child and Family Agency (Tusla), Gaisce (the President's Award) and the Board of Management for Oberstown Children Detention Campus.

The following table sets out the information requested by the Deputy.

State Board	Number of positions on each Board	Positions Currently Filled	Number of Women on Board	Percentage of Women on Board
Adoption Authority of Ireland (AAI)	7	7	4	57%
Gaisce	15	15	8	53%
Oberstown Children Detention Campus	13	13	5	38%
Child and Family Agency (Tusla)	9	9	4	44%

### Dog Breeding Industry

236. **Deputy Tom Neville** asked the Minister for Rural and Community Development when the dog breeding establishment guideline review will be completed; and if he will make a statement on the matter. [48457/17]

**Minister for Rural and Community Development (Deputy Michael Ring):** The regulation of Dog Breeding Establishments (DBE) is a matter for each local authority in whose functional area the establishment is located. The local authority is required to maintain a register of dog breeding establishments in its functional area, which must include details of applicants for inclusion on the register and the maximum number of breeding bitches that may be kept at the relevant establishment.

The Dog Breeding Establishment Act 2010 provides a robust regulatory framework for, inter alia, the licensing, monitoring and inspection of dog breeding establishments by LAs and, where a serious and immediate threat exists to public health or animal health and welfare, for the closure of such establishments.

The then Department of Housing, Planning, Community and Local Government agreed to



begin a process of review of the current Dog Breeding Establishment Guidelines in late 2015. In 2016, the review was broadened to a more formal public consultation, both for quality assurance and to address the need for openness and inclusiveness. A wide-scale formal public consultative process commenced on 1 December 2016 and closed on 28 February 2017.

Responsibility for the Dog Breeding Establishments Act transferred to my Department in July 2017. My Department has completed its review of the feedback and data received through the consultation process and the findings will be submitted shortly to the Minister with delegated responsibility for the matter, Minister of State, Sean Kyne, T.D.

### Library Services Funding

237. **Deputy Brendan Howlin** asked the Minister for Rural and Community Development the libraries that will benefit from the €3.75 million investment announced on 9 November 2017; the amount provided to each library; the purpose for each grant award, in tabular form; and if he will make a statement on the matter. [48475/17]

238. **Deputy Brendan Howlin** asked the Minister for Rural and Community Development the libraries that have benefitted from the €2.7 million investment provided to date in 2017; the amount provided to each library; the purpose for each grant award, in tabular form; and if he will make a statement on the matter. [48476/17]

**Minister for Rural and Community Development (Deputy Michael Ring):** I propose to take Questions Nos. 237 and 238 together.

In 2016, my Department launched a new Libraries Capital Investment Programme for the period 2016-2021. The programme was developed on the basis of priority proposals submitted by local authorities and will invest some €22m in infrastructural projects, mobile libraries and the introduction of the My Open Library service.

Some €2.75m has been allocated in 2017 for projects on the Capital Programme. Details of these projects, their respective allocations and those expected to drawdown funding in 2017 are set out in table 1.

#### Libraries Capital Investment Programme 2016-2021

Projects for 2017 drawdown are noted with \*

Local Authority	Library Project	Dept. Allocation
Open Libraries	20 pilot libraries	€2.3m
Dublin City	Kevin Street *	€1m
Kildare	Athy*	€1.65m
Laois	Portlaoise	€1.65m
Wicklow	Wicklow Town*	€1m
Sth. Co. Dublin	North Clondalkin	€1m
Tipperary	Carrick-on-Suir*	€0.15m
Clare	Ennis	€3m
Offaly	Edenderry	€1.7m
Cavan	Virginia	€0.85m
Kilkenny	Kilkenny City	€2.45m
Monaghan	Monaghan Town	€1m

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Local Authority	Library Project	Dept. Allocation
Mayo	Westport	€1.1m
Limerick	Limerick City	€2m
Longford	Edgeworthstown	€1.25m
Tipperary	Schools Mobile Library	€0.1m
Wexford	Mobile Library*	€0.25m
Kerry	Mobile Library*	€0.25m
Total		€22.7

Last week my Department announced additional capital funding of €3.75m for investment in the library service in 2017. This will be matched by €1.25m from local authorities bringing the total additional investment to almost €5m. This funding will support the purchase and installation of self-service technology across the library network; book-stock to promote literacy for children under the Right to Read Programme; and hot-desk facilities for business people and job seekers under the Work Matters Programme.

My Department does not have the details of the branches that will benefit from this funding. This matter is left to the discretion of local authorities in accordance with the powers vested in them as library authorities under s.78 of the Local Government Act 2001. However, details of the global amounts approved for each local authority are set out in table 2.

Library Authority	DRCD Funding	LA Contribution	Total Investment
Carlow	€67,940	€22,647	€90,587
Cavan	€64,272	€21,425	€85,697
Clare	€31,320	€10,440	€41,760
Cork City	€165,276	€55,092	€220,368
Cork County	€54,092	€18,030	€72,122
Donegal	€172,762	€57,588	€230,350
Dublin City	€105,416	€35,139	€140,555
Dun Laoghaire-Rathdown	€75,600	€25,200	€100,800
Fingal	€106,079	€35,359	€141,438
Galway	€126,028	€42,010	€168,038
Kerry	€266,750	€88,917	€355,667
Kildare	€179,500	€59,833	€239,333
Kilkenny	€126,582	€42,194	€168,776
Laois	€119,477	€39,826	€159,303
Leitrim	€78,707	€26,236	€104,943
Limerick	€147,588	€49,197	€196,785
Longford	€100,096	€33,366	€133,462
Louth	€64,645	€21,549	€86,194
Mayo	€90,925	€30,308	€121,233
Meath	€206,644	€68,881	€275,525
Monaghan	€55,350	€18,450	€73,800
Offaly	€106,260	€35,420	€141,680
Roscommon	€51,445	€17,148	€68,593
Sligo	€91,783	€30,595	€122,378
South County Dublin	€161,125	€53,708	€214,833
Tipperary	€209,646	€69,882	€279,528

Library Authority	DRCD Funding	LA Contribution	Total Investment
Waterford	€258,427	€86,142	€344,569
Westmeath	€135,486	€45,162	€180,648
Wexford	€201,193	€67,064	€268,257
Wicklow	€121,136	€40,379	€161,515
Total Investment	€3,741,550	€1,247,187	€4,988,737

### Gender Balance

239. **Deputy Mary Lou McDonald** asked the Minister for Rural and Community Development the gender balance on each of the State boards under his remit, in tabular form. [48570/17]

**Minister for Rural and Community Development (Deputy Michael Ring):** The Minister for Rural and Community Development has the following bodies under his remit, with the ensuing breakdowns by gender:

Name	Total Membership	Female	Male
Pobal	17	9	8
Irish Water Safety	13	5	8
Charities Regulator	14	6	8
Western Development Commission	11	4	7

### Inland Waterways Development

240. **Deputy Catherine Murphy** asked the Minister for Rural and Community Development his plans to develop the canal system in a manner similar to the Wild Atlantic Way and or the Waterford greenway project; and if he will make a statement on the matter. [48642/17]

**Minister for Rural and Community Development (Deputy Michael Ring):** Waterways Ireland, which comes under the remit of the Department of Culture, Heritage and the Gaeltacht is responsible for the development of several of the country's main canals, including their development from an amenity perspective. The Department of Transport, Tourism and Sport has overall responsibility for the development of Greenways, such as the Waterford Greenway.

Nonetheless, my Department implements a number of funding streams which have provided support for the development of outdoor recreation infrastructure linked to canals and greenways across the country. An example of this is the Royal Canal Waymarked Way in Longford, which was approved for €350,000 in funding under the Rural Recreation Infrastructure Scheme in 2017. This particular project is a collaborate effort between Longford County Council, Waterways Ireland and the Ballymahon Royal Canal Amenities Group, with the aim of improving the canal as a recreation amenity between Longford Bridge at Ballymahon and Cloonbreany Bridge, a section totalling 6.1Km in length.

Further canal and greenway related projects may also be eligible for funding under future rounds of schemes operated by my Department, such as the Rural Recreation Infrastructure Scheme and the Town and Village Renewal Scheme.

### National Minimum Wage

241. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Employment Affairs and Social Protection the number of persons who are paid below the national minimum wage of €9.25 due to the exceptions for an employee in the first year after the date of first employment over 18 years of age and the second year after the date of first employment over 18 years of age; and if she will make a statement on the matter. [48553/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** According to the latest data available from the Central Statistics Office an average of 22,500 people are paid below the National Minimum Wage. Of these, 5,800 (0.3% of all employees) report being paid below the minimum wage, due to being on an age-related rate. In terms of employees being paid less than the National Minimum Wage due to being in a first job over the age of 18 the numbers in this category returned in the CSO QNHS were too small for an accurate figure to be drawn.

The Low Pay Commission has been asked to examine the appropriateness of the current sub-minima rates of the National Minimum Wage. I expect to receive the Commission's report and recommendations on what changes, if any, should be made to the rates, before the end of the year.

### **Public Services Card Data**

242. **Deputy Catherine Murphy** asked the Minister for Employment Affairs and Social Protection further to Parliamentary Question No. 1218 of 7 November 2017, the way in which a person can register and verify a MyGov account if they do not have a phone number or mobile phone device and or a tablet device; and if she will make a statement on the matter. [48449/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** A MyGovID account is a secure online account for accessing public services. The process for registering and using a verified MyGovID account proves in the online environment that the person has had their identity verified to the SAFE 2 standard. As part of the application of the SAFE 2 standard in the online environment, my Department seeks to ensure that a person's MyGovID account is not used by another person. This is vital to ensure that a personal data is only made available to the correct person and that data protection requirements are satisfied. This is done by employing two-factor authentication each time the person uses the account. Two-factor authentication is an industry standard mechanism for authenticating users of high-value online services. This means that, in addition to requesting a username and password (things they know), a one-time verification code is sent to the person's verified mobile phone (something they have) which they must also provide when logging in. As they are constantly changed, dynamically generated verification codes like this are safer to use than fixed (static) log-in information. In addition, a limit on the number of incorrect entries is applied to reduce the risk of attacks by unauthorised persons. The advantage of using a mobile phone as the second factor is that there is no need for an additional, dedicated token, as users tend to carry their mobile devices with them.

Accordingly, at present, if a person does not have access to a mobile phone, then they cannot obtain a verified MyGovID account, and may not avail of online access to high-value public services.

I hope this clarifies the matter for the Deputy.

### **State Pension (Contributory) Applications**

243. **Deputy Sean Sherlock** asked the Minister for Employment Affairs and Social Protection the reason a person (details supplied) in County Kildare is not in receipt of a full State pension. [48452/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The person concerned is in receipt of a reduced rate state pension (contributory) based on an assessed yearly average of 37 contributions, covering the period from November 1966 to December 2015.

According to the records of my Department, the person has a social insurance record of 1850 reckonable contributions and credits. The person concerned is in receipt of the correct rate of contributory pension based on this social insurance record.

The person has no recorded contributions for the tax years 1974/75 to 1983/84, and for 2008, which impacts on the person's overall yearly average and, consequently, on their rate of weekly pension entitlement. If the person concerned considers they have additional unrecorded contributions or credits, it is open to them to forward documentary evidence of missing periods of employment and my Department will review their pension entitlement.

Similarly, if the person has previously un-notified home-making periods from 6th April 1994 spent out of the workforce caring for a child under the age of 12, or incapacitated person(s), the person should provide those details to my Department.

I hope this clarifies the matter for the Deputy.

### **JobPath Programme**

244. **Deputy Catherine Murphy** asked the Minister for Employment Affairs and Social Protection the procedures a company (details supplied) has in place regarding redeployment of its own staff based here and or in making staff redundant; and if she will make a statement on the matter. [48465/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** JobPath providers deliver the JobPath employment activation service under contract to my Department. The providers are independent contractors and are contractually obliged to provide the service in compliance with all aspects of Irish law.

Accordingly, Seetec is responsible for compliance with all the statutory requirements to be satisfied as an employer with regards to its own employees. As such any decisions in relation to redeployment or redundancy arrangements for employees are entirely a matter for Seetec.

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

245. **Deputy Michael Healy-Rae** asked the Minister for Employment Affairs and Social Protection the status of a carer's allowance application by a person (details supplied); and if she will make a statement on the matter. [48489/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I confirm that my department received an application for carer's allowance from the person concerned on 28 April 2017.

Additional information was requested on 22 June 2017. Following receipt of this informa-

tion it was determined that the matter should be referred to a local social welfare inspector (SWI) to assess the level of care being provided, assess means and confirm that all the conditions for receipt of carer's allowance are satisfied.

The inspector interviewed the person concerned and requested additional documentation from her on 8 November 2017. Once this is received and the SWI has reported, a decision will be made and she will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

### **One-Parent Family Payment Data**

246. **Deputy John Brady** asked the Minister for Employment Affairs and Social Protection the number of lone parents in receipt of the one-parent family payment that are receiving child maintenance payments. [48493/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** As of October 2017, there were 39,303 people in receipt of the One-parent Family Payment (OFP).

The Department's records show that 20,713 (or 53%) of these recipients are in receipt of child maintenance payments.

### **Carer's Allowance Appeals**

247. **Deputy Sean Sherlock** asked the Minister for Employment Affairs and Social Protection the status of an application for carer's allowance by a person (details supplied). [48518/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 5 October 2017 who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

I hope this clarifies the matter for the Deputy.

### **Gender Balance**

248. **Deputy Mary Lou McDonald** asked the Minister for Employment Affairs and Social Protection the gender balance on each of the State boards under her remit in tabular form. [48563/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The statutory bodies operating under the aegis of my Department are the Citizens Information Board, the Pensions Authority, the Pensions Council, the Pensions Ombudsman (which does not have a board), the Social Welfare Tribunal and the Low Pay Commission.

The information requested by the Deputy is set out in the following table:

Name of Board or Agency	No. of Board Members who are men	No. of Board Members who are women	Total No. of Board Members
Citizens Information Board	8	7	15
Pensions Authority	2	1	3
Pensions Council	6	6	12
Social Welfare Tribunal	3	2	5
Low Pay Commission	5	4	9

### Pension Provisions

249. **Deputy John Brady** asked the Minister for Employment Affairs and Social Protection the number of persons in receipt of a supplementary pension payment by age and gender; and if she will make a statement on the matter. [48638/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Certain civil servants are members of a defined benefit pension scheme which is co-ordinated with the State Pension scheme.

A supplementary pension is an additional amount of occupational pension that may be paid to a Civil Servant whose occupational pension entitlement is co-ordinated with the State Pension. The purpose of this payment is to ensure that retired people receive the full amount of pension due to them on retirement.

Supplementary pension may be payable to a retired Civil Servant who through no fault of their own fails to qualify for any Social Insurance payment or who qualifies for a reduced payment. It represents the difference between the total of the pension/benefit entitlement of a person and the pension that would be payable if the occupational pension was not co-ordinated with the State Pension.

There are 7 retired staff members from my Department (2 males and 5 females) who are in receipt of Supplementary Pensions. There are two 61 year olds, one 62 year old, two 63 year olds, one 64 year old and one 65 year old.

### Pensions Legislation

250. **Deputy Clare Daly** asked the Minister for Employment Affairs and Social Protection the arrangements which exist in the case of pension scheme wind-ups which mandate the purchase of expensive annuities when members would prefer choice, for example an approved retirement fund. [48640/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Scheme trustees have duties and responsibilities under trust law, under other relevant legislation and under the Pensions Act, 1990, as amended. The duties of pension scheme trustees include administering the trust in accordance with the law and the terms of the trust deed and rules. Consequently any decisions made by corporate or individual trustees of an occupational pension scheme are governed by the relevant legislation. Scheme trustees must always act in the best interests of scheme members.

Usually the options available to members for taking benefits will be set out in the trust rules. In some cases, the benefit structure may be inflexible, leaving the member little or no choice as

to the form which his or her benefits will take.

Section 48 of the Pensions Act 1990 sets out the priorities on winding up a scheme. It sets out the order in which the liabilities must be discharged and also how they may be discharged for members.

When a scheme winds up, section 48(3)(b) provides that, notwithstanding the rules of the scheme, the trustees may discharge the liability for benefits payable for any member by one of the following –

1. Transfer the benefits of each member into a new pension scheme;
2. Purchase of an approved assurance policy with a company or insurance agency that sells life insurance;
3. Transfer the benefits into another arrangement for the provision of retirement benefits (e.g. PRSA).

The Taxes Consolidation Act sets out the circumstances in which retirement benefit schemes are to be approved by the Revenue Commissioners for tax purposes. Section 772 sets out conditions for approval of schemes and allows for flexible options on retirement – the Approved Retirement Fund (ARF) option. I understand that the ARF option does not generally apply to Defined Benefit schemes, subject to certain exceptions. Legislation in relation to ARFs is a matter for the Department of Finance.

I hope this clarifies the matter for the Deputy.

### **Rent Supplement Scheme Payments**

251. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the reason rent support has not been paid in the case of a person (details supplied); and if she will make a statement on the matter. [48658/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The rent supplement claim for the customer concerned has been in payment since September 2013 and all payments are up to date.

I trust this clarifies the matter for the Deputy.

### **Housing Assistance Payment Eligibility**

252. **Deputy Paul Murphy** asked the Minister for Housing, Planning and Local Government his plans to review policy to allow flexibility for persons marginally over the income limits on eligibility to HAP to avail of the scheme; and if he will make a statement on the matter. [48471/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The Housing Assistance Payment (HAP) is a flexible and immediate housing support that is available to all eligible households throughout the State. Under the HAP scheme, eligible households source their own accommodation in the private rented sector, which best suits their needs in their area of choice. To be eligible for HAP, a household must have been assessed for social housing support by their relevant local authority and have been placed on that local authorities



record of qualified households. Once a household has been deemed eligible for social housing support, it is a matter for the local authority to examine the range of social housing supports available, including the HAP scheme, to determine the most appropriate form of social housing support for that household.

The Social Housing Assessment Regulations 2011 prescribe maximum net income limits for each housing authority, in different bands according to the area, with income being defined and assessed according to a standard Household Means Policy.

The income bands and the authority area assigned to each band were based on an assessment of the income needed to provide for a household's basic needs, plus a comparative analysis of the local rental cost of housing accommodation across the country. The limits also reflect a blanket increase of €5,000 introduced prior to the new system coming into operation, in order to broaden the base from which social housing tenants are drawn and thereby promote sustainable communities.

Given the cost to the State of providing social housing, it is considered prudent and fair to direct resources to those most in need of social housing support. The current income eligibility requirements generally achieve this, providing for a fair and equitable system of identifying those households facing the greatest challenge in meeting their accommodation needs from their own resources.

As part of the broader social housing reform agenda, a review of the income eligibility limits for social housing supports has commenced. I would expect the results of this review to be available for publication in 2018.

### **Local Authority Housing Maintenance**

253. **Deputy John Brady** asked the Minister for Housing, Planning and Local Government the number of local authority units without either gas or oil central heating installed, by county; and if he will make a statement on the matter. [48499/17]

254. **Deputy John Brady** asked the Minister for Housing, Planning and Local Government his plans to install central heating in all local authority units; and if he will make a statement on the matter. [48500/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 253 and 254 together.

I refer to my reply to Question No. 522 of 14 November 2017. While my Department does not hold this information in respect of local authority houses, central heating systems have been provided in all new local authority dwellings as a matter of course since 1994. In addition, the extensive central heating upgrade programme in social housing over the years 2004 to 2009, saw the installation of central heating and associated energy efficiency measures, in 27,750 such dwellings, at a cost to the exchequer of €140 million.

As you will be aware, my Department is currently supporting an ambitious programme of insulation retrofitting, with some €107 million in funding being provided from 2013 to end-2016. While this programme is being implemented in a number of phases, heating upgrades will be considered in future phases of the Programme.

In the meanwhile, if a local authority identifies a tenanted dwelling which requires a specific and urgent energy efficiency upgrade, especially in those dwellings which accommodate el-

derly people and people with disabilities, then a special case should be made to my Department to have these works funded.

### **Foreshore Licence Applications**

255. **Deputy Tony McLoughlin** asked the Minister for Housing, Planning and Local Government the status of a foreshore licence application (details supplied); if he has given consideration to no annual foreshore charge for Sligo, in view of the fact that there is no charge in counties Galway and Mayo; and if he will make a statement on the matter. [48543/17]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** On 8 November 2017 the licence applicants concerned were asked to supply further information regarding navigational safety and other matters. This further information is awaited.

With regard to the annual charge, unless the appropriate Minister is of the opinion that a licence should, in the public interest be granted free of payment, the Foreshore Act 1933, as amended, requires that a licence granted, is granted subject to a licence fee. Under the Foreshore Act, this licence fee may take a number of forms. When making a final decision on this application the appropriate fee will also be determined.

### **Local Authority Housing Funding**

256. **Deputy Brendan Smith** asked the Minister for Housing, Planning and Local Government the capital funding to be provided to Cavan County Council for housing in 2018; and if he will make a statement on the matter. [48549/17]

257. **Deputy Brendan Smith** asked the Minister for Housing, Planning and Local Government the capital funding to be provided to Monaghan county council for housing in 2018; and if he will make a statement on the matter. [48550/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 256 and 257 together.

Nationally, funding of €1.9bn is available for social housing delivery in 2018. This is an increase of 46% over the funding of €1.3 billion available in 2017.

There is no precise amount of capital funding notified to individual local authorities for the delivery of housing in a particular year. Authorities can avail of the funding provided through my Department's social housing capital investment programme to deliver new social housing through both new constructions projects and the acquisition of new and previously owned houses/apartments.

Proposals for new social housing schemes are developed and bought forward by the local authorities and the drawdown of funding is directly linked to the advancement of delivery.

Rebuilding Ireland (the Government's plan to tackle housing and homelessness) aims to provide 50,000 additional social housing homes in the period 2016-2021 and, overall, funding of €6 billion is available to support this. Targets for delivery will be notified to individual authorities shortly and my Department will then engage with each authority in relation to the mix of delivery mechanisms to be used to ensure that targets are reached.

## Gender Balance

258. **Deputy Mary Lou McDonald** asked the Minister for Housing, Planning and Local Government the gender balance on each of the State boards under his remit in tabular form. [48567/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The information sought is provided in the following table.

In the case of certain appointments to State Boards, statutory selection procedures must be followed or nominations must be sought from independent nominating panels before appointments are made by the Minister or the Government, as appropriate. In addition, in the case of a number of Boards, not all of the appointments to the body concerned are made by the Minister, and in some situations appointments are made by the Minister with the consent of another Minister. Furthermore, appointments to An Bord Pleanála are of a full-time executive nature and are governed by statutory processes.

A “unitary board structure” is in place for Ervia and its subsidiaries, Irish Water and Gas Networks Ireland. An overarching non-executive board has overall responsibility and accountability for the performance of the Ervia Group. The Boards of the two principal Ervia subsidiaries, Irish Water and Gas Networks Ireland, are executive-only boards.

AGENCY	FEMALE	MALE
An Bord Pleanála	3	6
Ervia	2	9
Gas Networks Ireland	0	5
Housing Finance Agency	6	6
Housing and Sustainable Communities Agency	2	6
Irish Water	0	4
Local Government Management Agency	1	10
National Oversight and Audit Commission	5	5
National Traveller Accommodation Consultative Committee	5	7
Pyrite Resolution Board	1	4
Residential Tenancies Board	3	9

## Foreshore Issues

259. **Deputy Fergus O’Dowd** asked the Minister for Housing, Planning and Local Government if an application was received to remove large amounts of sand from the area of the River Boyne adjacent to a club (detail supplied) in County Louth. [48676/17]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** In April 2013 Drogheda Port Company was granted a licence, under Section 3 of the Foreshore Act 1933 (as amended), to carry out maintenance dredging within the River Boyne estuary and seaward approaches and to beneficially re-use up to 60,000m<sup>3</sup> of dredge spoil per annum.

This licence has a term of eight years expiring on 9 April 2021.

### **Gender Balance**

260. **Deputy Mary Lou McDonald** asked the Taoiseach and Minister for Defence the gender balance on each of the State boards under his remit in tabular form. [48561/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The only state body currently under the aegis of the Department of Defence is the Army Pensions Board. The Army Pensions Board is an independent statutory body established under the Army Pensions Act 1927. The Act specified that the Board shall consist of a chairman and two ordinary members. The two ordinary members should be qualified medical practitioners of whom one must be an officer of the Army Medical Corps. The chairman and the non-military ordinary member are appointed by the Minister for Defence with the concurrence of the Minister for Public Expenditure and Reform. The non-military ordinary member is female which is one third of the Board. The Army Medical Corps ordinary member is appointed by the Minister for Defence on the recommendation of the Chief of Staff of the Defence Forces.