

## 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 17, inclusive, answered orally.*

### European Council Meetings

18. **Deputy Richard Boyd Barrett** asked the Taoiseach the issues he is planning to raise at the next European Council meeting. [50598/17]

**Taoiseach (Deputy Leo Varadkar):** I will attend the European Council in Brussels on 14 and 15 December.

The draft agenda for the main meeting consists of security and defence - including Permanent Structured Cooperation (PESCO) - and social, educational and cultural matters - where we expect a report on the recent Gothenburg Social Summit, and the proclamation of the European Pillar of Social Rights. Foreign policy issues might also be raised.

President Tusk will also chair further discussions on the Future of Europe as part of his 'Leaders' Agenda', with the focus this time on migration.

We will also discuss the future of EMU in a meeting of the Euro Summit on 15 December in an inclusive format, with all 27 remaining Member States.

Ireland is very supportive of President Tusk's efforts to drive forward the debate on the Future of Europe, and I look forward to a constructive exchange of views.

The European Council will also meet in Article 50 format, on 15 December, to consider progress in the Brexit negotiations.

*Questions Nos. 19 to 30, inclusive, resubmitted.*

### Strategic Communications Unit

31. **Deputy James Lawless** asked the Taoiseach the process by which the strategic communications unit identifies items for publication and promotion; if all Departments and State agencies are potentially eligible; and if news must be positive to achieve coverage [51699/17]

**The Taoiseach:** To date the Cabinet has approved the Strategic Communications Unit in my Department to work on the following campaigns in the coming months:

The 10 Year Capital Plan, Brexit, National Children's Hospital, Healthy Ireland, Creative

Ireland, Global Ireland and Rural Ireland. Further campaigns will be added to this list in due course.

All Government Departments and State agencies are potentially eligible to be included. The Unit's work on campaigns is informed by major Government initiatives that impact on the lives of our citizens, its focus is to streamline communications by working with other departments to deliver on these major cross Government campaigns. It will help to ensure clear simple citizen centred communications, so that it is evident when the Government of Ireland is communicating or delivering a service. This will lead to more coordinated and cost effective communications that will generate efficiencies and increased value for money.

*Questions Nos. 31 to 41, inclusive, resubmitted.*

*Questions Nos. 42 to 52, inclusive, answered orally.*

### **Naval Service Vessels**

53. **Deputy Catherine Connolly** asked the Taoiseach and Minister for Defence the business case put forward in favour of the purchase by the Naval Service of three new ships, with a fourth ship on order at a cost of approximately €500,000,000 as against the refurbishment of LÉ Emer, LÉ Deirdre and LÉ Aisling; and if he will make a statement on the matter. [52905/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The White Paper on Defence underpins the ongoing replacement of the Naval Service fleet. In this regard, in the absence of a mid-life upgrade, naval vessels have a planned life expectancy of 20 to 25 years. The three ships most recently decommissioned by the Naval Service were LÉ Emer, commissioned in 1978, LÉ Aoife, commissioned in 1979 and LÉ Aisling, commissioned in 1980. Extensive engineering surveys and analyses were carried out by the Naval Service on these vessels given their age and service history prior to decommissioning.

There is a programme of continuous planned and preventative maintenance to ensure that all Naval Service vessels are kept in a seaworthy condition. The Naval Service will only send ships to sea when they are satisfied the ships are in a seaworthy and safe condition. The older ships are monitored through increased inspections and maintenance of hull strength, fatigue life and machinery condition based on actual service history. All factors such as condition of the hull structure, condition and maintenance/failure history of machinery, electrical and piping systems and operating profile and environments are evaluated to determine fatigue lives of critical structural components.

The most significant investment of recent years by the Defence Organisation has been on the procurement of the new Off-Shore Patrol Vessels for the Naval Service. This programme has seen the delivery of three new Naval Service vessels in the past 3 years. The LÉ Samuel Beckett was commissioned in May 2014, LÉ James Joyce was commissioned in September 2015 and LÉ William Butler Yeats was commissioned into service in October 2016.

In June 2016, a contract for an additional sister ship was placed with Babcock International, a British company, bringing investment in the new ships programme to some €250 million since 2010. The fourth ship, to be named LÉ George Bernard Shaw is scheduled for delivery in mid-2018.

The acquisition of these modern new vessels, combined with an ongoing maintenance regime for all vessels within the fleet, and the continuous process of refurbishment, refit and repair, will ensure that the operational capabilities of the Naval Service, as the State's principal

seagoing agency, are maintained to the greatest extent.

In addition to acquisitions, it is normal practice in a ship's life to carry out a mid-life refurbishment programme so as to extend the useful life of a ship to thirty or more years. In this regard, the Defence Organisation has commenced planning for a mid-life refurbishment programme for LÉ Roisin and LÉ Niamh. This structured mid-life refurbishment programme will future proof the vessels, allow for preventative maintenance and address obsolescence of equipment through capitalising on advancements in technology, thus ensuring reliability of the vessels for the next 15 years.

As it stands three ships in the current flotilla are over 30 years old (LÉ Eithne, LÉ Ciara and LÉ Orla). The White Paper provides for the replacement of the current Naval Service flagship LÉ Eithne with a multi role vessel (MRV) which will be enabled for helicopter operations and will also have a freight carrying capacity. Planning has commenced on this project and it is intended to hold a public tender competition in due course to cover the supply of the MRV. This, of course, is subject to the availability of funding within the overall Defence capital funding envelope. The cost of the MRV will only be known once the tender competition is concluded.

Future Naval Service capabilities are being planned as part of the White Paper project planning process which will determine the Defence Organisation's maritime capability requirements.

### **Defence Forces Retirements**

54. **Deputy Mick Wallace** asked the Taoiseach and Minister for Defence his views on the fact that 335 members of the Defence Forces have left voluntarily to date in 2017; if he has satisfied himself that the pay and conditions of the Defence Forces is acceptable; and if he will make a statement on the matter. [52966/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Given the unique and demanding nature of military life, there is understandably a relatively high level of turnover among Defence Forces personnel. However, this is not new and the Defence Forces have always had a level of turnover that far exceeds other areas of the public service.

Voluntary exit interviews of personnel of all ranks conducted by the Defence Forces indicate that the reasons for leaving range from economic factors to family circumstances, lifestyle and a desire for a change of career.

I remain committed to ensuring ongoing recruitment to the Defence Forces and that, where possible, the terms and conditions of service are as favourable as they can be within the current budgetary parameters.

In order to balance personnel turnover there is significant ongoing recruitment at both enlisted and officer level and it is anticipated that approximately 800 new personnel will have been inducted into the Permanent Defence Force during 2017. This includes general service recruits, apprentices, cadets and direct entry officers.

A range of recruitment methods are being employed including direct entry competitions for specialist positions and the scope to further expand direct entry is being considered.

In terms of pay, following PDFORRA'S acceptance of the terms of the Lansdowne Road Agreement earlier this year, adjustments have been applied to salary scales with the focus on the lower paid. In particular general service recruits and privates who joined the Defence For-

es since 2013, have seen in some instances a combined increases in pay and military service allowance of more than €5,000 per year.

The Public Service Stability Agreement 2018-2020 , also provides for further pay increases ranging from 6.2% to 7.4% over the lifetime of the agreement.

The proposals in the agreement have been presented for consideration to the Permanent Defence Force Representative Associations who participated in the negotiation process. They are subject to ballot by members of the Associations.

It should be noted that the remarks relating to levels of pay contained within the focus group report compiled by the University of Limerick, predate a number of measures which have been taken this year to increase the pay of Permanent Defence Force personnel.

Whilst pay for the lowest paid members of the Defence Forces was highlighted as an issue, there were a broad range of HR matters raised. I am satisfied that these are being addressed.

I have announced a number of initiatives ranging from a review of the C&A Scheme, a review of the criteria governing Contracts for enlisted personnel and a comprehensive skills gap analysis across the Defence Forces. These directly address issues raised in the Climate Study. In addition the Chief of Staff is actively addressing matters relating to military management of work practices in the Defence Forces.

With the support of the Chief of Staff and within the resources available, the Government is committed to retaining the capacity of the Defence Forces to operate effectively across all roles and to undertake the tasks laid down by Government both at home and abroad.

### **Defence Forces Remuneration**

55. **Deputy Martin Heydon** asked the Taoiseach and Minister for Defence the work ongoing within his Department on the proposed review of allowances for Defence Forces personnel under the conciliation and arbitration agreement; the timeframe for the review; the purpose of the review; and if he will make a statement on the matter. [52921/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Conciliation and Arbitration scheme for members of the Permanent Defence Force provides a formal mechanism for the Permanent Defence Force Representative Associations, that is PDFORRA and RACO, to engage with the Official side.

Having regard to commitments made under pay agreements, members of the Permanent Defence Force can make representations in relation to their pay and conditions of service through their representative bodies. Where agreement is not reached it is open to both official and representative sides to refer the matter to an adjudicator or an arbitration Board to settle the matter. Permanent Defence Force personnel have achieved significant benefits down the years through this process.

When appointed as Minister with responsibility for Defence, the Permanent Defence Force Representative Associations brought to my attention, the fact that the current Conciliation & Arbitration (C&A) scheme requires a fundamental review so that it can remain fit for purpose for the entire Defence Organisation.

The C&A scheme for members of the Permanent Defence Force has been in existence since the early 1990's and I agree that it is timely to review the scheme. In this regard, I announced

my intention previously to review the C&A Scheme for members of the Permanent Defence Force.

The review will be guided by an independent chairperson, who I will appoint shortly.

In advance of the commencement of the review, I arranged for draft terms of reference to be circulated to PDFORRA and RACO. During the course of recent meetings I had with the Permanent Defence Force representative associations, I requested that they revert to me with their comments on the draft terms of reference, which I would duly consider.

I have received the views of both associations and am considering their suggestions. As the draft terms of reference are not finalised, it would be premature to comment further at this time.

### **Legislative Programme**

56. **Deputy Mick Barry** asked the Taoiseach and Minister for Defence if his Department has prepared legislation to accord enhanced rights for PDFORRA and RACO in anticipation of the outcome of the European Committee on Social Rights case taken by EUROMIL; and if he will make a statement on the matter. [52916/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** A case was brought to the European Committee of Social Rights by EUROCCOP, on behalf of the Association of Garda Sergeants and Inspectors. EUROMIL, a European umbrella body for military associations, made a similar complaint to the Committee on behalf of PDFORRA about the lack of union rights for military Representative Associations in Ireland.

PDFORRA are claiming most of the same violations of the European Social Charter as AGSI. This includes:

- denial of the right to join the ICTU,
- alleged restricted access to pay talks, and
- the prohibition on the right to strike.

Detailed final submissions were lodged to the European Committee on Social Rights on 26 February 2016 setting out Ireland's position in the matter. We are now awaiting the outcome of the case.

This issue raises complex questions for Ireland from a legal, operational and management perspective. In this context, it is critically important that the Defence Forces are fully operational at all times. It must be emphasised that the taking of any form of industrial action is irreconcilable with military service.

It would be inappropriate for me to comment further until the process is complete.

It would also be premature at this stage to make arrangements for legislative changes in advance of the publication of the findings of the European Committee on Social Rights.

*Question No. 57 answered with Question No. 51.*

### **Defence Forces Medicinal Products**

58. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the action he has taken further to the Dáil Éireann motion prohibiting the use of Lariam as a drug of first choice for soldiers deployed overseas in areas in which exposure to malaria is a risk. [52874/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** As I stated in my reply to the Private Members' Motion, which was before the Dáil on 28 June, fundamentally the use of anti-malarial drugs is a medical matter that should be decided by qualified medical professionals. In the Defence Forces these are decisions for highly qualified Medical Officers having regard to the specific circumstances of the mission and the individual member of the Defence Forces.

As I have outlined previously, a Working Group has examined issues arising in relation to the use of Lariam. I have recently received its report and am considering same.

I would like to again remind the House that there is ongoing litigation in relation to this matter. The State Claims Agency manages claims on behalf of the Department of Defence and has confirmed that to date 58 claims have been made by members and former members of the Defence Forces who allege personal injury, as a result of their consumption of mefloquine (Lariam). You will therefore appreciate that I am constrained in my discussions on the matter.

I wish to assure the House that the health and welfare of the men and women of the Defence Forces is a high priority for me and for the Defence Forces .

*Question No. 59 answered with Question No. 48.*

### **Defence Forces Equipment**

60. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the Army, Naval Service and Air Corps continue to have available to them the equipment, training and personnel to meet all eventualities in which they may be called upon in emergency or other situations; if adequate updating, upgrading and upskilling takes place with regularity in all cases; and if he will make a statement on the matter. [52918/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** My priority as Minister with Responsibility for Defence is to ensure that the operational capability of the Army, Air Corps and Naval Service, is maintained to the greatest extent possible so as to enable the Defence Forces to carry out their roles as assigned by Government.

Within the Naval Service, examples of this include the acquisition of new ships under the ship replacement programme. Three ships have been delivered since 2014 and a fourth is due to be delivered by 2018.

The Government is currently investing in updating the Air Corps fleet of aircraft with the replacement of the existing five Cessna aircraft with larger and more capable fixed wing utility aircraft suitably equipped for ISTAR (Intelligence, Surveillance, Target Acquisition and Reconnaissance). Planning is also in progress to replace the CASA Maritime Patrol aircraft.

The Army's fleet of MOWAG Armoured Personnel Carriers mid-life upgrade will extend the utility of the fleet and provide greater levels of protection, mobility and firepower. Additionally, updated 4 x 4 Armoured Utility Vehicle are being acquired and it is planned to take delivery in 2018 of new armoured logistic vehicles. These measures will also enhance force protection overseas.



The examples given above, whilst not exhaustive, demonstrate my commitment to update and upgrade the Defence Forces equipment and capability, within the financial envelope available. As part of budgetary negotiations for 2017, additional capital funding was allocated bringing the capital envelope up to €416m over the 2018-2021 timeframe. This will allow for significant investment in equipment and infrastructure over the coming years .

The primary function of training and education in the Defence Forces is to develop and maintain the military capabilities necessary to fulfil the roles laid down by Government and to respond too future threats to the State's security.

The scheduling of training in the Defence Forces is underpinned by an analysis of training needed to meet operational output requirements and capability development needs. A long term strategy has been adopted with current planning horizons out to 2021.

In relation to Personnel, up to the end of October 2017 there have been 702 personnel inducted into the Defence Forces. This is an increase from the 416 inducted in 2015 and 690 in 2016. In 2016 more people were brought into the Defence Forces than left (690 in; 655 out). This reversed a long term trend of more people leaving than entering the Defence Forces. This has been possible because this Government significantly increased recruitment and it is expected that new entrants will again exceed exits in 2017.

I am satisfied that the Defence Forces have the necessary resources available to them, including a modern and effective range of equipment which is line with best international standards in order to fulfil all roles assigned to them by Government. This includes the provision of relevant assistance in response to emergency situations that may arise.

### **Departmental Reports**

61. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence if his attention has been drawn to the chemical exposure report 1994 to 2005 produced in 2014 by a person (details supplied); if a copy of that report was made available to the independent reviewer to allow them carry out a full assessment of the way in which the Air Corps dealt with recent whistleblowers' statements; if not, the reason therefor; and if its publication will be authorised. [52875/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I can confirm to the Deputy that my attention has been drawn to the Chemical Exposure Report 1994 to 2005. As I outlined to the Deputy in my reply to Parliamentary Question number 547 of 26 September 2017, the report was undertaken in the context of ongoing legal proceedings. As the report is subject to legal privilege, it was not appropriate to make it available to the independent reviewer. The material used for the purpose of the review by the independent reviewer is listed in an appendix to his report, which is available on my Department's website.

As the Chemical Exposure Report 1994 to 2005 is subject to legal privilege, it will not be published.

### **Permanent Structured Co-operation**

62. **Deputy Martin Heydon** asked the Taoiseach and Minister for Defence the benefits for Ireland of the decision to sign up for PESCO; the impact this will have for members of the Defence Forces in County Kildare and nationwide; and if he will make a statement on the matter.

[52920/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** As the Deputy is aware PESCO is a mechanism provided for in the Treaty of the European Union to enable participating member States to come together and, on a project by project basis, jointly develop military crisis management capabilities for use in support of the EU's Common Security and Defence Policy (CSDP) operations and missions in support of international peace and security.

Ireland is a strong proponent of the important role the EU can play in support of international peace and security and the UN. It is important therefore to remain fully engaged in all CSDP processes. Fully participating in these developments ensures that we have a voice and that we can influence the evolution of these initiatives.

Now that we are participating in PESCO the focus for Ireland will be on identifying key PESCO projects which enhance the capability and capacity of the Defence Forces to successfully undertake modern complex UN mandated missions, including CSDP operations and on supporting interoperability in this regard. Consideration is currently being given to the potential PESCO projects in which Ireland will participate. The work on elaborating the details of these project proposals and potential participants is currently ongoing at EU level and Ireland is playing its full part in those deliberations.

Participation in PESCO will therefore allow the men and women of our Defence Forces, from all across the country including Co. Kildare, to continue to gain access to the latest and best equipment and training. This will further enhance their capabilities for peacekeeping operations and above all help to ensure their security and safety when deployed on some of the most challenging UN mandated peace-keeping, peace enforcement and EU Training missions abroad.

When the Defence Forces deploy overseas our men and women never do so alone. We always work in close cooperation with other countries deployed on such operations. PESCO is also a means of enhancing interoperability with our future project partners, something that will be off huge benefit for our troops on future missions overseas.

### **Defence Forces**

63. **Deputy Brendan Ryan** asked the Taoiseach and Minister for Defence his views on strategies within the Defence Forces to combat mental health challenges of personnel; and if he will make a statement on the matter. [52903/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I can assure the Deputy that the health and welfare of the men and women of the Defence Forces is a high priority for me. The Defence Forces is fully aware of the importance of attention to mental health.

Mental health services are part of the range of medical and non-medical services provided so as to ensure that Defence Forces personnel are medically fit to undertake the duties assigned to them. Also, to treat any medical conditions arising which would inhibit their capacity to undertake such duties.

As a matter of policy, psychiatric and psychological services as well as the Personnel Support Service are available to members of the Permanent Defence Force. These cover the diagnosis and treatment of psychiatric or psychological disorders through to counselling and critical incident stress management.



The function of the Medical Corps of the Defence Forces is to provide medical services to serving members of the Defence Forces. Medical mental health services provided by the Medical Corps comprise of :

- a. Primary care services
- b. Clinical psychiatry (both internal and external)
- c. Clinical psychology services

Non-medical mental health services are provided by the Personnel Support Service (PSS) that acts as a secondary support to personnel. The PSS makes confidential services including critical incident stress management and psychosocial support available to all Defence Forces personnel. This is made available through its network of Barrack Personnel Support Service Officers and occupational social workers at formation, unit and barrack level. The PSS supports contingents before, during and after overseas deployments and its trained personnel are deployed in response to any significant operational incidents at home or overseas. The service is also available to the families of serving personnel.

As additional support, a confidential counselling service, provided by an independent service provider and funded by my Department, is available to all members of the Defence Forces. Defence Forces personnel can access this service by calling a free phone number. A counsellor is available to talk, provide information, discuss needs and advise on follow up counselling. Face-to-face counselling can then be provided to individuals if required. The service complements existing Defence Forces personnel support services.

The medical services available are kept under review.

*Question No. 64 answered with Question No. 51.*

### **Overseas Missions**

65. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence the status of Defence Forces activities as part of operation Sophia to date. [52737/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The EU Common Security and Defence Policy naval operation EUNAVFOR MED (Operation Sophia), against human smugglers and traffickers, is one element of a comprehensive approach to addressing the migration crisis in the South Central Mediterranean. Operation Sophia was launched in June 2015 as part of the EU's broader action to provide a comprehensive response to the global migration and refugee crisis and to encourage a democratic, stable and prosperous Libya. It specifically seeks to counter human trafficking and smuggling in the Southern Central Mediterranean by taking action against the criminal networks and disrupting the smugglers business model. The mission is also providing capacity building and training to the Libyan Coastguard and Navy and contributing to the implementation of UN Security Council Resolution No. 2292. This Resolution imposes an arms embargo on Libya in an effort to prevent the flow of illicit arms and related material into that country.

In July 2017, I secured Government and Dáil approval for the deployment of a contingent of the Permanent Defence Force to serve as part of Operation Sophia. L.É. Niamh and crew departed Haulbowline on 06 October 2017 and joined the EU naval mission. The specific tasks assigned to naval vessels by the Operation Sophia Force Commander, will depend on the operational requirements in the Mediterranean area at any given time. To date, the crew have been

tasked to respond to Safety of Life at Sea (Search and Rescue) events in the area of operation.

In accordance with the mandate for the mission, the Naval Service could be involved in surveillance and intelligence gathering operations, search and rescue operations and disposal of migrant boats and Force Protection Operations. A number of national caveats have been formally declared by Ireland and accepted by EU naval mission headquarters. In this regard, Ireland will only participate in those aspects of Operation Sophia which are authorised in accordance with UN Security Council Resolutions.

### **Permanent Structured Co-operation**

66. **Deputy Richard Boyd Barrett** asked the Taoiseach and Minister for Defence the details of commitments if Ireland signs up to the PESCO agreement in view of that agreement's requirement to regularly increase the defence budget in real terms and to increasing the share of expenditure allocated to defence, research and technology with a view to nearing the 2% of total defence spending collective benchmark; and if he will make a statement on the matter. [52967/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Following the completion of national requirements, Ireland yesterday joined the other 24 EU partners in collectively launching PESCO at the Foreign Affairs Council in Brussels

In relation to the target of 2% of total defence spending on defence research and technology, this is a collective benchmark and applies to the combined expenditure of all PESCO participating member States. The benchmarks do not apply individually to Member States. The collective benchmarks were agreed by Ministerial Steering Board of the European Defence Agency back in November 2007. Their inclusion in the PESCO Notification is therefore a restatement of existing commitments.

In terms of the implications of this for Ireland, as we do not have a domestic defence industrial sector, it is unlikely that we will be a significant contributor in relation to defence research and technology investment. That said there is some R&T investment in research in the area of dual use capabilities and within the framework of the EDA.

In relation to the commitment to regularly, increasing defence expenditure in real terms: as the Deputy will be aware, the allocations for defence for the period 2018 to 2020 announced in the budget, means that Ireland's Defence expenditure will increase in real terms over the coming three years. Beyond that we have given no commitment in actual expenditure terms.

Similar to most other member States the allocation of resources to different votes, is a matter for national parliaments. To that end, the notification clearly provides that the commitments will be implemented fully in accordance with the Treaty, its protocols and the constitutional provisions of the member states. This language was secured by Ireland, with the support of many other member States, to give appropriate recognition to the legal and constitutional requirements of the member States in allocating national resources and funding. The Notification also encompasses the Lisbon Treaty and its Protocols, including Ireland's protocol, as providing the context and framework for the implementation of the commitments.

As such the budgetary process and role of the Oireachtas remains intact and untouched.

### **Defence Forces Strength**

67. **Deputy Lisa Chambers** asked the Taoiseach and Minister for Defence his plans to bring forward new measures to bolster the retention of serving members of the Defence Forces; and if he will make a statement on the matter. [52896/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Given the unique and demanding nature of military life, there is, understandably, a relatively high turnover of personnel in the Defence Forces on an annual basis. A certain level of turnover is desirable as a human resource and organisational objective, in order to maintain an appropriate age profile across the Defence Forces and to retain an approach to regular revitalisation. However, it is also important to ensure that turnover is ultimately beneficial to the organisation.

In recent years the levels of departures have exceeded intakes and this has presented challenges in meeting the establishment strength of 9,500 personnel. To address vacancies, significant targeted recruitment has taken place in 2017 which resulted, to date, in 702 personnel being inducted comprising of General Service Recruits, Cadets and specialists for the Army, Air Corps and Naval Service. This figure is expected to reach approximately 800 by the end of 2017.

In addition to my commitment to maximising recruitment I am cognisant of factors that can influence retention of existing members of the Defence Forces. I remain dedicated to ensuring that the terms and conditions of service, while remaining appropriate to the needs of the organisation, are as favourable as they can be within the current budgetary parameters.

As the Deputy will be aware, there is an ongoing programme of HR development within the Defence Organisation. I have recently announced a number of initiatives ranging from a review of the C&A Scheme, a review of the criteria governing Contracts for enlisted personnel and a comprehensive skills gap analysis across the Defence Forces. These directly address issues raised in the Climate Study. In addition the Chief of Staff is actively addressing matters relating to military management of work practices in the Defence Forces.

Following sign up by the Defence Forces Representative Associations to the Lansdowne Road Agreement, members of the Permanent Defence Force have benefitted from pay increases. These post-dated the Climate Survey. I was particularly pleased with recent adjustments to salary scales for general service recruits and privates who joined the Defence Forces since 2013 (increases of between 8% and 24% depending on scale point). The Public Service Stability Agreement 2018 -2020 also provides for further pay increases ranging from 5.75% to 7.25% depending on the individual's current wage threshold and this is under consideration by RACO and PDFORRA.

The fact that further consideration by the Public Service Pay Commission of recruitment and retention issues is provided for under the Public Service Stability Agreement 2018-2020, is also a welcome development.

With the support of the Chief of Staff and within the resources available, the Government is committed to retaining the capacity of the Defence Forces to operate effectively across all roles and to undertake the tasks laid down by Government, both at home and abroad.

### **Defence Forces Data**

68. **Deputy Fiona O'Loughlin** asked the Taoiseach and Minister for Defence the age profile of former members of the Defence Forces for each of the past five years that have had to avail of supports provided by an organisation (details supplied); and if he will make a statement on the matter. [52729/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Organisation of National Ex-Service Personnel (O.N.E.) is an organisation dedicated to looking after the welfare of ex-service personnel of the Irish Defence Forces. It provides accommodation to homeless, elderly or disabled members in need of such domestic accommodation and shelter as well as other assistance and advice as required. O.N.E. has accommodation in Smithfield, Dublin (Brú na bhFiann with 30 places), Athlone (7 places) and Letterkenny (7 places), a drop-in centre in Limerick and an advice centre in Dundalk.

O.N.E. has enjoyed the long standing official recognition of the Department of Defence and the Defence Forces. Officials from my Department hold regular meetings with O.N.E., and the other recognised veterans' organisations, at which issues of concern to their members are discussed. As part of that process the Department has a Service Level Agreement (SLA) with O.N.E. Under the terms of this SLA, and as part of the supports currently offered to veterans, my Department provides an annual subvention, currently €44,000, to support the general overheads of the organisation.

I recognise the valued public service given by former servicemen and women of the Defence Forces to the State and, as such, the Defence Organisation and I are committed to the continued support of and engagement with O.N.E. into the future.

However, O.N.E. is a limited company with charitable status and it is the case that neither my Department nor I has any role or function in the running, management or operation of ONE. In this regard, I have no knowledge of the age profile of former members of the Defence Forces that have availed of supports provided by ONE.

### **Defence Forces Personnel**

69. **Deputy James Browne** asked the Taoiseach and Minister for Defence the action being taken in the Defence Forces to address the findings in the recent climate survey regarding the stress experienced by personnel; and if he will make a statement on the matter. [52731/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Defence Forces Climate Survey was commissioned on foot of a recommendation contained in the third and most recent Report of the Independent Monitoring Group (IMG) which was established to oversee the implementation of recommendations relating to harassment, bullying, discrimination and sexual harassment within the Defence Forces.

Follow up work to the initial findings in the Survey was conducted by the University of Limerick researchers via focus groups. A total of 73 Focus Groups were conducted throughout the Defence Forces. There were 603 participants in total. The focus group report further explored the issues raised in the original survey. The comments quoted therein cover a wide range of issues relating to human resources management. These include pay and conditions (particularly pay for the lowest paid members of the Defence Forces), vacancies, recruitment and retention, promotion systems, performance management, leadership, culture, morale, stress and work-life balance. I was briefed on the Report at the end of June and I met with the Representative Associations on 13 July 2017, ahead of its official publication a week later. It is important to note that the focus groups were conducted in advance of the pay increases that were implemented in 2017. These increases particular targeted the lowest paid across the public service. The Public Service Stability Agreement 2018-2020 also provides a mechanism for further pay increases and is being considered by the Defence Forces Representative Associations.

While work to progress many of the other issues raised was already under way as part of

the implementation of the White Paper on Defence, I have directed that certain White Paper projects be brought forward and that work commence on these.

In addition, there is ongoing recruitment to the Defence Forces and a range of initiatives are being developed including commissioning from the ranks, criteria for the re-entry of former Permanent Defence Force personnel with specific skills and consideration of increased use of direct entry for specialist posts. The Public Service Pay Commission will also be examining recruitment and retention issues in its next tranche of work.

There are extensive support systems in place for members of the Defence Forces who may be experiencing stress. Members of the Defence Forces can avail of Personnel Support Services (PSS) which provides information, assistance and counselling on a range of matters including interpersonal problems. These supports will be kept under review.

*Question No. 70 answered with Question No. 51.*

### **Defence Forces Reserve Strength**

71. **Deputy Brendan Ryan** asked the Taoiseach and Minister for Defence his views on the effective strength of the Reserve Defence Forces; and if he will make a statement on the matter. [52902/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The White Paper on Defence confirms that the primary role of the Reserve is to augment the Permanent Defence Force in times of crisis. In non-crisis situations, the main focus will be on training to prepare for this role. The Government has also assigned a formal role to the Reserve of contributing to state ceremonial events. The Government appreciates the service of the members of the Reserve and the White Paper on Defence is clear that there is a continued requirement to retain and develop the Reserve.

The strength of the Army Reserve and Naval Service Reserve (as of 31 October 2017) was as follows:

- Army Reserve: 1,733 effective personnel
- Naval Service Reserve: 123 effective personnel.

I am aware that there is a shortfall between these figures and those of the establishment, which provides for 4,069 personnel. The most recent recruitment campaign for the Army Reserve and Naval Service began in July 2017 and attracted 1,221 applications. A total of 128 personnel have been inducted to the Reserve Defence Force in 2017 which is an increase of some 60% when compared to the 80 personnel inducted in 2016. The recruitment process has also been streamlined so as to make it more efficient.

Given the competing recruitment demands at present, where PDF recruitment is and should remain a priority, recruitment to the Reserve is continuing. However, it should be noted that the same personnel and resources are utilised for both Permanent and Reserve Defence Force recruitment and the recruitment of up to 800 Permanent Defence Force personnel this year obviously impacted on resource allocation.

Under the current phase of implementation of White Paper actions, two relate specifically to the RDF. One addresses the issue of improving the strength of the Reserve by attracting recruits from all backgrounds. The other action involves conducting a skills survey with a view to es-



tablishing a Specialist Reserve. Both of these are well advanced. In the medium term, over the 10 year lifespan of the White Paper, other projects relating to the development of the Reserve will also be examined and developed by the Defence Organisation.

I would like to assure the Deputy that I remain committed to the ongoing development of the RDF within the framework set out in the White Paper on Defence and having regard to resource availability.

### **Defence Forces Personnel**

72. **Deputy Fiona O'Loughlin** asked the Taoiseach and Minister for Defence the services and supports available to former members of the Defence Forces that find themselves homeless or in financial difficulty; if these supports are overly dependent on fundraising (details supplied); and if he will make a statement on the matter. [52728/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** At the outset, let me state that housing and homelessness remains the Government's number one priority. The issue of housing and homelessness is a matter in the first instance for the Department of Housing, Planning, Community and Local Government. My colleague, the Minister for Housing, Planning, and Local Government, confirmed last week (6 December 2017) that the Government has approved an extra €100 million for social housing for 2017

My Department does not have a housing budget and does not provide homes or accommodation for retired personnel.

My Department does recognise the valued public service given by former servicemen and women of the Defence Forces to the State. As such, officials from my Department hold regular meetings with recognised veterans' organisations including the Organisation of National Ex-Service Personnel (O.N.E.), at which issues of concern to their members are discussed. O.N.E. has enjoyed the long standing official recognition of the Department of Defence and the Defence Forces. As part of that process the Department has a Service Level Agreement (SLA) with O.N.E.

O.N.E. is dedicated to looking after the welfare of ex-service personnel of the Irish Defence Forces by way of providing accommodation to homeless, elderly or disabled members in need of such domestic accommodation and shelter and other assistance that may be required. O.N.E. is a limited company with charitable status and has accommodation in Smithfield, Dublin (Brú na bhFiann with 30 places), Athlone (7 places), Letterkenny (7 places) a drop-in centre in Limerick, and an advice centre in Dundalk.

I am aware that O.N.E. is proposing to increase the number of advice centres in other locations such as Cathal Brugha Barracks, McKee Barracks, Casement Aerodrome, Custume Barracks, Finner Camp, Dún Uí Mhaoliosa Barracks and Stephens Barracks. My Department is currently working with O.N.E. in this regard. Any retired soldier, male or female, may contact the Smithfield centre directly and O.N.E. will assist by directing the person to other facilities within the Health Services, the local authority services, or offer a room if vacant, in Dublin, Athlone or Letterkenny.

As a charitable organisation, I am aware that O.N.E. is heavily dependent on fundraising to finance its operation. In this regard, under the terms of the SLA, and as part of the supports currently offered to veterans, my Department provides financial support by way of an annual subvention to O.N.E. to support and encourage its work. This subvention is currently €44,000 per annum. The funding provided to O.N.E. by the Department of Defence is to support the



general overheads of the organisation. It is not for the provision of services that are provided to citizens, including members of O.N.E., from other arms of the State such as housing, health, social assistance, etc. Dublin City Council continues to support, on an ongoing basis, the O.N.E. homeless initiative in Smithfield.

I have also committed to meeting the recognised veterans associations, including O.N.E., on an annual basis and I provide support by attendance at specific events whenever I can. This year on 28 June 2017, I had pleasure in attending the launch of O.N.E.'s annual Fuchsia fundraising appeal. I am advised that Defence Forces units and installations throughout the country undertake fundraising in support of the work of O.N.E. on behalf of veterans. The military authorities encourage such fundraising as an illustration of the solidarity and bonds that exists between veterans and serving personnel.

The Defence Organisation and I are committed to continued engagement with O.N.E. into the future.

### **Ministerial Meetings**

73. **Deputy Lisa Chambers** asked the Taoiseach and Minister for Defence if he will report on his attendance at the RACO conference; and if he will make a statement on the matter. [52895/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I wish to begin by extending my thanks to the Representative Association of Commissioned Officers (RACO) for their invitation to attend and address their biennial conference and for making the necessary arrangements.

I have met with officials from RACO a number of times this year and am aware of the various matters which are currently concerning their members.

The conference afforded me the opportunity for further engagement with individual members and their Executive.

In the course of my address to the delegates assembled at the conference, I acknowledged the challenges facing the Defence Forces and reaffirmed the Government's commitment to maximising recruitment to the Defence Forces and ensuring that, where possible, the terms and conditions of service are appropriate to the needs of the organisation and, as favourable as they can be within the current budgetary parameters.

I advised delegates that I am aware that their Association has particular views in regard to the availability of Officers within Units. I have directed that a White Paper project to consider skills gaps across the entirety of the Defence Forces, be brought forward and commenced. This will provide an opportunity not only to fully identify and prioritise skills gaps, but to identify how any gaps can be addressed. Operational demands, personnel requirements, consideration of work practices, and approaches to training and education must all be considered.

I advised the delegates that I had listened to the concerns raised by their representatives in relation to the Conciliation and Arbitration scheme for members of the Permanent Defence Force. I reiterated my intention to initiate a review of the scheme. This will be conducted in the course of 2018.

### **Permanent Structured Co-operation**

74. **Deputy Eamon Ryan** asked the Taoiseach and Minister for Defence the process by which the Government decided to join PESCO. [51717/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** As the Deputy is aware, the EU Global Strategy on Foreign and Security Policy was published in June 2016. The strategy sets the context and provides a guiding framework for the Union's external action under the Common Foreign and Security Policy. The Strategy also identifies key security challenges facing the European Union within its neighbourhood and beyond, and commits to a global order based on international law with the United Nations at its centre. Within the provisions of the Union's Common Security and Defence Policy (CSDP), the strategy commits the Union to take greater responsibility for its own security and to enhance its capacity to contribute to international peace and security, in accordance with the Charter of the United Nations.

Following its publication, a comprehensive approach to implementation, including in the area of security and defence, is now being progressed. As part of that implementation process, in June 2017, the European Council agreed to launch an inclusive and ambitious PESCO, as provided for in the Treaty on European Union, and to draw up a common list of criteria and binding commitments, within three months.

Over the past several months, there has been significant engagement by all member States in the development of PESCO as is now set out in the PESCO Notification. This included extensive discussions at official level through meetings of the Political-Military Group, the Political and Security Committee, and Defence Policy Directors and at Ministerial level at meetings of Defence and Foreign Affairs Ministers. Ireland participated fully in these discussions, shaping the development of PESCO and the provisions in the Notification in a manner which ensured that PESCO was both inclusive and ambitious, fully recognising the differing defence policies of the member States as provided for in the treaties and their protocols.

The final version of the PESCO 'Notification' was agreed by EU Member States on 13 November, 2017. Following that agreement a Memorandum for Government was prepared. Government approval was given on 21 November, 2017, for Ireland's participation in PESCO, and, for the moving of a motion in Dáil Éireann to approve Ireland's participation in PESCO, pursuant to section 3 of the Defence (Miscellaneous Provisions) Act 2009.

Following approval by Dáil Éireann on 07 December, 2017, and pursuant to Article 46(1) of the Treaty on European Union, Ireland then notified the Council and the High Representative, in her capacity as President of the Foreign Affairs Council and as High Representative of the Union for Foreign Affairs and Security Policy, of Ireland's intention to participate in PESCO.

### **Defence Forces Medicinal Products**

75. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence if his attention has been drawn to the six monthly progress report on the use of Lariam for military personnel issued by the House of Commons Defence Committee (details supplied); and if he will make a statement on the matter. [52734/17]

**Taoiseach and Minister for Defence (Deputy Leo Varadkar):** I am aware of the Ministry of Defence's six-monthly progress report on the use of Lariam for military personnel, published by the House of Commons Defence Committee. The choice of malaria chemoprophylaxis in use by other armed forces is an internal matter for those forces. It would not be appropriate for me to comment on the policy and practices of other States in this regard .

## Air Corps Operations

76. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the steps taken by his Department to increase the capacity of the Air Corps to provide priority air transfers for medical treatment in view of the fact that the service was suspended in 2016. [52872/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Air Corps provides a broad range of services in accordance with its primary security role. It also undertakes a diverse range of non-security-related tasks on an ‘as available’ basis. This includes providing an inter-hospital service on an ‘as available’ basis to the HSE, providing for the transfer of patients, including priority 1 patients, to the UK using Air Corps Aircraft.

The inter-hospital service is overseen by the National Aero-medical Coordination Centre of the HSE and the Air Corps is only one element of the overall service delivery provision; the Irish Coast Guard and the private sector being the other elements of service provision.

As with other areas of the public service, challenges have arisen in relation to the recruitment and retention of personnel in particular areas of expertise. In the Air Corps the loss of experienced personnel led to the suspension of the standby roster for out-of-hours and weekend contingencies. However, the Deputy may wish to note that during 2017 to end November, the Air Corps has carried out 28 Inter-Hospital Air Ambulance transfers to the UK at the request of the HSE, three of which were priority one transfers relating to children requiring urgent organ transplants.

In the Air Corps, there are particular challenges with vacancies in certain specialist posts such as Pilots, Air Traffic Controllers and certain Technicians. These specialists can prove difficult to retain where, as in the current economic circumstances, there are ongoing private sector and commercial semi-state sector job opportunities. The retention of such specialists has proved challenging for many military forces internationally.

The fact that further consideration by the Public Service Pay Commission of recruitment and retention issues is provided for under the Public Service Stability Agreement 2018-2020, is a welcome development.

At Defence Organisation level, a Working Group comprised of Civil and Military personnel was established to look at ways of addressing the issue of how to retain sufficiently experienced Pilot Officers within the Air Corps. The Working Group’s report contained a number of recommendations ranging from increasing recruitment levels to examining the current terms and conditions of pilots. Work on the implementation of the Working Group’s recommendations is currently ongoing by both Civil and Military staff of the Defence Organisation. In addition, and as part of a wider initiative, the possibility of recruiting former personnel who have left the Defence Forces is also being examined.

Two classes of Apprentice Military Aircraft Technicians began training during 2017. Ten cadet pilots began their training in October with other cadet classes already in training. Five cadet pilots received their “Wings” in October.

It is important to note that while there is significant action under way, there is a requirement to continue to build the capacity of the Air Corps and it will take some time for a return to previous levels of capability.

I can assure the Deputy, however, that the Air Corps will continue to provide support for emergency inter-hospital transfers on an “as available” basis, having regard to available capabilities and its primary security responsibilities.

## **Defence Forces Strength**

77. **Deputy Brendan Smith** asked the Taoiseach and Minister for Defence the numbers to date serving in the Permanent Defence Forces; the expected recruitment level in 2018; and if he will make a statement on the matter. [52974/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** From the most recent figures available (as of 31 October 2017), the strength of the Permanent Defence Force stood at 9,219 whole time equivalent (WTE) personnel, broken down as follows: - Army: 7,417

- Air Corps: 744

- Naval Service: 1,058

While I acknowledge there a gap between these figures and the establishment figure of 9,500, the Government remains dedicated to returning to, and maintaining the establishment strength of the Permanent Defence Force.

To achieve this, significant targeted recruitment has taken place in 2017 which resulted, to date, in 702 personnel being inducted comprising of General Service Recruits, Cadets and specialists for the Army, Air Corps and Naval Service. This figure is expected to reach approximately 800 by the end of 2017.

Particular challenges do exist in recruiting and retaining certain specialist posts such as Pilots, Air Traffic Controllers and certain Technicians. These specialists can prove difficult to retain where, as in the current economic circumstances, there are ongoing private sector and commercial semi-state sector job opportunities. I understand that the retention of such specialists has proved challenging for many military forces internationally and it is not unique to Ireland.

Therefore the range of recruitment methods employed to increase personnel numbers towards the establishment strength include direct entry competitions for specialist positions and the scope to further expand direct entry is being considered. I have directed civil and military management to develop proposals for expanding direct entry recruitment of specialists and a scheme to facilitate former PDF personnel with appropriate skill sets to re-enter the Defence Forces.

With the support of the Chief of Staff, the focus is on ensuring that the Defence Forces are staffed in manner that will enable them to continue to deliver the services required of them by Government. Accordingly, I can confirm that further recruitment will take place in 2018 and plans for this are currently being finalised between civil and military management. Such recruitment will encompass general service recruits, cadets and specialists.

## **Permanent Structured Co-operation**

78. **Deputy Mick Wallace** asked the Taoiseach and Minister for Defence the considerations and planning his Department has taken with regard to Ireland's imminent joining of PESCO; if the defence budget for 2018, 2019 and 2020 will now increase year on year due to the commitments required of PESCO membership; and if he will make a statement on the matter. [52965/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Consideration is currently being given to the potential PESCO projects in which Ireland will participate. The

work on elaborating the details of these project proposals and potential participants is currently ongoing at EU level and Ireland is playing its full part in those deliberations.

While some additional costs may arise in respect of participation in specific PESCO Project(s) similar to the case where the Defence Forces participate in EDA Projects, as the projects will relate to the ongoing development of Defence Forces capabilities for peace support and crisis management operations, such costs would be incurred in the normal course and will therefore be met from within the Defence Vote.

The Deputy will be aware that the allocations for defence already announced in the budget, which were based on the commitments set out in the White Paper on Defence, means that Ireland's Defence expenditure will increase in real terms over the coming three years.

*Question No. 79 answered with Question No. 48.*

### **Permanent Structured Co-operation**

80. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence the State's potential role in the EU's new permanent structured co-operation mechanism; and the implications of same for Irish neutrality. [52733/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Following the launch of PESCO yesterday at the Foreign Affairs Council, focus will now centre on the participation in potential PESCO projects.

The work on elaborating the details of these project proposals and potential participants is currently ongoing at EU level and Ireland is playing its full part in those deliberations. The types of projects at which we are considering participating in, include:

- Upgrade of Maritime Surveillance Systems;
- Development of Unmanned Underwater Vehicles for protection of harbours and maritime systems;
- A Centre of Excellence for EU Military Training Missions, and
- Cyber Threats and Incident Response Information Sharing Platform.

Ireland's participation in PESCO, which provides a treaty based framework, has no implications for Ireland's policy of military neutrality which remains a core element of Irish Foreign policy. The protocols attaching to the Lisbon Treaty specifically recognise Ireland's policy of military neutrality stating inter alia "*The Lisbon Treaty does not affect or prejudice Ireland's traditional policy of military neutrality*".

### **Departmental Expenditure**

81. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence his Department's Estimates for each year since 2008; the percentage of GDP and GNP it was annually; if he has had communications with the Minister for Finance to increase it to the EU average of 1.4% or the proposed EU 2% of GDP annually in line with NATO countries projected military spend and with President Donald Trump's pronouncements. [52876/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Expenditure by



my Department for Vote 35 (Army Pensions) and Vote 36 (Defence) for 2008 to 2016 is as set out in the table below, along with expenditure expressed as a percentage of Gross Domestic Product (GDP) and Gross National Product (GNP). The Army Pensions and Defence budget provision for 2017 is €921 million. 2017 GDP and GNP figures are not expected to be published until Q2, 2018.

### Defence Expenditure (Votes 35 & 36) 2008-2016

Year	Expenditure - Millions	Expenditure as Percentage of GDP	Expenditure as Percentage of GNP
2008	€1,084	0.58%	0.67%
2009	€1,019	0.60%	0.72%
2010	€956	0.57%	0.69%
2011	€922	0.54%	0.67%
2012	€901	0.51%	0.63%
2013	€891	0.49%	0.59%
2014	€893	0.46%	0.54%
2015	€898	0.34%	0.44%
2016	€906	0.33%	0.40%

The White Paper on Defence sets out the roles assigned to the Defence Forces by the Government and the associated capability requirements. As part of the annual Estimates process, my officials and I engage with the Minister and officials in the Department of Public Expenditure and Reform (DPER) to ensure that the appropriate level of financial resources are provided to enable the Defence Organisation to deliver effectively on all their assigned roles. The Estimates are, in due course, approved by Government and voted by the Dáil.

There is no requirement on Ireland or any other EU member State to achieve any specific target in relation to Defence expenditure, nor is there any agreement at EU level in this regard. As I am sure the Deputy is aware, the Lisbon Treaty explicitly provides that it is entirely a matter for Ireland, or any other Member State, to determine the nature and volume of its own defence and security expenditure, as well as the nature of its defence capabilities.

Ireland's cooperation with NATO is conducted through the Partnership for Peace (PfP) and there is no requirement on Ireland to achieve any specific target in relation to Defence expenditure. The target of 2% for Defence expenditure is for NATO allies. Partnership for Peace retains its own separate identity and was founded on the basis of a bilateral relationship between NATO and each of the Partnership for Peace countries. Ireland's purpose in participating in the PfP is to improve Defence Forces capabilities and to ensure that our Defence Forces are interoperable with the forces of other States engaged in UN mandated crisis management operations.

*Question No. 82 answered with Question No. 48.*

*Question No. 83 answered with Question No. 51.*

### Ministerial Meetings

84. **Deputy Mick Barry** asked the Taoiseach and Minister for Defence if he has engaged with members of a group (details supplied) on 30 November 2017 during their 24-hour protest outside Dáil Éireann; and if he will make a statement on the matter. [52915/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I did not meet



with members of the Group on this occasion but I met with some of their members earlier this year. I am aware of their concerns.

Like other areas within the Public Service, the pay of the Permanent Defence Force was reduced during the financial crisis. The reductions in pay and the introduction of a Pension Related Deduction was on a graduated basis with increased rates of deductions for those on higher earnings.

The Government appreciate the contribution made by all public servants, including members of the Permanent Defence Force during the economic crisis and are taking measures to restore pay across all sectors, in line with public sector agreements. The focus of the increases are weighted in favour of those on lower pay.

Successful negotiations with the Permanent Defence Force Representative Associations have provided for pay increases under the Lansdowne Road Agreement, the most recent of which were paid to PDFORRA members in July this year together with arrears.

In addition, improved payscales for general service recruits and privates who joined the Permanent Defence Force post 1 January 2013, were backdated to 1 July 2016 and paid in August 2017.

The Government is prioritising legislation to provide for further pay increases to all public servants, including members of the Defence Forces, provided for under the Public Service Stability Agreement 2018-2020.

This Agreement provides for a series of pay increases over the three years of the agreement ranging from 6.2% to 7.4% with the benefits to different income groups weighted towards those on lower pay.

The legislation also provides for the restoration of the 5% reduction in allowances which was reduced in accordance with the Financial Emergency Measures in the Public Interest Acts of 2009-2015.

The proposals have been presented to the Permanent Defence Force Representative Associations who participated in the negotiation process leading to the agreement. The representative associations are currently considering the Agreement which will subject to acceptance by ballot of the members of the Associations.

### **Defence Forces Equipment**

85. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence if his attention has been drawn to the fact that when the State Claims Agency interviewed Air Corps personnel in Baldonnell in 2013 that its attention was drawn to the fact that personal protection equipment was not being supplied to personnel and that it commissioned the formation safety office with performing a retrospective examination of at least one area of Casement Aerodrome, the engine repair flight workshop (details supplied); if he was informed by the State Claims Agency or the formation safety office of its findings; and if he will make a statement on the matter. [52873/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** As I have previously indicated to the Deputy, the Report of the Air Corps Formation Safety Officer was undertaken in the context of ongoing legal proceedings and it was in that context that the Report was requested by and provided to the State Claims Agency. As the Report was undertaken in the

context of a claim, it is legally and professionally privileged.

### **Permanent Structured Co-operation**

86. **Deputy Brendan Howlin** asked the Taoiseach and Minister for Defence if he will report on the role of his Department and officials in PESCO; and if he will report on his discussions with his EU counterparts on PESCO. [52884/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The EU Global Strategy on Foreign and Security Policy was published in June 2016. The strategy sets the context and provides a guiding framework for the Union's external action under the Common Foreign and Security Policy. The Strategy also identifies key security challenges facing the European Union within its neighbourhood and beyond, and commits to a global order based on international law with the United Nations at its centre. Within the provisions of the Union's Common Security and Defence Policy (CSDP), the strategy commits the Union to take greater responsibility for its own security and to enhance its capacity to contribute to international peace and security, in accordance with the Charter of the United Nations

Following its publication a comprehensive approach to implementation including in the area of security and defence is now being progressed. As part of that implementation process, in June 2017 the European Council agreed to launch an inclusive and ambitious PESCO and to draw up a common list of criteria and binding commitments, within three months. Participation in PESCO which is provided for in the Treaty of the European Union was introduced under the Lisbon Treaty.

Over the past several months, there has been significant engagement by all member States in the development of PESCO, including to ensure that it is fully inclusive, respecting the differing security and defence policies of the member States as reflected in the treaties and the treaty protocols. Ireland participated fully across all fora in shaping the development of PESCO and in drafting the 'Notification' to participate in PESCO, including the preamble, principles and commitments. This included participation by my officials in extensive discussions at the Political-Military Group, the Political and Security Committee and at meetings of Defence Policy Directors.

PESCO was also the subject of discussion at meetings of Defence and Foreign Affairs Ministers.

Discussions centred on the EU's comprehensive approach, encompassing foreign policy, trade, aid as well as security and addressed the need for PESCO projects to strengthen same and the requirement to also strengthen and reinforce civilian capabilities and crisis management tools. Regarding budgetary commitments, Ministers noted that commitments should not be seen nor presented as prejudging national parliaments' prerogatives in this area. Ministers also discussed the governance structure whereby the decision-making process will remain in the hands of participating Member States and, also, the need for effective communication of PESCO to the wider public. The importance of inclusivity and the need for respecting the differing security and defence policies of the member States, as reflected in the treaties and the treaty protocols, was also discussed.

### **Trade Data**

87. **Deputy Maurice Quinlivan** asked the Taoiseach the value of trade in goods between

Ireland and Britain in 2016; and the estimated amount for 2017. [52861/17]

88. **Deputy Maurice Quinlivan** asked the Taoiseach the value of trade in services between Ireland and Britain in 2016; and the estimated amount for 2017. [52862/17]

**Minister of State at the Department of the Taoiseach (Deputy Joe McHugh):** I propose to take Questions Nos. 87 and 88 together.

The data requested by the Deputy is set out in the table.

It should be noted that data on the value of trade in goods and services are not available for the full year for 2017. Trade in goods data is compiled on a monthly basis, and the latest data available is for January to September 2017. The data supplied is for January to September 2017. Trade in services data is compiled on a quarterly basis, and the latest data available is for Quarters 1 and 2 of 2017. The data supplied is for these periods of 2017. The Central Statistics Office compiles trade statistics based on data received for previous periods. It does not compile estimates for future periods, and for this reason, an estimate of the full amount of trade in goods and services for 2017 is not available.

**Table A : Trade in goods between Ireland and Great Britain, 2016 to September 2017.**

Division	Exports Jan – Dec 2016 €000	Imports Jan - Dec 2016 €000	Exports Jan – Sep 2017 €000	Imports Jan – Sep 2017€000
Food and live animals	3,706,771	2,787,875	2,860,953	2,083,407
Beverages and tobacco	220,278	321,990	155,892	204,259
Crude materials, inedible, except fuels	373,407	153,508	288,539	137,821
Mineral fuels, lubricants and related products	464,855	2,071,665	273,559	1,860,059
Animal and vegetable oils, fats and waxes	11,449	45,874	9,312	36,559
Chemicals and related products	3,994,557	2,383,804	3,744,987	2,298,130
Manufactured goods classified chiefly by material	931,894	1,737,096	705,909	1,336,660
Machinery & transport equipment	2,205,500	3,021,649	1,580,077	2,188,075
Miscellaneous manufactured articles	1,133,769	2,234,230	875,510	1,544,472
Commodities and transactions not classified elsewhere	337,318	1,039,268	258,692	733,079
Total	13,379,799	15,796,958	10,753,428	12,422,520

In 2016, service exports from Ireland to Britain were €22,497m and Ireland's service imports from Britain were €11,840m.

In the first two quarters of 2017, service exports from Ireland to Britain were €5,631m and €6,541m respectively and Ireland's service imports from Britain were €2,898m and €2,959m.

## **Trade Data**

89. **Deputy Maurice Quinlivan** asked the Taoiseach the number of Irish companies exporting to Britain in 2017. [52863/17]

90. **Deputy Maurice Quinlivan** asked the Taoiseach the number of companies exporting from Britain to Ireland in 2017. [52864/17]

91. **Deputy Maurice Quinlivan** asked the Taoiseach the estimated number of Irish businesses engaged in trade with Britain in 2017; and the estimated number of employees employed by these companies. [52865/17]

**Minister of State at the Department of the Taoiseach (Deputy Joe McHugh):** I propose to take Questions Nos. 89 to 91, inclusive, together.

The information on the number of businesses exporting to Great Britain and the numbers of people employed as requested by the Deputy is not available.

Trade in goods data between Ireland and Great Britain is collected via the Intrastat survey, which is carried out by VIMA (Revenue Commissioners) on behalf of the CSO. In order to minimise the burden on enterprises, only those whose exports exceed €635,000 per annum, or whose imports exceed €500,000 per annum are included in the survey. There are around 2,200 exporters and 5,500 importers required to complete this survey on a monthly basis. This covers 98.8% of the total value of exports and 96.5% of the total value of imports.

The CSO makes estimates for the remaining enterprises whose trade is below the threshold level. In 2017, this equates to around 9,800 exporters and 43,000 importers. As detailed data is not available for these enterprises, it is not possible to state how many of these enterprises export to Great Britain, or the employment levels of these enterprises.

The CSO does not compile statistics on exports by companies in Britain, as it does not have access to the detailed data compiled by HMRC or the ONS which would enable these statistics to be compiled.

## **Cabinet Committee Discussions**

92. **Deputy Joan Burton** asked the Taoiseach if he will report on Cabinet Committee B (Social Policy and Public Services). [52951/17]

**The Taoiseach:** Cabinet Committee B last met on 16 November. The Committee covers the areas of Social Policy and Public Service Reform including education, children, social inclusion, Irish, arts and culture, as well as continued improvements and reform of public services.

The work of this Committee seeks to coordinate the work across Government on planning and implementing policies that contribute to a more equal and socially inclusive society. Some of the particular initiatives this Committee will focus on include roll-out of improved childcare services, targeting educational disadvantage and improving services to people with disabilities.

A new Cabinet Committee is being established to deal with justice and equality.

## **Cabinet Committee Discussions**

93. **Deputy Joan Burton** asked the Taoiseach if he will report on Cabinet Committee C (European Union including Brexit). [52952/17]

**The Taoiseach:** I established Cabinet Committee C to cover issues relating to the European Union. It assists Government in its ongoing consideration of Brexit and will also support my participation as a member of the European Council.

Preparing for and dealing with Brexit in a way that delivers the best possible outcome for the country remains a top priority for the Government. Its potential consequences cut across very many areas of our national and economic life, and it is being dealt with in a whole-of-Government way, including through Cabinet Committee C. There has been regular discussion by the Government, including at the recent all-day meeting in Cork and in the run-up to the recent agreement between the EU and the UK.

Cabinet Committee C, last met on 11 September. The date of the next meeting has not yet been confirmed.

### **Taoiseach's Communications**

94. **Deputy Micheál Martin** asked the Taoiseach if he spoke to Prime Minister May on 4 December 2017 regarding Brexit. [52607/17]

95. **Deputy Micheál Martin** asked the Taoiseach if he spoke to Arlene Foster on 4 December 2017 regarding Brexit. [52608/17]

96. **Deputy Micheál Martin** asked the Taoiseach if he spoke to Michelle O'Neill on 4 December 2017 regarding Brexit. [52609/17]

**The Taoiseach:** I propose to take Questions Nos. 94 to 96, inclusive, together.

I spoke by phone with Prime Minister May on Wednesday 6 December and again on Thursday 7 December.

On both occasions we had good conversations as we took stock of developments since Monday 4 December. I reiterated the firm Irish position regarding the text that I am satisfied was agreed on Monday. We discussed our approach to finding a way to move forward and agreed to talk again.

On Friday morning 8 December, I was pleased to announce that following long and intensive negotiations, we had reached a satisfactory conclusion on the issues relating to Ireland in Phase 1. I said on Friday that we have achieved all we set out to achieve in Phase One of these negotiations. We have the assurances and guarantees we need from the United Kingdom and support for them from the European Union.

I am satisfied that sufficient progress has now been made on the Irish issues. The parameters have been set and they are good. Now, we can move on to work out the detail of what has been agreed and to talk about the transition phase, free trade and the new relationship between the EU and the UK.

Assuming that happens, we can move on to the work necessary to convert the commitments made last week into the necessary provisions in the Withdrawal Agreement. We also, of course, want to begin discussion about transition arrangements and the new relationship between the EU and the UK, in phase 2.

We will remain fully engaged and vigilant throughout the next period of work.

Throughout, we participated in these discussions as part of the EU 27. Over recent days I have also spoken with European Council President Tusk and European Commission President Juncker on a number of occasions. Irish officials were also in constant contact with the EU Task Force over the intensive period of negotiations in recent weeks, as well as engaging with the other EU institutions and Member States.

We were also in bilateral contact with the UK at political and official level, including the contacts I had with Prime Minister May as I have mentioned already. While these contacts were focused primarily on finding a way forward in the negotiations, Prime Minister May and I remain in agreement on the importance of ensuring close ongoing bilateral Ireland UK relations into the future.

I was not party to any discussions between PM May and DUP leader Arlene Foster in respect of the EU UK negotiations, nor did I speak directly with the DUP leader over the course of the intensive negotiation period of the past two weeks. As has been set out, the Article 50 process is a negotiation between the EU 27 on the one hand and the UK Government on the other. As such, it is a process that involves sovereign governments rather than individual political parties in any of the relevant jurisdictions.

In the same way, neither I nor my officials had a role in any decision made about sharing of draft text with the DUP. Given the nature of the negotiation structure, this was entirely a matter for the UK Government.

I can also confirm that I was not involved in any direct discussions with the Sinn Fein leader in Northern Ireland Michelle O'Neill at this time.

### **Departmental Policy Functions**

97. **Deputy Micheál Martin** asked the Taoiseach his Department's policy on dealing with whistleblower complaints. [52610/17]

**The Taoiseach:** The Protected Disclosures Act 2014 provides a robust statutory framework within which employees can raise concerns regarding potential wrongdoing that has come to their attention in the workplace in the knowledge that they can avail of significant employment and other protections if they are penalised by their employer or suffer any detriment for doing so.

The Act requires every public body to establish and maintain procedures for dealing with protected disclosures and to provide written information relating to these procedures to their employees.

In line with the Act, my Department has a Policy on Protected Disclosures which sets out the process by which an employee can make a disclosure, what will happen when a disclosure is made, and what my Department will do to protect a discloser.

### **Ministerial Communications**

98. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade if he spoke with Mr. Michel Barnier on 4 December 2017 regarding Brexit. [52606/17]



116. **Deputy Stephen S. Donnelly** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has spoken to Mr. Michel Barnier recently. [50596/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 98 and 116 together.

I propose taking questions 98 and 116 together. I have been in frequent contact with Michel Barnier during this critical phase in the Article 50 negotiations.

At the General Affairs Council (Article 50) on 20 November, Mr Barnier provided an update to the EU27 Member States on the state of play with regard to the EU-UK negotiations and I also met with him in the margins of the Eastern Partnership Summit on 24 November.

These contacts have supported Mr Barnier's efforts to achieve sufficient progress on the Irish issues and in securing a positive outcome for Ireland in the joint progress report agreed between Prime Minister May and European Commission President Juncker last Friday, 8 December.

I met with Mr Barnier earlier this morning in Brussels and took this opportunity to thank him and his team for their excellent work to date in securing a positive outcome for Ireland and for the EU27 as a whole and welcome that he is now in a position to recommend to the Council that sufficient progress has been made on all phase one issues.

Later today I will attend the General Affairs Council (Article 50), at which Mr Barnier will present the EU-UK joint report. I will take this opportunity to welcome that language on Ireland and Northern Ireland in the joint report from the negotiators of the EU and the UK Government reflects our goals of maintaining the Common Travel Area, protecting the Good Friday Agreement and North South cooperation and protecting EU citizenship and other rights.

In so doing, I will note that there is clearly still a great deal of work remaining on the Irish issues to ensure that all the commitments set out in this report are implemented. I will therefore welcome that work on Irish issues will continue to be taken forward in a distinct strand of the negotiations in phase two. This will ensure that they will not be overlooked in the next phase.

I will also express my hope that the European Council will agree to start discussions on the framework for a future EU-UK relationship, and on transitional arrangements, as soon as possible. This is hugely important for Ireland and for the EU as a whole.

### **North-South Implementation Bodies**

99. **Deputy David Cullinane** asked the Tánaiste and Minister for Foreign Affairs and Trade the areas of North-South co-operation; and if he will make a statement on the matter. [52685/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The main forum for advancing North South co-operation is the North South Ministerial Council (NSMC), which was established under Strand Two of the Good Friday Agreement. In the Council, the Government works with the Northern Ireland Executive to advance areas of practical co-operation which are to our mutual benefit, and the Council oversees co-operation in the agreed twelve Areas or Sectors.

In six of these Sectors, co-operation is taken forward by means of the North South Implementation Bodies: Waterways Ireland, Food Safety Promotion Board, InterTradeIreland, Special EU Programmes Body, North/South Language Body, and the Loughs Agency, all of which

operate on an all-island basis.

In the other six “Areas of Co-operation” - agriculture; education; environment; health; tourism (including Tourism Ireland Ltd.) and transport - common policies and approaches are agreed in the North South Ministerial Council but implemented separately in each jurisdiction. Outside of the NSMC structure, good co-operation also takes place in other areas including energy.

With the continuing absence of a functioning Executive, the North South Ministerial Council cannot operate and bring together the Government and the Executive to oversee ongoing North/South work and further develop co-operation, as provided for under the Good Friday Agreement. This is a most serious absence, and particularly so at a time when the Council should be continuing the work it commenced last year to deal with the challenges of the UK exit from the EU. Common Principles were agreed at the Plenary meeting of the NSMC in November 2016, to coordinate engagement by the Government and the Executive to deal with the challenges that are raised on an all-island basis by the UK exit from the European Union. We should be working together on this through the North South Ministerial Council.

In the context of the UK exit, a North South mapping exercise was undertaken during October and November 2017 between the EU Article 50 Taskforce, with the support of Irish officials, and the UK to map out areas of co-operation that operate on a North South basis on the island of Ireland. It highlighted just how broad-ranging and varied that co-operation is. The exercise demonstrated the extensive range of co-operation that happens, under the formal auspices of the North South Ministerial Council, including through the work of the six Implementation Bodies; between Government Departments in non-NSMC areas; and between agencies, regulators and other Government bodies. The co-operation is interconnected, mutually supporting and complementary.

North South co-operation brings very tangible benefits to the daily lives of people and, in particular, to those living in the border regions where it contributes to improving economic opportunity and development. It is also a very practical outworking of the peace process which allows for the normalisation of relationships between people across the island, to our mutual benefit.

### **European Council Meetings**

100. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade if the ongoing war in Syria will be discussed at the December 2017 European Council. [52911/17]

106. **Deputy Darragh O’Brien** asked the Tánaiste and Minister for Foreign Affairs and Trade the status of the situation in Syria; the efforts being made at EU and international level to bring a resolution to this conflict; and if he will make a statement on the matter. [52818/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 100 and 106 together.

The situation in Syria continues to be one of utmost concern. The conflict, which is now in its seventh year, has cost an estimated half a million lives. Over 13 million people are in need of humanitarian assistance inside Syria, including close to 3 million people trapped in besieged and hard-to-reach areas. Over 5.5 million have fled to neighbouring countries and the wider region. An end to the violence is urgently needed in order to relieve the suffering of the Syrian people.

The UN is leading political negotiations to end the conflict based on the 2012 Geneva Communiqué and UN Security Council resolution 2254, which calls for an end to violence; release of political prisoners; formation of a transitional governing body with executive powers and a constitutional reform process. The eighth round of these talks is currently underway in Geneva. Ireland fully supports this process and the work of UN Special Envoy for Syria Staffan de Mistura.

The EU provides direct assistance to the UN-led Geneva peace talks and has launched, in coordination with the UN, an initiative to develop political dialogue with key actors from the region to identify common ground. The EU Syria Peace Process Support Initiative aims to facilitate the peace process, build the capacity of opposition parties and contribute to dialogue with civil society in support of the efforts of the UN Special Envoy for Syria.

Ireland and the EU also provide support, including financial support, to a broad range of mechanisms to ensure legal accountability for all war crimes and crimes against humanity committed in Syria as part of a sustainable peaceful resolution to the conflict.

Through our annual contributions to the EU institutions Ireland also supports the EU's humanitarian response to the crisis, from which €445 million was contributed in 2016 alone. The EU and its Member States have together mobilised more than €9.4 billion for humanitarian and resilience assistance to support Syrians inside the country and in neighbouring countries, making the EU the largest single donor to the effort. At the Brussels conference in April 2017 which was co-hosted by the EU, a further €3.7 billion for 2017 was pledged by the EU and its Member States, representing nearly 67% of the pledges. The EU will host another donors' conference for Syria in 2018. Since 2012 Ireland has contributed over €90 million to the international humanitarian response to the Syria crisis, including €25 million this year. This is our largest contribution to a single crisis in recent years.

Syria is not currently on the agenda for this week's European Council, however at the Foreign Affairs Council meeting in Brussels yesterday, EU Foreign Ministers discussed the regional situation in the Middle East, including of course the urgent need for progress towards peace in Syria.

### **Middle East Peace Process**

101. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade if the recent declaration by President Trump of the United States on Jerusalem being the capital of Israel will be discussed at the December 2017 European Council meeting; and his plans to ensure that Ireland's objections to this declaration will be made known. [53227/17]

108. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade if his attention has been drawn to the reports that the American Government may move its embassy in Israel from Tel Aviv to Jerusalem (details supplied); his views on the plans to move the embassy to Jerusalem; and if he has raised concerns regarding this development with the United States Government. [52824/17]

115. **Deputy Darragh O'Brien** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on the impact of President Trump's decision to declare Jerusalem as the capital of Israel; the impact he views this will have on the peace process; the actions the Government and the European Union will take in view of this decision; and if he will make a statement on the matter. [53209/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I pro-

pose to take Questions Nos. 101, 108 and 115 together.

On 6 December I issued a public statement on the announcement by the US Government about Jerusalem, which was as follows:

“Jerusalem is one of the permanent status issues which is to be settled in a final peace agreement in the Middle East.

It has been the united position of the international community for decades, as set out in UN Security Council Resolutions, that a resolution of the Middle East conflict will include agreement for Jerusalem to be the capital of both Israel and the future state of Palestine. If the peace negotiations are to be successful, this will happen at the end of the process, when the full set of compromises has been worked out.

The dangerously heightened tensions in Jerusalem in recent years have also underlined the need to avoid any unilateral actions to alter the status quo in the city.

I believe therefore that today’s announcement by the United States in relation to Jerusalem is premature and ill-advised, and will be unhelpful to efforts to reach a resolution of the Middle East Peace Process, something which is very urgently needed. I conveyed to the US Government yesterday my concern about reports of US intentions, and I know that very many leaders around the world did the same. Today’s announcement is thus very disappointing and difficult to understand.

Ireland remains fully committed to supporting both parties to reach a peaceful, negotiated solution to the Middle East Peace Process, something which is essential for Israel to secure its future, and for Palestinians to enjoy their full political rights.”

The EU’s High Representative, Federica Mogherini, has restated that ‘the aspirations of both parties must be fulfilled and a way must be found through negotiations to resolve the status of Jerusalem as the future capital of both states.’ I strongly support her words, and I believe that, despite this disappointing announcement by the US, the EU should redouble its efforts to help the parties to make progress towards a peace settlement. At the Foreign Affairs Council yesterday, we had a wide-ranging discussion on the Middle East, which of course touched on the worrying impact of this US announcement.

### **Brexit Negotiations**

102. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will report on the regulatory alignment proposed in the latest draft of the EU-UK deal; if this will result in the exact same rules being applied both north and south of the Border; if not, the areas it will not apply to; if these particular areas are known; and if there is research being done on the areas it will not apply to. [53223/17]

103. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will report on the added wording to the latest EU-UK deal; and if there is change to the substance of the 4 December 2017 draft. [53224/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 102 and 103 together.

It has been the Government’s consistent position that the best possible outcome for Northern Ireland would be for the UK to stay in the Single Market and Customs Union. However, this

is ultimately a decision for the UK and, as of now, the UK government's stated position is that they will leave the Single Market and Customs when leaving the EU.

At the request of the EU and UK Coordinators for the High Level Dialogue on Ireland/Northern Ireland, officials carried out detailed work over October and November to map out areas of co-operation that operate on a North South basis on the island of Ireland and which rely on EU law and policies. The exercise underlined the importance of maintaining full alignment with the rules of the Internal Market and the Customs Union necessary to continue and develop meaningful North South co-operation. Through the provisions of the Good Friday Agreement, North South co-operation has made a hugely important contribution to the improvement of people's lives on this island. We want to ensure that this co-operation can continue in a meaningful way.

In the joint EU-UK report on progress issued last Friday, the UK asserts its commitment to protecting North South co-operation and to avoiding a hard border. The agreement not only provides a guarantee that there will be no hard border in any circumstances, it spells out for the first time how this will be achieved. In the event that it is not possible to resolve the border issue as part of a wider EU-UK future relationship agreement, which has always been the Irish Government's preference, or through specific solutions, paragraph 49 of the report states out that, "in the absence of agreed solutions, the United Kingdom will maintain full alignment with those rules of the Internal Market and the Customs Union which, now or in the future, support North-South co-operation, the all-island economy and the protection of the 1998 agreement." It has also been agreed that any agreements put in place will be accompanied by effective mechanisms to ensure implementation and oversight.

The EU and the UK agreed that, in the next phase of the negotiations, work will continue on the detailed arrangements required to give effect to the principles and commitments that have been made. In this regard, the Government will continue to support the EU Taskforce, including its work to protect the broad and varied range of North South co-operation to ensure that its development can continue after the UK's departure from the EU.

With reference to the Deputy's question concerning added wording to the EU UK joint report, all of the substance that has been agreed was on the table on Monday last, including the guarantee by the UK on avoiding a hard border and its detailed commitments on how this will be achieved.

### **North-South Implementation Bodies**

104. **Deputy David Cullinane** asked the Tánaiste and Minister for Foreign Affairs and Trade the definition of the all-Ireland economy as used by his Department; and if he will make a statement on the matter. [52684/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The term "all-island economy" stems from a Comprehensive Study on the All-Island Economy, which was launched by the British-Irish Inter-Governmental Conference in October 2006. This Study set out an ambitious range of strategies and collaborative actions aimed at maximising the competitive advantages of the island of Ireland, developing initiatives designed to boost economic activity on the island, and eliminating market distortions arising from the existence of the border.

These included intervention in the education and training systems to enhance human capital; intervention to support research and innovation and the development of the knowledge



economy; co-ordinated provision of key infrastructure; enhanced co-operation in the provision of health and educational services; enhanced co-operation in the provision of electricity and telecommunications infrastructure; and an improved regulatory environment.

It was also envisaged in the Study that, in the area of infrastructure, more joined-up planning and delivery would give better outcomes for people throughout the island.

In the intervening years, significant progress has been made in these sectors, including through the work of the North-South Bodies such as InterTrade Ireland and Tourism Ireland, and there are also strong business linkages between North and South.

I believe that the potential for trade and economic activity across the island of Ireland has not yet been fully tapped and that there is scope for increasing the levels of trade in both directions. In support of this, and particularly in view of the challenges presented by the UK exit from the EU, we clearly need to assist our SMEs in whatever ways we can. This in turn can safeguard jobs, and encourage cross-border investments. InterTrade Ireland, for which the Minister for Business, Enterprise and Innovation has responsibility in this jurisdiction, is doing excellent work in this area.

It is clear that it is more mutually beneficial to work together rather than separately, and the development of an all-island economy is in everyone's interests.

An all-island approach has already proved very successful in the Tourism sector, where Tourism Ireland has successfully marketed the island throughout the world. In the energy sector, the successful joint venture between Eirgrid plc and System Operator Northern Ireland (SONI) Limited has led to the Single Electricity Market – a wholesale electricity market operating across the island.

With the continuing absence of a functioning Northern Ireland Executive, the North South Ministerial Council cannot operate and bring together the Government and the Executive to oversee ongoing North/South work and further develop co-operation, as provided for under the Good Friday Agreement. This is a most serious absence, and particularly so at a time when the Council should be continuing the work it commenced last year to deal with the challenges of Brexit. Common Principles were agreed at the Plenary meeting of the NSMC in November 2016, to coordinate engagement by the Government and the Executive to deal with the challenges that are raised on an all-island basis by the UK exit from the European Union. We should be working together on this through the North South Ministerial Council.

In this regard, the Government is continuing to work with the British Government, as guarantors of the Good Friday Agreement, to support the effective operation of all of its institutions, including the NSMC.

### **Middle East Issues**

**105. Deputy Darragh O'Brien** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on the recent meeting of the Gulf Cooperation Council; his further views on the announcement of a new political and military alliance between Saudi Arabia and the United Arab Emirates; and if he will make a statement on the matter. [52817/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** As I have stated previously in this House and elsewhere, the situation between Qatar and its neighbours is a matter of concern.



Ireland strongly supports regional cooperation and dialogue, and believes that the Gulf Cooperation Council (GCC) makes a contribution to the stability of the wider Arab region. First and foremost, the relationship between Qatar and the other Gulf countries is an internal GCC matter, although it has wider regional and international implications.

I note with regret that the recent meeting of the Gulf Cooperation Council which took place on 5 December in Kuwait ended early, without the full schedule of meetings occurring.

Ireland, like all EU Member States, has interests in the crisis in so far as it has the potential to impact on citizens, commerce and regional stability. In tandem with our EU partners, we continue to encourage mediation to resolve this crisis, and we welcome and fully support the efforts of Kuwait in this regard. It is my hope that these efforts will continue, leading to a de-escalation of the tensions, and an early resolution, which is in the interests of the whole region.

As regards Saudi Arabia-UAE military partnership, given that both countries are currently engaged in military activity in Yemen, I would like to take this opportunity to reiterate my deep concern about the situation there, the suffering of ordinary people there, and the humanitarian crisis which the war has triggered. The ongoing fighting is having devastating consequences for civilians, with credible allegations of violations of international humanitarian law, which all parties to the conflict must respect. Ireland will continue to press for a negotiated settlement to the conflict in Yemen, respect for human rights and international humanitarian law, and improved humanitarian access to those in need.

*Question No. 106 answered with Question No. 100.*

### **Ukrainian Conflict**

107. **Deputy Darragh O'Brien** asked the Tánaiste and Minister for Foreign Affairs and Trade the status of the situation in Ukraine; and if he will make a statement on the matter. [52819/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The conflict in eastern Ukraine - now in its fourth year - has resulted in over 10,000 deaths, forced 1.7 million people to flee their homes and left an estimated 3.5 million in need of humanitarian assistance.

Despite numerous commitments to a ceasefire, the security situation in eastern Ukraine remains fragile. Over recent weeks there has been a steady increase in recorded violations of the most recent truce with both sides continuing to ignore calls to pull back their heavy weapons from the contact line. Daily shelling has resulted in significant damage to critical civilian infrastructure facilities, in particular water and power supplies, as well as schools and hospitals. With no let-up in the fighting, little progress has been made this year on implementing the Minsk peace agreements.

The EU remains fully behind 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 Trilateral Contact Group continues to work on confidence building measures, including exchange of prisoners and disengagement from the contact line.

In September, Russia tabled a UN Security Council resolution for the deployment of UN peacekeepers to protect the OSCE Special Monitoring Mission to Ukraine (SMM). While this is a welcome development it remains to be seen if significant concerns over elements of the

proposal, including Russia's insistence on a role for the separatists in the practicalities of any UN deployment, can be overcome.

The EU economic sanctions imposed on Russia in 2014 for its role in destabilising Ukraine remain in place. The duration of the sanctions is linked to the full implementation of the Minsk agreements. The measures run until 31 January 2018 and it is likely that Member States will agree to their roll over for a further six months given the lack of progress on the ground.

The EU remains fully committed to supporting Ukraine's continued delivery of its comprehensive national reform programme. It is important to acknowledge the significant improvement that has taken place over the last two years. No country has made as much progress as Ukraine on internal reforms and economic stabilisation while also dealing with an armed conflict on its territory. The EU-Ukraine Association Agreement entered into force on 1 September, enabling the EU to further strengthen its cooperation with Ukraine and to deepen the country's political association and economic integration with the Union. The fruits of this closer cooperation can already be seen. In the past year there has been a 25% increase in two way trade and this growth is expected to continue in the future.

*Question No. 108 answered with Question No. 101.*

### **International Election Monitoring**

**109. Deputy Darragh O'Brien** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on the recent presidential election in Honduras, the specific measures that will be taken by the EU and international community following the disputed vote, and if he will make a statement on the matter. [53032/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** Presidential and congressional elections took place in Honduras on 26 November 2017. The Supreme Electoral Tribunal of Honduras has declared that, in the Presidential ballot, the incumbent President Juan Orlando Hernández of the Partido Nacional de Honduras obtained 42.98% of the vote, against 41.38% for Salvador Nasralla, the candidate for the Alianza de Oposición. The third placed candidate, of the Partido Liberal, received 14.73% of the vote. The narrow margin between the two leading candidates corresponds to approximately 50,000 votes, of a total of almost 3.5 million.

I am aware of complaints of irregularities arising following the vote, as well as reports of violence during protests in the aftermath of the elections. I condemn unreservedly any acts of intimidation or violence perpetrated against those seeking to peacefully demonstrate or defend their rights. In particular, I wish to condemn the loss of human life in recent days and to express my sincere condolences to the families of the victims.

I echo calls made by the spokesperson of the EU High Representative Federica Mogherini last week for calm and restraint in Honduras in the aftermath of the election. It is imperative that all sides act responsibly and work together, using the legal mechanisms available to them to address any potential complaints of irregularity regarding the electoral process, and to avoid violence at all times.

The EU deployed an Election Observer Mission to Honduras in October which consists of 22 long-term observers and 40 short-term observers. Facilitated by my Department, Ireland has contributed one long-term observer and one short-term observer to this mission, the aim of which is to provide an independent public assessment of the election process. I am pleased that Ireland was in a position to contribute to this vital work.

The EU Election Observation Mission released a statement last Thursday, 7 December regarding the post electoral situation, calling for fundamental freedoms to be respected and for violence to be avoided at all costs. The statement welcomed the openness expressed by the Supreme Electoral Tribunal of Honduras to address any challenges made to the election result. Crucially, the EU Election Observation Mission delegation is committed to remaining in Honduras and continuing its vital work to closely observe the election until the electoral process is fully concluded.

While Ireland does not have diplomatic representation in Honduras, officials at the Department of Foreign Affairs and Trade raise issues relating to the protection and defence of human rights in Honduras both at EU and UN level, including through direct contact with the EU Delegation in Tegucigalpa

On my instruction, we will continue to do so in light of recent developments in the country.

Officials of my Department have also met with human rights defenders from Honduras, most recently in Dublin in October 2017, when the then upcoming elections were discussed in some detail. Irish Aid contributes funding to programmes in Honduras through civil society organisations, chiefly Trócaire, including in support of its important work on human rights.

I can assure the Deputy that we will continue to monitor the situation in Honduras closely as the post electoral process progresses into its next stages.

### **Shannon Airport Facilities**

110. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade his plans to review the use of Shannon Airport by the US military in view of the supporting role played by the United States in the war in Yemen and the violations of human rights taking place in that country as a consequence of that war. [53035/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Air Navigation (Foreign Military Aircraft) Order 1952 gives the Minister for Foreign Affairs primary responsibility for the regulation of activity by foreign military aircraft in Ireland. In this context, permission for foreign military aircraft to land at Irish airports is given only on condition that the aircraft are unarmed, carry no arms, ammunition or explosives and do not engage in intelligence gathering, and that the flights in question do not form any part of military exercises or operations. All States, including the United States, must confirm that their aircraft meet these criteria. These conditions reflect Ireland's policy of military neutrality and are strictly applied. I share the deep concern as expressed repeatedly from all quarters in this House at the deteriorating situation in Yemen. The humanitarian crisis in that country demands an urgent agreement on a full cessation of hostilities and immediate improved humanitarian access to those in need. I again call on all of the belligerents to agree to a peaceful resolution of the conflict. At my request Ireland joined with a core group of countries at the UN Human Rights Council to drive forward the adoption of a Resolution on Yemen that establishes a group of international experts, who will examine allegations of violations of human rights and humanitarian law on the ground. This tasking is an important step towards accountability in Yemen.

### **Human Rights**

111. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade his plans to make his views known to the Saudi Arabian authorities in view of the human rights

violations being committed by Saudi Arabia in Yemen and his acknowledgement of same; and if continued trade with Ireland is dependent on the cessation of such violations of the human rights of the citizens of Yemen by Saudi Arabia. [53036/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I remain extremely concerned about the current situation in Yemen, as the humanitarian situation has reached crisis point. The war is now in its third year, the political process has stalled, and the fighting is having devastating consequences for civilians, with credible allegations of violations of international humanitarian law. Yemen is also facing the world's fastest-growing cholera epidemic. The recent death of former President Ali Abdullah Saleh has led to a deterioration in the situation and an escalation in violence in parts of Yemen, particularly near the capital, Sana'a. The humanitarian catastrophe in Yemen has been exacerbated by the ongoing brutal conflict. In addition to the loss of life, infrastructure has been destroyed, cutting off much of the population from food and other supplies.

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. Over the past twelve months, my predecessor, Minister Flanagan, has raised concerns about the appalling humanitarian situation in Yemen, and about attacks which have directly impacted on civilians, with Saudi Arabia and with UAE at Ministerial level.

More recently, officials from my Department met with the Saudi Embassy in Dublin last month, and they passed on my concerns in relation to human rights violations and humanitarian access, and re-stated Ireland's view that there can be no military solution to the crisis in Yemen. In the past few days, the Embassy of Ireland in Saudi Arabia has also conveyed to the Government of Yemen that the reopening of Yemeni ports, including Hodeida particularly, for both humanitarian and commercial traffic, is essential to avoid a humanitarian catastrophe.

I am committed to taking action where possible, through the UN system. At the Human Rights Council in September 2017, I decided that Ireland should join a small core group of countries that drove forward the adoption of a Resolution on Yemen. This Resolution establishes a group of international experts, who will establish the facts in relation to violations of human rights and humanitarian law on the ground. This group will report back to the Human Rights Council, as an important step towards accountability in Yemen.

Ireland will continue to press for a negotiated settlement to the conflict in Yemen, respect for human rights and international humanitarian law, and improved humanitarian access to those in need. We fully support the efforts of UN Special Envoy Ismail Ould Cheikh Ahmed to work towards a peace agreement. At the Foreign Affairs Council on 11 December, I urged stronger action by the EU in relation to the barriers to humanitarian access in Yemen. I will continue to raise my concerns about the situation in Yemen with the Saudi authorities, as well as with other parties, and at EU and international levels, whenever opportunities arise.

### **Brexit Negotiations**

112. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade the position regarding maintaining full alignment; and the way in which he and his officials are of the view this will be applied in any future EU-UK deal. [52908/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The issue of regulatory alignment arises both in regard to the wider EU-UK relationship, and in the

particular circumstances of Ireland.

It is clear that, once the UK exits the EU, the question will arise as to how far the UK, which will not be bound by EU law once it departs and which will not be part of the EU decision making process, will wish over time to exercise its own right to legislate and regulate in ways which could mean divergence between UK and EU regulations. The smoothest possible trading relationship will therefore require mechanisms to monitor and, if possible, resolve such regulatory divergence.

The second phase of the Article 50 negotiations will enable discussions to get underway between the EU and the UK on these important issues. It remains Ireland's overriding position that a future EU-UK agreement should be comprehensive and ambitious and as wide as possible in its scope, while ensuring a level playing field and protecting the integrity of the Single Market. It is also our position that an agreement should promote regulatory conformity, ensure ways to manage potential regulatory divergence, and impose the disciplines needed in order to ensure a level playing field.

In regard to Ireland, it is of course our strong preference that a broader EU-UK agreement will resolve all Irish-specific issues, including that of regulatory alignment between North and South. However, in the joint progress report from the UK and the Commission published on 8 December there is a commitment from the British Government that, if the agreement does not achieve that goal, and in the absence of other agreed solutions in regard to protecting North/South co-operation and avoiding a hard border, it "will maintain full alignment with those rules of the Internal Market and the Customs Union which, now or in the future, support North-South cooperation, the all-island economy and the protection of the 1998 [Good Friday] Agreement."

This backstop commitment is firm and wide-ranging in its scope. "Alignment" is a term used in EU law in the context of adherence to the *acquis communautaire*. To "maintain full alignment" therefore requires the UK to continue to adhere to all elements of EU Internal Market and Customs Union law which supports the fundamentally important goals set out above.

## International Relations

113. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on whether Irish-British relations have been strained for the past two years; and the actions that will be taken to correct this. [52910/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** While the UK's decision to leave the EU has serious implications for Ireland, we maintain a strong and constructive bilateral relationship with the UK. We are fully committed to developing and enhancing this relationship over the coming years. In addition, in the context of the UK exit from the European Union, we will work to secure the closest possible positive relationship between the UK and the European Union.

During the Taoiseach's visit to London in May of this year, his first official overseas visit in office, Prime Minister May spoke of her desire to establish a "close and special partnership" with Ireland after Brexit. We fully share this objective, and recognise that there can be no room for complacency in our relationship.

Numerous channels will continue to exist for Irish-British engagement and both Governments continue to make extensive and effective use of these. The Good Friday Agreement provides for important institutional cooperation on an east-West basis including through the British Irish Council (BIC).



Other channels of contact and cooperation have developed over the years as the relationship between these islands has grown closer. For example, in 2012, a process was established involving summits between the Taoiseach and the UK Prime Minister, supported by a Joint Work Programme managed at official level by the heads of all government departments in both London and Dublin. In addition, the British Irish Parliamentary Assembly (BIPA) brings together elected representatives from the Oireachtas, Westminster, the Northern Ireland Assembly, and the Scottish and Welsh devolved assemblies.

In addition, there have been a number of successful high-level visits in recent years that have had a very positive impact on our relationship, notably the state visit by Queen Elizabeth II to Ireland in 2011 and the reciprocal state visit by President Higgins to the UK in 2014. Most recently, President Higgins travelled to Dumfries House in Scotland at the invitation of the Prince of Wales, following the visit of the Prince of Wales and Duchess of Cornwall to Ireland earlier this year, their third visit in as many years.

I recently welcomed Foreign Secretary Boris Johnson to Dublin, providing an opportunity to discuss the importance of the bilateral relationship between the UK and Ireland and how this can be maintained and strengthened after the United Kingdom leaves the European Union. Regular bilateral meetings between Irish Ministers and their UK counterparts facilitate cooperation across a range of portfolios.

The Embassy of Ireland in London will remain our largest bilateral Embassy globally, and this year two additional diplomatic officers have been assigned to the Embassy. The Consulate General in Edinburgh was also assigned an additional diplomat in 2015. 'Team Ireland' enjoys a significant footprint in Britain with our trade, tourism, and investment agencies continuing to make a positive impact. With 600,000 Irish-born, and as many as one in four of Irish descent living in Britain, the Irish community continues to be recognised for its positive contribution to modern British society. In this context, there are over 60,000 Irish-born Directors of British companies.

It is clear that there are a wide range of arrangements in place to allow for constructive and mutually-beneficial dialogue with the UK and the continued strengthening of the British-Irish relationship. The UK has always been one of our most important bilateral relationships. It is up to us to continue to strengthen this relationship and to find areas for sustained cooperation. I believe that the structures, the warmth and goodwill, and the excellent working relationships needed to maintain a strong bilateral relationship are in place and will continue to grow and develop.

### **Israeli Settlements**

114. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade the progress he has had raising the issue of the Israeli settlement in the Golan at the EU Foreign Affairs Council, including the lack of EU funds available to NGOs in the area and the lack of meaningful statements from the EU regarding the situation in that area. [53172/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I am aware of the extension of Israeli settlements in the occupied Syrian Golan, and of the broader difficulties faced by the people in this area, which are certainly a cause for concern. Officials from my Department have recently met with NGOs operating in the Golan, and remain in contact with them.

In the occupied Syrian Golan, as in the West Bank, the introduction and settlement of com-



munities of the occupying power, to alter the demography of the area, is illegal under international law. The process of establishing settlements inevitably involves violations of the rights of the occupied population, through seizure of their land, discriminatory treatment and other restrictions. Tactics including planning laws, zoning, military use, national parks etc. are used by the Israeli authorities to advance this process under a cloak of legality. None of these measures can alter the fact that the whole process is illegal.

The Government has consistently and repeatedly conveyed these concerns about land use, demolitions and settlements in general to the Israeli authorities, and highlighted them in our interventions at EU, UN and international level. In addition, I raised these concerns directly in the context of my visit to Israel and Palestine in July, and I raised them again with Prime Minister Netanyahu in our meeting with him in Brussels on Monday. I will continue to avail of every appropriate opportunity to pursue them. In general, we address these issues in relation to the occupied territory as a whole, seeking to improve the protections of all the people living under that occupation, including in the Golan area.

Ireland's concerns over these policies are most acute in relation to the West Bank, where the continued construction of settlements on occupied land is dangerously undermining the prospects for a peace agreement and the establishment of a Palestinian state, and this has been the focus of my international engagement on the settlements issue, both bilaterally and at EU level. By contrast, it is generally acknowledged that any comprehensive peace between Israel and the Arab states will involve the return of the Golan area to Syria. This does not lessen the obligation on Israel to treat the community there in accordance with international law so long as the occupation remains in being.

*Question No. 115 answered with Question No. 101.*

*Question No. 116 answered with Question No. 98.*

### **Good Friday Agreement**

117. **Deputy Stephen S. Donnelly** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will report on the status of the Good Friday Agreement and on the next north south Ministerial Council meeting; and if he will make a statement on the matter. [52888/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** As a co-guarantor of the Good Friday Agreement, the Government, working with the British Government, is continuing to work intensively to support the effective operation of all of its institutions and to ensure that the Good Friday Agreement in all its parts is fully protected and respected in the context of the UK's withdrawal from the EU.

The Government has spared no effort in supporting and facilitating talks on the 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. However, I have always believed that it remains possible to reach an agreed outcome which ensures implementation of previous agreements and reflects the core principles of the Good Friday Agreement and power-sharing it-

self - partnership, equality, and mutual respect. It remains my conviction that this is achievable.

With the continuing absence of a functioning Executive, the North South Ministerial Council cannot operate and bring together the Government and the Executive to oversee ongoing North/South work and further develop cooperation, as provided for under the Agreement. This is a most serious absence, and particularly so at a time when the Council should be continuing the work it commenced last year to deal with the challenges of Brexit. Common Principles were agreed at the Plenary meeting of the North South Ministerial Council in November 2016, to coordinate engagement by the Government and the Executive to deal with the challenges that are raised on an all-island basis by the UK exit from the European Union. We should be working together on this through the North South Ministerial Council.

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.

### International Relations

118. **Deputy Richard Boyd Barrett** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will report on discussions he has had with the administration of the United States. [52958/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The United States is an important partner for Ireland and the Government's priority is to ensure that the long standing and warm relationship between Ireland and the US endures, in the interests of Ireland and of Irish citizens on both sides of the Atlantic.

With that in mind, and as is the case with all of our bilateral relationships, we engage with the US administration on an ongoing basis, both at official and political level.

In terms of my own discussions with the US administration, I visited the US twice in recent months - in September, for the UN General Assembly and bilateral engagement, and in October, for political engagements in Washington.

Both of these visits featured discussions with US administration officials. Those discussions covered *inter alia* issues such as the Ireland-US economic relationship, the UK exit from the EU, Northern Ireland, the Bombardier case and immigration reform, as well as topical foreign policy issues.

These visits, as well as others by Government officials and Ministers, are complemented by ongoing engagement by our diplomatic missions in the United States, led by our Embassy in Washington D.C.

In addition, I, along with officials of my Department, maintain ongoing contact with the US Embassy in Dublin, routinely raising issues such as visa policy and immigration reform.

Most recently, I spoke with the US Embassy earlier this week to convey my concern at the announcement by President Trump of the proposed relocation to Jerusalem of the US Embassy to Israel.

I can assure the Deputy that I, and my officials in the Department of Foreign Affairs & Trade, will continue to work assiduously to strengthen what is already a very warm and produc-

tive relationship.

### **Good Friday Agreement**

119. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade if he is satisfied that legislation being enacted at present or proposed by the British Government in relation to its decision to exit the EU will not impact on aspects of the Good Friday Agreement. [52940/17]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Government is determined to ensure that the Good Friday Agreement in all its parts is fully protected and respected in the context of the UK's withdrawal from the EU and this has been a headline priority since the UK referendum result. As co-guarantor of the Good Friday Agreement, the Government has a solemn responsibility to protect the Agreement in all its parts and the gains of the Peace Process which have been of immeasurable benefit to the entire island, north and south.

Upholding the Good Friday Agreement is also an objective shared by the British Government. Last Friday, we received firm commitments in the joint report of the negotiators of the EU and UK Government. These commitments include the maintenance of the Common Travel Area, protection of EU citizenship and other rights, and the protection of the Good Friday Agreement in all of its parts including in relation to North South co-operation and the principle of consent.

This agreement not only provides a guarantee that there will be no hard border in any circumstances, it spells out for the first time how this will be achieved. In the event that it is not possible to resolve the border issue as part of a wider EU-UK future relationship agreement, which has always been the Irish Government's preference, or through specific solutions, paragraph 49 of the report states that, "in the absence of agreed solutions, the United Kingdom will maintain full alignment with those rules of the Internal Market and the Customs Union which, now or in the future, support North-South cooperation, the all-island economy and the protection of the 1998 agreement." It has also been agreed that any agreements put in place will be accompanied by effective mechanisms to ensure implementation and oversight.

The upholding of the Good Friday Agreement is also an objective shared by the British Government. Last Friday, we received firm commitments in the joint report of the negotiators of the EU and UK Government. These commitments include the maintenance of the Common Travel Area, protection of EU citizenship and other rights for Irish citizens from Northern Ireland, and the protection of the Good Friday Agreement in all of its parts including in relation to North South co-operation and the principle of consent.

The British Government has proposed a number of pieces of draft legislation relating to the UK's Withdrawal from the European Union, which are being considered at Westminster. While this is a matter for the UK Parliament, my Department, including through the Embassy in London, is actively following the progress of these bills at Westminster.

### **Compensation Schemes**

120. **Deputy Charlie McConalogue** asked the Minister for Finance further to Parliamentary Question No. 131 of 17 November 2017, if his department has received legal clarification with regard to the issue (details supplied); and if he will make a statement on the matter.

[52614/17]

**Minister for Finance (Deputy Paschal Donohoe):** In replying to this question, I am making the assumption that the Deputy is referring to Parliamentary question number 131 of 17 October 2017 which asks why the Government has not agreed to cover 100% of Setanta third party compensation claims; if this means former customers are now potentially liable for partial cost of claims; and if the Minister for Finance will reconsider his approach on this issue.

In my reply, I indicated that there is a legal concern that any Government intervention to fully compensate third party claimants, and then “step into the shoes” of these claimants to recover directly any balance due from the Setanta liquidation could result in the Government having a lower status in the creditor hierarchy, and thus significantly reduce the amount it could recoup from the liquidator.

At the time I answered the PQ, I was awaiting legal advice on this matter from a Maltese law firm. My Department has recently received this advice, and after reviewing it have forwarded it to the office of the Attorney General for its consideration.

On receipt of a reply from the Attorney General’s Office, I will be in a better position to further consider this matter.

### **Credit Availability**

121. **Deputy Gino Kenny** asked the Minister for Finance if his attention has been drawn to the fact that the sale of legal hemp products such as clothing, bags and cannabidiol, CBD, oil is being hampered by banks’ refusal to extend credit and debit card payment facilities to businesses selling these products in view of the fact they inaccurately deem the sales illegal; the legal position in terms of this practice by banks; if he will provide direction to banks on this issue; and if he will make a statement on the matter. [52643/17]

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

The Deputy also may wish to note that in Ireland banks do not exclusively offer credit and debit card payment facilities to businesses. Furthermore, there are financial service companies which manage an account and relationship between a retailer and various card schemes known as acquirers. Acquiring is a competitive market in Ireland, there are a range of options available to merchants from which to choose, including banks, bank subsidiaries and other payment institutions. If a merchant is not satisfied with their acquirer, they could stand to benefit from shopping around and choosing a different acquirer for their business.

My role is to ensure that there is an appropriate framework in place for the resolution of complaints in the financial services sector, including complaints about the refusal to provide a service. The person concerned may wish to make a formal complaint regarding this matter to the bank in question and the Central Bank’s Consumer Protection Code 2012 sets out time-frames within which a regulated entity must respond to complaints.

If a customer has made a formal complaint to the financial service provider in question and is not satisfied with the outcome, I would suggest that they make a complaint to the Financial

Services Ombudsman who may investigate a failure or refusal to provide a service. The Financial Services Ombudsman may investigate complaints from sole traders and limited companies with a turnover of less than €3 million a year. Investigations by the Financial Services Ombudsman are free of charge to the customer.

### **Property Tax**

122. **Deputy John Lahart** asked the Minister for Finance his plans to introduce an allowance as an expense towards property tax for landlords who may have two or more properties and are providing tenancy; and if he will make a statement on the matter. [52711/17]

**Minister for Finance (Deputy Paschal Donohoe):** In 2012 the inter-departmental group chaired by Dr Don Thornhill established to consider the structures and modalities of a property tax, recommended that Local Property Tax (LPT) paid by the owner in respect of a rented property should be deductible for income tax or corporation tax purposes, in a similar manner to commercial rates. The Group recommended that consideration be given to phasing in deductibility over a period of years having regard to the pressures on the public finances.

However, in his 2015 review of the LPT conducted at the request of my predecessor, Dr Thornhill considered that this recommendation in favour of deductibility does not rest easily with the concept of the LPT as a tax on the amenity value of residential properties rather than as a business cost. He contended that owners and tenants of rental properties both derive value from the amenity value of these properties, the owner in the form of the rent and the tenant from living in the property. This Dr Thornhill considered contrasts with the situation regarding local authority rates on commercial properties. Owner occupiers are not allowed to claim LPT as a deduction against income tax and it is not appropriate on conceptual and equity grounds that they should. There is a need to ensure equity between owners of all residential properties – whether owner occupiers or landlords. Dr Thornhill recommended, after further reflection, that it would be inappropriate to allow LPT as a deduction against the taxation of income from rents on residential properties.

My Department will consider issues relating to the implementation of the outstanding recommendations in the 2015 Thornhill Review of LPT in due course in line with the 2019 re-valuation timeline. The position of the Government will be made clear so that households will know well advance what its plans are for LPT. I expect the Department of Finance will commence work on this matter in the New Year in conjunction with the Departments of Public Expenditure & Reform, Housing, Planning & Local Government and Revenue.

### **Credit Union Regulation**

123. **Deputy Noel Rock** asked the Minister for Finance his plans to increase the cap on €60,000 savings within a credit union to assist persons saving for deposits for properties; and if he will make a statement on the matter. [52764/17]

**Minister for Finance (Deputy Paschal Donohoe):** I can advise the Deputy that the Credit Union Act 1997 (Regulatory Requirements) Regulations 2016 (the Regulations) came into effect on 1 January 2016 following commencement of the remaining sections of the Credit Unions and Co-operation with Overseas Regulators Act 2012 which provided regulation making powers to the Central Bank.

These Regulations set out an individual member savings limit of €100,000 and also pro-



vided that credit unions could apply to the Central Bank to retain individual members' savings in excess of €100,000, which were held at commencement of the Regulations and that Credit unions with total assets in excess of €100 million could apply to the Central Bank for approval to increase individual member savings in excess of €100,000. Some credit unions may have decided themselves to apply savings limits below €100,000.

The Central Bank developed application processes to facilitate credit unions in seeking the approvals outlined above. As provided for in the Regulations, in order for approval to be granted an applicant credit union must demonstrate that the granting of such approval is consistent with the adequate protection of the savings of members and effective and proportionate having regard to the nature, scale and complexity of the credit union. Applications to increase savings in excess of €100,000 will be accepted on an ongoing basis.

In its feedback statement to CP88 *Consultation on Regulations for Credit Unions on commencement of the remaining sections of the 2012 Act* the Central Bank committed to undertaking a review of the continued appropriateness of the savings limit once the impact of the restructuring of the sector, currently underway, can be assessed. This review will also assess if developments have emerged in the credit union business model which may warrant consideration of any amendments to the €100,000 limit for some credit unions. It is envisaged that such a review would be commenced within three years of the introduction of the regulations.

### Motor Insurance Regulation

124. **Deputy Michael McGrath** asked the Minister for Finance the insurance firms licensed to sell motor insurance here in which their prudential regulation is in another EU country and they are regulated here for conduct of business purposes only. [52890/17]

**Minister for Finance (Deputy Paschal Donohoe):** The Central Bank of Ireland is responsible for the prudential supervision of insurance undertakings authorised by it. It is also responsible for the supervision of conduct of business for all insurers operating in the Irish market whether authorised here or elsewhere in the EU. The EU regulatory framework which allows insurers to provide services from one Member State into another, either through establishing a branch operation in the host country, or writing business from the home country (i.e. where authorised) into the host country on a 'freedom of services' (FOS) basis, is a central element of the Single Market. This passporting facility is of great benefit to many Irish authorised insurers who sell into the markets of other EU member States.

All motor insurance undertakings wishing to do business in Ireland are required to become a member of the national bureau (Motor Insurers' Bureau of Ireland (MIBI)) under Section 78 of the Road Traffic Act. This is an important requirement as the MIBI is the body in Ireland tasked with meeting the EU requirement of compensating victims of accidents caused by uninsured and unidentified vehicles. MIBI publishes its membership list on its website. This contains the details of all undertakings that are allowed to sell motor insurance in Ireland, whether authorised in the State or elsewhere in the EU. The list is available at:

[www.mibi.ie/\\_fileupload/Member%20list/7%20MIBI%20Members%20List%20-%20September%202017.pdf](http://www.mibi.ie/_fileupload/Member%20list/7%20MIBI%20Members%20List%20-%20September%202017.pdf).

When looking at the membership list, the Deputy will note that the freedom of services undertakings are marked by a reference to "FOS" in the company code field of the table. There were some 26 such undertakings in the latest membership list, from September 2017. These numbers may change as undertakings enter and exit the Irish market from time to time.

In addition, I am informed by the Central Bank that it has a register of insurance undertakings which have notified of their intention or obtained an administrative authorisation to carry on Non-Life Insurance business into Ireland, on a Freedom of Services basis. This is publicly available at:

*<http://registers.centralbank.ie/>*

However, as it includes all undertakings, not just those providing motor insurance, I think the MIBI membership list will be of more assistance to the Deputy for the purpose of his question.

### **Tax Clearance Certificates**

125. **Deputy Ruth Coppinger** asked the Minister for Finance his plans to ensure that developers or landlords involved in State contracts for housing are not engaged in offshore tax avoidance; and if he will make a statement on the matter. [52259/17]

**Minister for Finance (Deputy Paschal Donohoe):** A condition for the award of State contracts or the payment of providers of services on behalf of the State is that the tenderer or the service provider must have a current tax clearance certificate in respect of Irish tax.

Revenue administers the general scheme of tax clearance certification in accordance with section 1095 of the Taxes Consolidation Act 1997. The purpose of the tax clearance scheme is to ensure that businesses and individuals that derive an economic benefit from the State are in compliance with their tax obligations.

I am advised by Revenue that it also operates a wide-ranging compliance management programme to address tax compliance risk in all its forms. The compliance behaviour of a taxpayer determines the nature, extent and consequences of Revenue's risk management interventions which range from aspect queries and profile interviews to Revenue audits, and prosecutions, both summary prosecutions and serious criminal investigations. Targeted annual projects include the construction and property rental sectors.

Revenue's work and focus in regard to offshore matters has been strengthened by greater co-operation and information sharing between tax authorities worldwide. Revenue is now receiving details of offshore assets and accounts held by Irish tax-residents under a range of international agreements including the Inter-Governmental Agreement to share financial account information with the United States (FATCA), the OECD Common Reporting Standard, and the EU Directives on Administrative Co-operation.

Revenue uses software to match the data that it receives from other tax administrations to Revenue's taxpayer records, then cross-checks against prior returns to ensure relevant income and assets have been declared. Revenue also feeds the data into its social network analysis and anomaly detection tools, to highlight cases where possible tax compliance risks may arise and such cases are then the focus of specific Revenue intervention as part of its ongoing compliance intervention programmes.

The Deputy will be aware that in the context of the aforementioned new information sharing initiatives and developments, 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.

I am satisfied that the combination of Revenue's risk identification and evaluation processes, its extensive access to relevant and expanding data sources and the overall tax clearance underpinned by a strong legislative regime that penalises and sanctions offshore tax evasion are an effective framework for tackling tax non-compliance.

### Stamp Duty

126. **Deputy Pearse Doherty** asked the Minister for Finance the expected cost in 2018 of the proposed exemption for stamp duty for commercial properties that are made up of 25% residential property; and the rationale for same. [52976/17]

**Minister for Finance (Deputy Paschal Donohoe):** It is assumed the Deputy is referring to the repayment of Stamp Duty where 75% of the land is used for residential development as included in section 61 of the Finance Bill 2017. I am advised by Revenue that information is not available in respect of the uptake of the measure (the future transactions that may qualify for the proposed relief from the 6 per cent rate) and therefore it is not in a position to provide information in respect of the expected cost ex ante. However, the Deputy may be interested to note the breakdown in the table below of Stamp Duty receipts in 2016 from non-residential property by category of property.

#### Stamp Duty Receipts from Non-Residential Property

-	2016 - € Million
Agricultural Land	16.8
Non-Agricultural Land	4.7
Site Only	14.0
New Commercial/Industrial premises	1.6
Second Hand Commercial/ Industrial premises	207.0
Intangible Property	2.1
Other	9.7
Total Non-Residential	255.9

### Tracker Mortgage Examination

127. **Deputy Michael Healy-Rae** asked the Minister for Finance his views on a matter (details supplied) regarding tracker mortgages; and if he will make a statement on the matter. [52999/17]

**Minister for Finance (Deputy Paschal Donohoe):** As the Deputy is aware, the Central Bank's most recent Tracker Mortgage Examination status update report was issued on 17 October last and it indicated that, as at the end of September, approximately 13,000 mortgage accounts have been identified as impacted through the examination. This is additional to the 7,100 mortgage accounts which were rectified and remedied prior to the commencement of the industry wide examination. In addition, since the October update report, one lender has accepted that it has a further 6,000 impacted accounts. Lenders have also commenced the payment of redress and compensation to impacted customers and following my meetings with the main mortgage lenders at the end of October, the various banks made specific commitments on

the roll out of these payments.

The Central Bank will now publish a further update report on the tracker examination next week and I look forward to receiving this. In particular, it will be important to find out more conclusively the number of people who have been affected by the tracker scandal and the progress banks have now made to deal with their impacted customers. I will closely look at the updated Central Bank report when it is to hand and I will then consider what further steps should be taken at that point. However, it remains the priority of the Government and the Central Bank to complete the tracker examination as quickly as possible and to ensure that all impacted accounts are identified and that appropriate redress and compensation is paid to the affected borrowers.

### State Claims Agency

128. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance further to Parliamentary Question No. 129 of 14 November 2017, if his attention has been drawn to the fact that the State Claims Agency commissioned a retrospective report covering 1980 to 2007 to be carried out by the formation safety office Air Corps on much of Casement Aerodrome, Baldonnell, which was issued on 6 February 2014; if the State Claims Agency carried out actions on receipt of the report such as issuing findings to the Minister for Defence, the Health and Safety Authority, the chief of staff of the Defence Forces or Casement Aerodrome authorities; and if it withheld it for future use or not as it saw fit in legal proceedings being pursued against the State. [53000/17]

**Minister for Finance (Deputy Paschal Donohoe):** The SCA have informed me that in answering question 129 of 14 November 2017 it interpreted the request to relate to its audit programme carried out by its Risk Unit. They have also informed me that in August 2013 on receiving a claim in which it was alleged that personal injuries were caused by exposure to toxic substances in Baldonnell, the SCA emailed Litigation Branch and Claims Administration asking that a Liaison Officer (L.O.) be appointed to assist the SCA's investigations. The SCA also requested that the appointed LO prepare a detailed claims report setting out the background and circumstances of the claim. The SCA, although not privy to the decision, understands that the Formation Safety Officer was tasked with this request. The SCA subsequently received a report, in April 2014, titled "Chemical Exposure Report (1994-2005) <Plaintiff Name> Case" which was the only report furnished by the Defence Forces and related specifically to the period 1994-2005. As the report was requested by and provided to the SCA in the context of a claim, it is legally and professionally privileged, referring as it does to all the circumstances of the plaintiff's claim. This report was prepared entirely for the conduct of the legal proceedings and its use was confined accordingly.

### Tax Code

129. **Deputy Michael McGrath** asked the Minister for Finance the person or body that is the liable party in respect of income tax relating income being paid to a receiver in the form of rental income on residential and or commercial property; if the liable person differs depending on whether the borrower has consented to the appointment of the receiver or the receiver has been formally appointed in line with the statutory provisions; and if he will make a statement on the matter. [53088/17]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that section 1049 of the Taxes Consolidation Act (TCA) 1997 sets out that a receiver appointed by a Court in

the State which has the direction and control of property is assessed and charged to income tax or corporation tax, as appropriate, on the property as if the property were not under the direction and control of the Court. Such a receiver is answerable for doing all matters required under the Tax Acts for the assessment and payment of income tax or corporation tax, as appropriate.

In cases where the receiver has not been appointed by the Court, section 96(3) of the TCA 1997 provides that tax on net rental income from property in receivership, or from property where the mortgagee has taken possession, is chargeable on the mortgagee. This means that, in these circumstances, the mortgagee, and not the receiver, has to make a return in respect of, and pay the tax liability on, such income.

### **Property Tax Application**

130. **Deputy Michael McGrath** asked the Minister for Finance the person or body that is the liable party in respect of the local property tax in circumstances in which a receiver has been appointed to a property; if the liable person differs depending on whether the borrower has consented to the appointment of the receiver or the receiver has been formally appointed in line with the statutory provisions; and if he will make a statement on the matter. [53089/17]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that under the Finance (Local Property Tax) Act 2012 (as amended), the person who is the liable person on the liability date for a particular year is the person who is responsible for the payment of Local Property Tax (LPT) for that year. Thus, for example, the person who is the liable person on 1 November 2017 is responsible for the payment of LPT for the year 2018.

In general, the owner of a residential property is the liable person and continues to be so notwithstanding the appointment of a receiver. However, where a financial institution enforces its security over a property by taking possession of the property, the financial institution, as a ‘mortgagee in possession’, displaces the owner of the property as the liable person.

While a receiver is not a liable person under the Finance (Local Property Tax) Act 2012 (as amended), it can happen that he or she may assume responsibility for payment of LPT in accordance with the terms of the deed or mortgage between the property owner and the financial institution or the terms under which the receiver is appointed. It is, therefore, not possible to give a definitive answer on this point.

### **Tax Code**

131. **Deputy Maureen O’Sullivan** asked the Minister for Finance his plans to make amendments to inheritance tax rules to allow single persons with no children to nominate a beneficiary that would receive the same favourable tax incentives as immediate family members under present rules; his views on whether the inheritance tax rules are discriminating against childless persons that are not married, cohabiting, LGBTs in same-sex unions and have no blood relatives; and if he will make a statement on the matter. [53105/17]

**Minister for Finance (Deputy Paschal Donohoe):** For the purposes of Capital Acquisitions Tax (CAT), the relationship between the person who provides the gift or inheritance (i.e. the donor) and the person who receives the gift or inheritance (i.e. the beneficiary), determines the life-time tax-free threshold – known as the “Group threshold” – below which gift or inheritance tax does not arise. Where a person receives gifts or inheritances in excess of their relevant tax free threshold (when aggregated since 5 December 1991) CAT at a rate of 33% ap-



plies on the excess over the tax free threshold.

There are, in all, three separate Group thresholds based on the relationship of the beneficiary to the disponent.

**Group A** : tax free threshold €310,000 – applies where the beneficiary is a child (including adopted child, stepchild and certain foster children) or minor child of a deceased child of the disponent. Parents also fall within this threshold where they take an inheritance of an absolute interest from a child.

**Group B** : tax free threshold €32,500 – applies where the beneficiary is a brother, sister, a nephew, a niece or lineal ancestor or lineal descendant of the disponent.

**Group C** : tax free threshold €16,250 – applies in all other cases.

Where two people, irrespective of their relationship share a home owned by one of them, and where the homeowner dies leaving that home to the other person, they can in certain circumstances be exempt from the payment of inheritance tax in respect of the inheritance of that dwelling house. The main conditions attaching to this exemption are that the person who inherits the dwelling house must have lived there for a minimum of three years prior to the inheritance and must not have had an interest in any other dwelling-house. The dwelling house passing by inheritance must also be the sole or main residence of the disponent. In addition, with the exception of persons who are aged 65 years or over at the date of the inheritance, he or she must continue to live in that dwelling-house, as his or her only or main residence, for a period of six years commencing on the date of the inheritance. This exemption ensures that what may be the family home for many people will not be liable to inheritance tax when it is the subject of an inheritance.

Where a couple is cohabiting, rather than married or in a civil partnership, each partner is treated for the purposes of tax as a separate and unconnected individual. Cohabitants do not have the same legal rights and obligations as a married couple or couple in a civil partnership which is why they are not accorded similar treatment to couples who have a civil status that is recognised in law. From a practical perspective a CAT regime for cohabitants which would be the same as for married persons or civil partners would be difficult to administer and is likely to be intrusive. It would be time consuming to confirm declarations by individuals that they were cohabiting or when cohabitation started and ceased.

As regards the treatment of individuals with no children, gifts or inheritances from them are subject to either category B or C thresholds irrespective of their individual status. There would be a significant Exchequer cost with the extension of the Category A threshold to individuals with no children and it would be likely to give rise to tax planning opportunities.

Finally, I would say that the current CAT structure is a long standing feature of the tax system which has been agreed by the Oireachtas. The system promotes horizontal equity in that all individuals with similar circumstances are treated in a similar manner. I therefore have no plans to amend the rules applying to CAT in the manner sought by the Deputy.

## **Excise Duties Collection**

132. **Deputy Michael McGrath** asked the Minister for Finance the profile of goods seized by the Revenue Commissioner at each port for non-compliance with excise obligations; the quantity, nature and estimated market value of the goods concerned; the number and value of goods successfully claimed by the owner; the fate of goods not claimed by the owner in each

of the years 2012 to 2016 and to date in 2017; and if he will make a statement on the matter. [53139/17]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by the Revenue Commissioners that details of the goods seized for the years 2012 to 2017 (to the end of November), for non compliance with excise obligations at Irish ports, are set out in the tables. I am also advised that it is not possible to extract the data by reference to individual ports, in the time available, however Revenue have stated that they will write directly to the Deputy providing such a breakdown when it is available.

Goods are seized where an officer determines, following investigation, that they are liable to forfeiture under the Finance Acts. All excisable goods seized are either sold or destroyed. In limited circumstances vehicles may be appropriated to the State.

I am advised by Revenue that where a “notice of claim” is received, seeking the return of goods following seizure, the Revenue Commissioners initiate litigation proceedings for condemnation of the goods and forfeiture to the State. For the period in question there are seven instances where proceedings were taken and the goods were not returned.

Seizures of excise goods nationally by quantity and retail price at ports only .

Year/s	Cigarettes		Tobacco		Alcohol		Oil		Vehicle Conveyances	
	Quantity (million)	Retail Price (€million)	Quantity	Retail Price (€million)	Quantity	Retail Price (€million)	Quantity	Retail Price (€million)	Quantity	Retail Price (€million)
			(Kilograms)		(Litres)		(Litres)			
2012	75.6	34	1,592	0.6	13,466	0.1	219,775	0.3	44	0.6
2013	22.6	10	500	0.2	16,831	0.3	313,996	0.4	74	1
2014	41.22	20	4,633	2	27,603	0.4	3,348	0.003	39	0.4
2015	51.7	25.6	533	0.2	29,513	0.4	7,000	0.008	27	0.4
2016	35.7	19	276	0.1	89,346	0.6	0	0	35	0.6
2017	27.6	13	304	0.2	45,892	0.3	53,900	0.06	18	0.2

Total seizures of excise goods nationally by quantity and retail price.

Year/s	Cigarettes		Tobacco		Alcohol		Oil		Vehicle Conveyances	
	Quantity (million)	Retail Price (€million)	Quantity (Kilograms)	Retail Price (€million)	Quantity (Litres)	Retail Price (€million)	Quantity (Litres)	Retail Price (€million)	Quantity	Retail Price (€million)
2012	95.6	43.3	5,277	1.95	33,059	0.7	1,113,142	1.6	136	1.5
2013	40.8	18.9	4,203	1.7	55,755	1.5	874,882	1	161	1.5
2014	53.4	25.5	9,824	4.2	40,237	0.61	201,140	0.2	95	0.7
2015	67.9	34.4	2,364	1.09	45,842	0.6	215,132	0.2	82	0.7
2016	44.6	23.5	1,527	0.74	110,058	0.89	369,711	0.3	114	1.4
2017	33.7	19.1	1,611	0.8	59,892	0.6	113,037	0.09	65	0.5

### **Flood Relief Schemes Funding**

133. **Deputy John McGuinness** asked the Minister for Public Expenditure and Reform the timeframe for the funding and commencement of the flood relief scheme for Graiguenamanagh, County Kilkenny; the reason for the delay in starting the project; if the fallen trees, debris, overgrowth and rubbish will be removed from the outlets of the bridge in Graiguenamanagh to avoid further local flooding (details supplied); and if he will make a statement on the matter. [52636/17]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** I assume the Deputy is referring to a potential scheme of Individual Property Protection (IPP) measures which is the subject of a Feasibility Study undertaken on behalf of Kilkenny County Council (KCC).

The Feasibility Study Report, which was undertaken on a pilot basis, has been completed and submitted to the Office of Public Works (OPW) by KCC for consideration. The Report is currently being examined within OPW. The Report and its conclusions are being considered in the context of the proposals for a major scheme of permanent structural flood defence measures included in the Flood Risk Management Plan for Graiguenamanagh under the CFRAM Programme. OPW expects to conclude its assessment of the Feasibility Report shortly and discussions between OPW and KCC will be required to consider the most appropriate, sustainable and economically viable flood relief measures for Graiguenamanagh.

In relation to the CFRAM Programme, I would hope by the end of this year to seek approval from the Minister for Finance and Public Expenditure and Reform for the 29 Flood Risk Management Plans developed under the CFRAM process. Thereafter I would hope to announce the proposed structural measures contained within those Plans that will, over the coming years, be taken to detailed design and construction to protect those communities at risk.

Further, local consultation in Graiguenamanagh will need to be undertaken regarding the eventual preferred flood relief measures to be undertaken and so it is not possible to provide a timeframe on the matter at the moment.

In relation to fallen trees, debris, overgrowth and rubbish at the outlets of the bridge, the OPW does not have a maintenance role at this location. This matter is best referred to the local authority for attention.

### **Flood Relief Schemes Funding**

134. **Deputy Brendan Smith** asked the Minister for Public Expenditure and Reform the funding that will be provided to Cavan County Council in 2018 for flood relief and drainage works; and if he will make a statement on the matter. [52650/17]

135. **Deputy Brendan Smith** asked the Minister for Public Expenditure and Reform the flood relief and drainage works that the Office of Public Works will carry out in County Cavan in 2018; and if he will make a statement on the matter. [52651/17]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** I propose to take Questions Nos. 134 and 135 together.

The Office of Public Works (OPW) carries out a national programme, on an average five-yearly cycle, of Arterial Drainage Maintenance to a total of 11,500km of river channel and approximately 730km of embankments nationally. These maintenance works relate to arterial

drainage schemes completed by the OPW under the Arterial Drainage Acts 1945.

The Boyne, Inny and Glyde and Dee Arterial Drainage Maintenance Schemes are in operation in County Cavan. As part of these maintenance programmes, fifty kilometres of river channel maintenance is scheduled to take place in County Cavan in 2018.

Local authorities are responsible for the ongoing maintenance of certain watercourses within Drainage Districts in the county. I am engaging with the Minister of Housing, Planning and Local Government to look at ensuring that sufficient funding is available for Local Authorities to fulfil these obligations.

For areas not covered by the Arterial Drainage Maintenance Programme, the OPW operates a Minor Flood Mitigation Works and Coastal Protection Scheme. It is open to all Local Authorities to submit a funding application under the Scheme. This administrative Scheme's eligibility criteria, including a requirement that any measures are cost beneficial, are published on the OPW website, [www.opw.ie](http://www.opw.ie). Any application received will be considered in accordance with the scheme eligibility criteria and having regard to the overall availability of resources for flood risk management.

### **Flood Relief Schemes Funding**

136. **Deputy Brendan Smith** asked the Minister for Public Expenditure and Reform the funding that will be provided to Monaghan County Council in 2018 for flood relief and drainage works; and if he will make a statement on the matter. [52652/17]

137. **Deputy Brendan Smith** asked the Minister for Public Expenditure and Reform the flood relief and drainage works that the Office of Public Works will carry out in County Monaghan in 2018; and if he will make a statement on the matter. [52653/17]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** I propose to take Questions Nos. 136 and 137 together.

The Office of Public Works (OPW) carries out a national programme, on an average five-yearly cycle, of Arterial Drainage Maintenance to a total of 11,500km of river channel and approximately 730km of embankments nationally. These maintenance works relate to arterial drainage schemes completed by the OPW under the Arterial Drainage Acts 1945.

The Monaghan Blackwater and Glyde and Dee Arterial Drainage Maintenance Schemes are part of this annual maintenance programme in County Monaghan. As part of these maintenance programmes, ninety-six kilometres of river channel maintenance is scheduled to take place in County Monaghan in 2018.

Local authorities are responsible for the ongoing maintenance of certain watercourses within Drainage Districts in the county. I am engaging with the Minister of Housing, Planning and Local Government to look at ensuring that sufficient funding is available for Local Authorities to fulfil these obligations.

For areas not covered by the Arterial Drainage Maintenance Programme, the OPW operates a Minor Flood Mitigation Works and Coastal Protection Scheme. It is open to all Local Authorities to submit a funding application under the Scheme. This administrative Scheme's eligibility criteria, including a requirement that any measures are cost beneficial, are published on the OPW website, [www.opw.ie](http://www.opw.ie). Any application received will be considered in accordance with the scheme eligibility criteria and having regard to the overall availability of resources for

flood risk management.

### **Flood Risk Management**

138. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform if a river at a location (details supplied) will be cleaned out; and if he will make a statement on the matter. [52806/17]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** The river referred to by the Deputy does not form part of any Arterial Drainage Scheme, which would fall under the remit of the Office of Public Works (OPW) under the 1945 Arterial Drainage Act. The OPW therefore has no responsibility for the maintenance of this river. Also, OPW does not have responsibility for maintaining road infrastructure. This responsibility primarily rests with Local Authorities.

Local flooding issues are a matter, in the first instance, for each Local Authority to investigate and address, and Kerry County Council may carry out flood mitigation works using its own resources. The Council may also apply to the Office of Public Works for funding of flood mitigation works under this Office's Minor Flood Mitigation Works and Coastal Protection Scheme. The purpose of this scheme is to provide funding to Local Authorities to undertake minor flood mitigation works or studies to address localised flooding and coastal protection problems within their administrative areas. Details of this scheme are on the OPW website, [www.opw.ie](http://www.opw.ie)

### **Oireachtas Members' Remuneration**

139. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform the rate of salary that would apply to Deputies, Senators, Ministers, Junior Ministers and An Taoiseach if in each case the Civil Service grade their salary is linked to was reduced by a grade, in tabular form; the estimated savings from such a move; and if he will make a statement on the matter. [52914/17]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The linking of the salary of a TD currently remunerated at €89,965 pa on the current Civil Service Principal Officer (Standard Scale) to the grade of Assistant Principal Officer (Standard Scale) at a current salary rate of €70,281 pa would amount to an estimated annual saving of €3.11 million.

The estimated annual saving based on a Senator's current salary of €65,311 pa reduced to 70% of the revised TD's salary rate above would accordingly amount to €967k.

The Officeholder salary which is paid to the Taoiseach, Ministers and Ministers of State in addition to their TD salary is not linked to a Civil Service grade.

*Question No. 140 withdrawn.*

### **Flood Relief Schemes**

141. **Deputy Robert Troy** asked the Minister for Public Expenditure and Reform the works completed to date on addressing the flooding of the River Shannon; the schedule of works that are planned; and the timeframe for completion of same. [53211/17]



**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** In January 2016, the Shannon Flood Risk State Agency Co-ordination Working Group was established by Government to enhance on-going co-operation across all of the State agencies involved with the River Shannon, including ESB, Waterways Ireland, Bord na Móna, Inland Fisheries Ireland, the National Parks and Wildlife Service, OPW and the relevant local authorities. including to trial the lowering of the levels on Lough Allen by 0.7 metres, which is the lowest level achievable without causing significant risk to existing waterway infrastructure and possible environmental issues. This protocol is being operated again this Winter.

Earlier this year targeted maintenance works were carried out at Madden's Island, downstream of Banagher, where many trees, which had been impeding conveyance capacity and navigation of the Shannon, were removed. Further works are to be carried out at Madden's Island in early 2018 when the next environmental window for works will allow.

As I recently announced the OPW and Waterways Ireland are actively examining the potential for lowering the navigational channel at 18 pinch points between Meelick and Athlone. This programme of work will take up to 5 years to complete with an estimated cost of 6 million euros.

Major and minor flood defence works projects funded by the OPW in the Shannon catchment are ongoing, as follows:

*Major Schemes*

- Ennis South - Expected to commence construction in early 2018.
- Foynes Tidal defences - Construction completed.
- Kings Island (1st phase of Limerick City Main Scheme) - submission to An Bord Pleanála on overall scheme early 2018.
- Kings Island (Verdant Place advance contract) - Construction complete.
- Athlone - Works have now commenced.

*Minor Works*

- Mountcampbell, Jamestown/Drumsna: Removal of trees and debris completed.
- Portavulla Estate, Banagher: Building of embankments completed.

### **Flooding Data**

142. **Deputy Robert Troy** asked the Minister for Public Expenditure and Reform the number of farmers that have signed up to the resettlement programme; if the number is on target; the measures being introduced for farmers that cannot consider the resettlement option; and if he will make a statement on the matter. [53238/17]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** On April 11th 2017, the Government agreed the administrative arrangements for a Voluntary Homeowners Relocation Scheme for those primary residential properties that flooded during December 4th 2015 to January 13th 2016. This is a national scheme of humanitarian assistance, targeting aid at those worst affected properties, for which there are no alternative feasible measures.

The Government decision confirmed that a homeowner had to meet a number of conditions to be eligible for assistance under this scheme, including:

- That floodwater entered and damaged the building during the relevant dates such as to render it uninhabitable.
- That the property was the homeowners primary residence at the time of the floods.
- That the affected property must have a significant probability of the recurrence of the flood depth, duration or frequency on a scale that could cause further serious and similar damage to the home.
- That the property is not due to or may not benefit from a planned or possible future major, minor or individual flood defence scheme.
- That the property may not be protected adequately from being flooded in the future at an economically feasible cost through other flood mitigation works including minor works, individual property protection or other possible measures that can be considered at this time.
- That the homeowner is unable to obtain flood risk insurance.

The OPW are working with each of the Local Authorities, using their extensive and detailed local knowledge, to identify the homes that flooded during the event, and of those identified which properties may not benefit from a known or possible engineering solution. These homeowners will be invited to meet with the OPW to discuss the details of the scheme and may be invited to formally apply for the scheme.

In addition to the identification process underway with the Local Authorities, homeowners also had the opportunity to express an interest directly with the OPW, before July 28th 2017, to be considered under the Scheme. Some 67 expressions of interest were received from homeowners in 19 different Local Authority areas.

The OPW has begun to make contact with those homeowners identified above and individual meetings will commence this week. It is not known how many of the people identified are farmers but the OPW is taking note to share details with the Department of Agriculture, Food and the Marine of applicants whose home is part of an active farmyard.

In applying the scheme, where an engineering solution is identified that would protect the home from a flood of similar intensity, at more economically advantageous cost than relocation, the OPW will provide funding to Local Authorities to complete these identified works.

With regard to a potential Voluntary Farm Building Relocation Scheme, the study to determine the feasibility of any future once-off targeted scheme for Voluntary Farm Building Relocation has been commenced. The Department of Agriculture, Food and the Marine is using its own records of applicants who sought aid under the emergency relief package, that operated in response to the flooding during the Winter of 2015/2016, to identify potential candidates for any Voluntary Farm Building Relocation scheme. In addition, that Department will use details supplied by the OPW, from applicants to the Voluntary Homeowners Relocation Scheme, to identify further potential applicants. That Department will then contact and work with these individual farmers to determine if there are any alternative remedial works to protect those farmyard buildings at risk and develop recommendations in relation to the feasibility of a scheme.

### **Residential Institutions Redress Scheme Eligibility**

143. **Deputy Peter Burke** asked the Minister for Education and Skills if a person (details supplied) is eligible for support from a State agency in view of the fact that they have not been able to secure payment or compensation; and if he will make a statement on the matter. [52678/17]

**Minister for Education and Skills (Deputy Richard Bruton):** Caranua, the Residential Institutions Statutory Fund Board, is an independent statutory body established pursuant to the Residential Institutions Statutory Fund Act 2012 to oversee the use of the cash contributions of up to €110 million, pledged by the religious congregations, to support the needs of survivors of institutional child abuse. Eligibility for assistance from the Fund is confined to those former residents who received awards from the Residential Institutions Redress Board or similar awards or settlements in court proceedings and who would otherwise have received an award from the Redress Board.

If the individual concerned isn't eligible to avail of services from Caranua, then he/she can't now retrospectively apply to be included in the redress scheme. While there was a redress scheme in place for people who had suffered abuse in a number of scheduled institutions, it is no longer open to new applicants. The Residential Institutions Redress Amendment Act, 2011 removed the Board's power to accept late applications received on or after the 17th September 2011.

### **Scéimeanna Tacaíochta Gaeilge**

144. D'fhiafraigh **Deputy Peadar Tóibín** den Aire Oideachais agus Scileanna an bhfuil sé beartaithe ag a Roinn beartas cuimsitheach Stáit ar an nGaeloideachas a fhorbairt; agus má tá, cathain a fhoilseofar é; agus an ndéanfaidh sé ráiteas ina thaobh. [52594/17]

**Minister for Education and Skills (Deputy Richard Bruton):** Tá mo Roinn, trí thionscnaimh éagsúla, ag cur na Gaeilge chun cinn sa chóras oideachais agus ag tacú leis an gcóras Gaeloideachais. Tá an Roinn ag rannchuidiú le roinnt gníomhaíochtaí sa Straitéis 20 Bliain don Ghaeilge rud a léiríonn tiomantas na Roinne sa réimse seo. Tugadh isteach curaclam nua don Ghaeilge ar leibhéal na bunscoile agus na hiar-bhunscoile. Leagtar béim sa dá cheann acu seo ar an gcur chuige cumarsáideach maidir le cur chun cinn cumas agus inniúlachtaí na ndaltaí sa teanga thar réimse leathan ábaltachtaí ó fhoghlaimoírí Gaeilge go cainteoirí dúchais. Anuas air sin, faoin bPolasaí ar Oideachas Gaeltachta 2017-2022 tá pacáiste saincheaptha tacaí curtha i dtoll a chéile ag mo Roinn chun tacaíocht a thabhairt do scoileanna Gaeltachta, lena n-áirítear bearta chun soláthar múinteoirí i scoileanna lán-Ghaeilge a fheabhsú.

Níl aon phlean ann chun beartas ar leithligh a leagan amach don ghaeloideachas. Tá mé cinnte, mar sin féin, go léiríonn na forbairtí a luadh thuas tiomantas leanúnach mo Roinne d'fhonn an Ghaeilge a chur chun cinn ar fud an chórais oideachais agus i dtreo tacaíocht a thabhairt don Ghaeloideachas.

Beidh tionchar dearfach ag cur chun cinn na ngníomhaíochtaí atá sa Bheartas ar Oideachas Gaeltachta 2017-2022 maidir leis an soláthar ginearálta don Ghaeloideachas. Tá mo Roinn tar éis a bheith ag obair go dlúth leis an Oifig um Sholáthar Rialtais d'fhonn iarratas ar thairiscintí a fhorbairt ar dhearadh, forbairt agus seachadadh céim nua san oideachas trí mheán na Gaeilge, Baitsiléir in Oideachas (B.Ed.) don bhunmhúinteoireacht agus céim mháistreacht san Oideachas Gaeilge agus Gaeltachta (M.Ed.) d'fhonn scileanna nua a theagasc do mhúinteoirí agus príomhoidí atá ann cheana. Tá an t-iarratas ar thairiscintí le foilsiú go luath agus táthar ag súil le go dtosóidh an M.Ed. i mí Mheán Fómhair 2018, agus tá an B.Ed. le tosú ó mhí Mheán Fómhair 2019 i leith. Táthar ag súil le go bhfeabhsóidh céimithe ar na cúrsaí seo soláthar múin-

teoirí bunscoile agus iar-bhunscoile atá in ann ardcháilíocht oideachais trí mheán na Gaeilge a sheachadadh. Tá dhá phost breise múinteoireachta arna soláthar don chlár um Máistreacht Ghairmiúil san Oideachas in Ollscoil Náisiúnta na hÉireann, Gaillimh chun méadú a dhéanamh ar líon na múineoirí iar-bhunscoile atá in ann réimse ábhar a mhúineadh trí mheán na Gaeilge.

### **Schools Building Projects Status**

145. **Deputy Aindrias Moynihan** asked the Minister for Education and Skills the status of the construction of a new school (details supplied) in County Cork . [52605/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The major school building project referred to by the Deputy is at an advanced stage of architectural planning Stage 2b (Detailed Design), which includes the application for Statutory Approvals and the preparation of Tender Documents. All statutory approvals have been secured.

The Board of Management have recently submitted correspondence to the Department raising a number of issues in relation to the project and seeking to meet with Department Officials. Officials from my Department are currently in contact with the Board of Management regarding dates for the proposed meeting.

### **Departmental Correspondence**

146. **Deputy Charlie McConalogue** asked the Minister for Education and Skills when a response will issue to an interim reply (details supplied); and if he will make a statement on the matter. [52620/17]

**Minister for Education and Skills (Deputy Richard Bruton):** A reply issued to the correspondence referred to by the Deputy from my Department on 8 December 2017.

### **Minor Works Scheme**

147. **Deputy Lisa Chambers** asked the Minister for Education and Skills when the minor works grants for 2017/2018 will be paid to all national schools; the amount of the payment; the reason for the delay in the provision of the minor works grant in 2017 compared with the provision of the grant in 2016; and if he will make a statement on the matter. [52624/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I am pleased to advise that on 5 December, 2017 I announced the Minor Works Grant 2017/2018 for primary schools across the country and payment will issue this week. It was not possible to make the announcement any sooner as my Department's overall end-year capital position was only fully established very recently.

All primary schools will receive a flat rate Minor Works Grant of €5,500 plus €18.50 per mainstream pupil and €74 per special needs pupil attending a special school or special class.

The funding will allow minor works to be carried out on the physical infrastructure of schools or on the purchase of items of furniture and equipment.

### **Minor Works Scheme Data**

148. **Deputy Lisa Chambers** asked the Minister for Education and Skills the payments provided to each national school in County Mayo under the minor works grant in the past three years; the date on which each year's payments were made, in tabular form; and if he will make a statement on the matter. [52625/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I am pleased to advise that on 5 December, 2017 I announced the Minor Works Grant 2017/2018 for primary schools across the country and payment will issue this week, including to the primary schools in County Mayo.

The rate of payment of the Minor Works Grant is a basic grant of €5,500 to all primary schools plus €18.50 per mainstream pupil and €74 per special needs pupil on the rolls on the 30 September of the year prior to the issue of the grant. The €74 rate applies to a special needs pupil attending a special school or attending a special class attached to a mainstream school.

The Minor Works Grant was announced on the following dates in previous years and payment issued shortly thereafter:

2017/2018 - 5th December, 2017

2016/2017 - 17th November, 2016

2015/2016 - 5th November, 2015

2014/2015 - 25th November, 2014

It is not possible to provide the payments data requested in respect of all schools within the county. However, if the Deputy wishes to nominate a specific school or schools, I would be happy to provide the level of capital funding issued in such an instance.

### **Minor Works Scheme Payments**

149. **Deputy Lisa Chambers** asked the Minister for Education and Skills when the minor works grant for 2017/2018 will issue to a school (details supplied); the amount that will be provided; and if he will make a statement on the matter. [52626/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I am pleased to advise that on 5 December, 2017 I announced the Minor Works Grant 2017/2018 for primary schools across the country and payment will issue this week to all schools including the school referred to by the Deputy.

All primary schools will receive a flat rate Minor Works Grant of €5,500 plus €18.50 per mainstream pupil and €74 per special needs pupil attending a special school or special class.

The funding will allow minor works to be carried out on the physical infrastructure of schools or on the purchase of items of furniture and equipment.

### **Minor Works Scheme Payments**

150. **Deputy Lisa Chambers** asked the Minister for Education and Skills when the minor works grant for 2017/2018 will issue to a school (details supplied); the amount that will be provided; and if he will make a statement on the matter. [52627/17]



**Minister for Education and Skills (Deputy Richard Bruton):** I am pleased to advise that on 5 December, 2017 I announced the Minor Works Grant 2017/2018 for primary schools across the country and payment will issue this week to all schools including the school referred to by the Deputy.

All primary schools will receive a flat rate Minor Works Grant of €5,500 plus €18.50 per mainstream pupil and €74 per special needs pupil attending a special school or special class.

The funding will allow minor works to be carried out on the physical infrastructure of schools or on the purchase of items of furniture and equipment.

### School Management

151. **Deputy Eugene Murphy** asked the Minister for Education and Skills further to Parliamentary Question No. 103 of 30 November 2017, the validity of a decision by the board of management of a primary school to remove a member of the board of management (details supplied) and to replace that member with a new one; and if he will make a statement on the matter. [52628/17]

**Minister for Education and Skills (Deputy Richard Bruton):** Section 14 of the Education Act 1998, provides that the appointment of a Board of Management of a school is solely a matter for the relevant school patron.

Section 16 of the Education Act 1998 provides that the patron may, either dissolve a Board if they are dissatisfied that the functions of a Board are not being effectively discharged or in the case of an individual member of the a Board, the Patron with the consent of the Minister, for good and valid reasons may remove a member from a board.

In circumstances where a Patron proposes to remove a member of a Board they must follow the process set out in the Education Act which provides for an opportunity for the board member concerned to make representations to the Patron. The Patron may still decide to remove a member of a Board thereafter having considered any representations made and subject the approval of the Minister.

The Governance Manual for Primary Schools 2015 – 2019, published by my Department sets out the various rules for the composition and operation of Boards of Management including the appointment and removal of members of the Board by the Patron. The Governance Manual also provides guidance in relation to situations where a serving board member may become ineligible to serve on a board.

### Third Level Staff Remuneration

152. **Deputy Joan Burton** asked the Minister for Education and Skills the conditions in which incremental credit for prior experience is given to assistant lecturers in Institutes of Technology; the differences in the incremental credit for prior experience between assistant lecturers appointed before January 2011, those appointed between January 2011 and March 2016 and those appointed since March 2016; the way in which pay inequalities in terms of incremental credit will be resolved; and if the unwinding of the FEMPI legislation will allow for pay parity among assistant lecturers in this respect. [52631/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The rules governing the awarding of incremental credit for assistant lecturers are dealt with under the terms of circulars

01/05 and 12/07, these circulars were published by my Department in March 2005 and February 2007 respectively. The terms of these circulars continue to be applicable.

The operation of the circulars is a matter for the individual Institutes of Technology.

### **Schools Building Projects Status**

153. **Deputy Brendan Ryan** asked the Minister for Education and Skills the status of the provision of a new and permanent building for a school (details supplied) in view of the traffic and safety concerns being caused for parents and pupils due to its current temporary location; and if he will make a statement on the matter. [52638/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The school to which the Deputy refers is temporarily located in a property in the ownership of Teagasc in Kinsealy, Dublin 17 pending delivery of the school's permanent accommodation.

My Department is aware that the school has made contact with Fingal County Council's traffic engineer and Road Safety Officer and that the Council has completed a report recommending that appropriate parking options need to be identified. In this regard, my Department is engaging with Teagasc, the owners of the site, to explore how the traffic management issues can be resolved on the site.

My Department continues to liaise with Fingal County Council in accordance with the Memorandum of Understanding in relation to the identification and acquisition of a suitable site for the school's permanent accommodation.

Due to commercial sensitivities relating to site acquisitions generally I am not in a position to provide further details at this time but I can assure the Deputy that the school patron will be informed of the proposed location for the school as soon as it is possible to do so.

### **Schools Building Projects Status**

154. **Deputy Dara Calleary** asked the Minister for Education and Skills the status of a building application by a school (details supplied) in County Mayo; if his attention has been drawn to the physical condition of the school; and the timeframe for completion of the project. [52646/17]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy is aware, a building project for the school referred is included in my Department's 6 Year Construction Programme.

I wish to advise the Deputy that the Project Brief is currently being finalised which, once completed, will facilitate the project to be progressed into Architectural Planning, which includes the appointment of a Design Team.

### **Minor Works Scheme Data**

155. **Deputy John Brady** asked the Minister for Education and Skills the number of primary schools that have received funding under the minor works grant in 2016, and to date in 2017. [52667/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I am pleased to advise that on 5 December, 2017 I announced the Minor Works Grant 2017/2018 for primary schools across the country and payment will issue this week.

3,250 primary schools received the Minor Works Grant 2016/2017 in 2016 and 3,248 primary schools will receive the Minor Works Grant 2017/2018 later this week.

### **Minor Works Scheme Applications**

156. **Deputy John Brady** asked the Minister for Education and Skills if a school (details supplied) will receive funding under the minor works grant; and if he will make a statement on the matter. [52668/17]

160. **Deputy James Browne** asked the Minister for Education and Skills if a minor works grant for a school (details supplied) will be approved in 2017; if so, when it will be issued; and if he will make a statement on the matter. [52713/17]

162. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the status of minor work grant funding for a school (details supplied); and if he will make a statement on the matter. [52740/17]

176. **Deputy Niamh Smyth** asked the Minister for Education and Skills if he will review a minor works grant for a school (details supplied); the timeframe for same; and if he will make a statement on the matter. [52894/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I am pleased to advise that on 5 December, 2017 I announced the Minor Works Grant 2017/2018 for primary schools across the country and payment will issue this week.

The funding will allow minor works to be carried out on the physical infrastructure of schools or on the purchase of items of furniture and equipment.

### **School Enrolments Data**

157. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the number of children from Navan town and its catchment area attending secondary schools in other towns; the number of children in County Meath on waiting lists for secondary schools in Navan; if there are sufficient places in secondary schools in Trim, Navan, Athboy and Oldcastle; the locations of these available places; and when the second phase of the school building programme will commence at a school (details supplied). [52681/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I wish to clarify for the Deputy that my Department does not hold a record of the number of pupils from Navan town that attend secondary schools in other towns or the number of children in County Meath on waiting lists for secondary schools in Navan.

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.

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).

As the Deputy may be aware, my Department uses a Geographical Information System to identify where the pressure for school places across the country will arise. The System 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 at primary and post-primary level to determine where additional school accommodation is needed. It is anticipated that decisions based on the latest demographic exercises will be announced in the coming weeks.

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

- Utilising existing unused capacity within a school or schools
- Extending the capacity of a school or schools
- Provision of a new school or schools.

The first phase of the school building project for the school referred to by the Deputy in the details supplied was completed in January 2014. The second phase of the building project is currently at Stage 2A - Developed Design Stage.

The Deputy will also be aware that post-primary school building projects for Beaufort College, Boyne Community School and Scoil Mhuire, Trim are included in my Department's Construction Programmes. The project at Beaufort College is currently under construction and the architectural planning process for the project at Boyne Community School has commenced. A site visit has been undertaken at Scoil Mhuire as part of the preparatory work associated with advancing the building project.

With the addition of these projects, based on the demographic and enrolment information currently available, there should be sufficient provision for post-primary school places in County Meath.

My Department is keeping the school planning areas in County Meath under ongoing review to take into account of updated child benefit data and updated enrolment data and also the impact of capacity increases in the school planning areas.

### **Schools Building Projects Status**

158. **Deputy Jack Chambers** asked the Minister for Education and Skills the progress of the building of a sports hall at a school (details supplied) in Dublin 15; and if he will make a statement on the matter. [52690/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The school building project to which the Deputy refers is currently at tender stage. Letters of Intent for this project issued on

28th November. Assuming no further issues arise and the contract is awarded the project will thereafter proceed to construction early in Quarter 1 of 2018.

### **Apprenticeship Programmes**

159. **Deputy Fergus O'Dowd** asked the Minister for Education and Skills if issues raised by a person (details supplied) in correspondence will be examined; and if he will make a statement on the matter. [52710/17]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** SOLAS is the co-ordinating provider for craft apprenticeship programmes. I have brought this correspondence to the attention of SOLAS and have asked them to respond to the Deputy directly.

*Question No. 160 answered with Question No. 156.*

### **School Accommodation Provision**

161. **Deputy Thomas Byrne** asked the Minister for Education and Skills the status of an application by a school (details supplied) for additional accommodation. [52724/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I can confirm that the school referred to by the Deputy has recently submitted an application to my Department for additional accommodation. A decision on the application will be conveyed to the school authority as soon as the assessment process has been completed.

*Question No. 162 answered with Question No. 156.*

### **Schools Building Projects Applications**

163. **Deputy Jan O'Sullivan** asked the Minister for Education and Skills when a decision will issue on an application for an extension to a school (details supplied); and if he will make a statement on the matter. [52755/17]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department is in receipt of an application for additional accommodation from the school referred to by the Deputy. Additional information sought and recently received from the school authority is being considered. My Department will be in direct contact with the school authority concerned when the assessment process has concluded.

### **Teachers' Remuneration**

164. **Deputy Noel Rock** asked the Minister for Education and Skills his plans for pay restoration for primary teachers; and if he will make a statement on the matter. [52766/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The public service agreements have allowed a programme of pay restoration for public servants to start. This has been used to negotiate substantial improvements in pay for new teachers including a 15-22% increase in pay which I negotiated last year. The agreements have, to date, restored an estimated



75% of the difference in pay for more recently recruited teachers and deliver full equality at later points in the scale. This is substantial progress and strikes an equitable balance with other claims for funding on my Department, particularly needs such as enhanced service for children with special educational needs, for disadvantaged schools, for growing schools, for Higher Education and apprenticeships.

As a result of these changes and taking into account the proposed pay measures under the Public Service Stability Agreement 2018-2020, the starting salary of a new teacher from 1 January 2018 will be €35,958 and from 1 October 2020 onwards will be €37,692. If full equalisation was achieved the starting salary for a post-primary teacher from 1 October 2020 would be €43,879 and for a primary teacher would be €41,511.

Further to this, newly recruited teachers benefit from the terms of the Ward Circular which reduced the qualifying period from a CID and the removal of the career break and secondment categories of objective grounds which had previously prevented some teachers from gaining CIDs. In addition to earlier permanency, other measures of benefit to newly recruited teachers included a revised sequence for the filling of posts to enable fixed-term and part time teachers to gain permanent, full-time jobs more quickly and easier than before.

It must be borne in mind that the pay reduction for post-2011 entrants to the public service applied to all public servants and not just teachers, and that any restoration of these measures in respect of teachers would be expected to be applied elsewhere across the public service. While I am not in a position to provide an estimate of the total cost of restoring all post-1 January 2011 entrants in all of the public service to the pre-2011 pay scale arrangements, I can say that in the case of education and training sector employees, including teachers, the estimated current full year cost would be in the order of €130 million. Clearly, the cost across the entire public service would be substantially higher.

To have gone further than the pay increases that have been negotiated would mean I would have had less money available to hire over 1,000 extra SNAs in 2018, and over 1,000 extra teachers in 2018.

Any further negotiation on new entrant pay is a cross sectoral issue, not just an issue for the education sector. The Government also supports the gradual, negotiated repeal of the FEMPI legislation, having due regard to the priority to improve public services and in recognition of the essential role played by public servants.

Accordingly, the recently concluded Public Service Agreement 2018-2020 includes a provision in relation to new entrants which states that an examination of the remaining salary scale issues in respect of post January 2011 recruits at entry grades covered by parties to the Agreement will be undertaken within 12 months of the commencement of the Agreement. An initial meeting on new entrant pay under this process took place on 12 October 2017.

## **School Curriculum**

165. **Deputy Noel Rock** asked the Minister for Education and Skills his plans to review the English curriculum in the primary level education cycle; and if he will make a statement on the matter. [52767/17]

**Minister for Education and Skills (Deputy Richard Bruton):** A new integrated Primary Language Curriculum for junior infants to second class, incorporating both Irish and English, was introduced from September 2016. This curriculum supports children's language learning in our two languages, Irish and English, through high-quality experiences. The curriculum aims

to ensure that children acquire transferrable language skills which will assist them in learning both Irish and English during their primary education and in additional languages when they choose them at second level. Work is currently underway in developing the Primary Language Curriculum for third to sixth class which will be available to schools in autumn 2018.

### **Apprenticeship Programmes**

166. **Deputy Niall Collins** asked the Minister for Education and Skills if all wages paid to persons enrolled in craft based and consortia led apprenticeships are fully funded via the Exchequer and the National Training Fund; and to outline the employer contributions to apprentices' wages. [52786/17]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** The wage paid by an employer to an apprentice is not funded by the exchequer or the National Training Fund (NTF). Apprentices in the craft trades are paid a training allowance by their local Education and Training Board while they attend their off-the-job training phases. This represents approximately 40 weeks of their four year apprenticeship. This training allowance is funded by the NTF. Employers in the new consortia led apprenticeships pay the wage of the apprentice for the duration of their apprenticeship including during off-the-job training.

### **Minor Works Scheme Payments**

167. **Deputy Kathleen Funchion** asked the Minister for Education and Skills the reason a school (details supplied) in County Mayo has not yet received its minor works grant; when the payment will issue; the way in which he plans to help small schools with teaching principals to deal with added administrative burdens; and if he will make a statement on the matter. [52794/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I am pleased to advise that on 5 December, 2017 I announced the Minor Works Grant 2017/2018 for primary schools across the country and payment will issue this week.

The funding will allow minor works to be carried out on the physical infrastructure of schools or on the purchase of items of furniture and equipment

Building on measures in previous budgets to enhance school leadership, Budget 2018 made €0.4 million available to fund additional release days for teaching principals in primary schools. This additional funding will see an increase in the number of release days available to teaching principals in the 2018/19 school year.

### **Institutes of Technology**

168. **Deputy Kathleen Funchion** asked the Minister for Education and Skills when the GMIT working group report will be signed off; and if he will make a statement on the matter. [52795/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The report of the GMIT working group has now been submitted to my Department. I will consider the findings and recommendations in the report, in conjunction with officials in my Department.

Given the importance of this report to the future sustainability of the GMIT Castlebar campus, a full and comprehensive consideration of its findings and recommendations is necessary. For this reason, an exact date for its publication has not been set. However, the report will be published in the coming weeks.

### **Legislative Measures**

169. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the time-frame for the Education (Admission To Schools) Bill 2016 to be brought before Dáil Éireann; the proposed wording of an amendment (details supplied); if SENOs will be allowed to exercise this new authority immediately; the way in which limits on the SENOs will be legislated for; and if he will make a statement on the matter. [52805/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The Deputy will be aware that I published the Education (Admission to Schools) Bill 2016 on 6 July 2016 and the Bill passed Committee Stage on 28 June 2017.

During the Committee Stage debate on the Bill I indicated that I would bring forward an amendment at Report Stage that would provide a power for the Minister to require a school to open a special class or classes where the NCSE recommends that a class is required.

My officials have been engaging with the Office of the Attorney General in relation to a number of amendments, including the above, proposed for Report Stage of the Bill and I am informed that this work is nearing conclusion. The Bill will progress to Report Stage once these amendments have been finalised.

### **School Enrolments**

170. **Deputy John Lahart** asked the Minister for Education and Skills if his attention has been drawn to the case of a secondary school (details supplied) in Dublin 24 that does not automatically accept students from the closest primary school; and if he will make a statement on the matter. [52808/17]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in the area.

It is the responsibility of the managerial authorities of all schools to implement an enrolment policy in accordance with the Education Act, 1998.

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.

In this regard, a Board of Management may find it necessary to prioritise enrolment of children from particular areas or particular age groups or on the basis of some other criterion. For example, some schools give priority to applicants who have attended a particular primary school (known as a feeder school). The criteria to be applied by schools in such circumstances are a matter for the schools themselves.

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, it may result in some

pupils not obtaining a place in their school of first choice.

In relation to the school in question I can confirm that the construction of a new 1,000 pupil Post Primary School in Kingswood commenced on 28th August 2017 and that, subject to no issues arising, the school, which comes under the remit of the ETB, should take 24 months to complete. Temporary accommodation was provided on site to allow the school to open in September 2016.

All new schools established since 2011 to meet demographic demand are required to enrol children from within the designated school planning area which the school was established to serve. This does not preclude schools from enrolling pupils from outside of the designated school planning area, rather it reflects the need to accommodate in the first instance the demographic for which the school was established.

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

171. **Deputy Jack Chambers** asked the Minister for Education and Skills if a school (details supplied) will be allocated the necessary SNA resources; and if he will make a statement on the matter. [52825/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The National Council for Special Education (NCSE), which is an independent statutory agency, is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating a quantum of Special Needs Assistant (SNA) support for each school annually taking into account the assessed care needs of children qualifying for SNA support enrolled in the school. The NCSE operates within my Department's criteria in allocating such support, as set out in Circular 0030/2014.

In considering applications for SNA supports for individual students, the SENOs take account of the student's needs and considers the resources available to the school to identify whether additionality is needed or whether the school might reasonably be expected to meet the needs of the students from its current level of resources. SNAs are not allocated to individual students but to schools as a school based resource.

Details of SNA allocations which have been made to schools for the 2017/18 school year have been published by the NCSE on their website at <http://ncse.ie/statistics>.

Where a school has received its allocation of SNA support for 2017/18, but wishes new enrolments or new assessments to be considered, which were not taken into account when the initial allocation was made, they may continue to make applications to the NCSE.

The NCSE Appeals Process may be invoked in the following instances:

- a parent or a school where it is considered that a child was not granted access to SNA support on the grounds that Department policy was not met in accordance with Circular 0030/2014.
- a school may also appeal a decision, where the school considers that the NCSE, in applying Department policy, has not allocated the appropriate level of SNA supports to the school to meet the special educational and/or care needs of the child(ren) concerned.

All schools have the contact details of their local SENO and parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available at <http://ncse.ie/seno-contact-list> .

As the matter raised in this question refers to an individual child, I have forwarded the question to the NCSE for direct reply.

### **Capitation Grants**

172. **Deputy Joan Burton** asked the Minister for Education and Skills if schools will receive the next capitation grant in January 2018; and if not, when schools will receive the grants in view of the fact that capitation grants have been previously paid to schools in January. [52826/17]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy is aware my Department issues capitation related grants to schools in instalments throughout the school year. The next tranche of capitation related funding will issue to schools in January 2018. The following are links to the most recent circulars published on my Department's website in relation to capitation grants which includes details of the timing of payments:

[https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0028\\_2016.pdf](https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0028_2016.pdf)

[https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0029\\_2016.pdf](https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0029_2016.pdf)

### **Summer Works Scheme**

173. **Deputy Bobby Aylward** asked the Minister for Education and Skills the status of the summer works scheme application submitted by school (details supplied) to assist with the cost of window repairs; and if he will make a statement on the matter. [52842/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I can confirm to the Deputy that my Department is in receipt of a Category 7 application for window replacement under the Summer Works Scheme from the school to which he refers.

The current Summer Works Scheme (SWS) is being applied on a multi-annual basis. Nearly 50% of schools have applied for inclusion under the scheme which reflects a very high demand.

Almost €80 million has been approved to date under the SWS in respect of over 640 school projects in categories 1 - 6. Details of the successful school applicants are published on my Department's website [www.education.ie](http://www.education.ie).

The 2018 budgetary provision will allow the Department to meet the carry over costs of summer works projects already approved, the assessment of applications in the remaining categories 7-10 is reliant on the availability of funding.

In the interim, the school may use its minor works grant to carry out the works in full or on a phased basis, as that grant permits, if the school considers the works to be a priority. Details of the minor works grant for 2017/18 were announced on 5th December last and can be found on my Department's website [www.education.ie](http://www.education.ie).

### **Schools Health and Safety**

174. **Deputy Billy Kelleher** asked the Minister for Education and Skills if first aid training will become compulsory for all physically capable teachers and SNAs (details supplied) through Government funding; and if he will make a statement on the matter. [52846/17]



**Minister for Education and Skills (Deputy Richard Bruton):** Under the provisions of the Education Act 1998, the Board of Management is the body charged with the direct governance of a school.

The Board of Management of each school is responsible for the care and safety of all of the students in their school and care and safety should be at the centre of all policy and practices.

The Health and Safety Authority (HSA) advise that, by law, employers and those who control workplaces to any extent, must identify hazards in the workplaces under their control and assess the risk presented by the hazards.

Employers must write down the risks and what to do about them. This is known as Risk Assessment. The aim of Risk Assessment is to reduce the risk of injury and illness associated with work. The Risk Assessment(s) will form part of the employer's Safety Statement.

The Safety, Health and Welfare at Work (General Application) Regulations 2007 set out the First-Aid requirements for workplaces as follows: "Employers have a duty to provide first-aid equipment at all places at work where working conditions require it. Depending on the size or specific hazard (or both) of the place of work, trained occupational first-aiders must also be provided. Apart from some exceptions, first-aid rooms must be provided where appropriate. Information must also be provided to employees as regards the first-aid facilities and arrangements in place."

It is important that the school management authority requests parents to ensure that the school is made aware of any medical condition suffered by any student attending. Where the school is aware of potential difficulties that may arise as a consequence of a medical condition suffered by one or more students, it may be possible for the management authorities, working in conjunction with parents, teachers and children to put preventative measures in place to lessen the possibility of any difficulties arising or to ensure that, if a student suffers from an illness requiring, for example, the administration of medication, that appropriate treatment is available.

Where a child requires adult assistance to assist in the administration of medicine and where the extent of assistance required would overly disrupt normal teaching time, SNA support may be allocated for this purpose.

It is a matter for the Board of Management to ensure that SNAs are in a position to effectively meet the care needs of students for whom SNA support has been allocated in the school when appointing an SNA.

Where specific training is required, the Board of Management should liaise with the Health Service Executive (HSE) in order to ensure that the HSE provides guidance and training that enables the SNA to meet the care needs of the pupil in an appropriate manner. It is a matter for individual school authorities to make such arrangements locally.

It is my Department's experience that once the matter has been discussed in detail with the Board of Management and staff of a school, and once all parties are clear as to the procedures to be followed, arrangements can normally be made to assist the administration of first aid or medicine.

The NCSE are currently undertaking a Comprehensive Review of the SNA Scheme. In response to a progress report from the NCSE on the comprehensive assessment, the NCSE were requested to establish a working group, comprising relevant stakeholders, to assist in proposing a better model for providing care supports so as to provide better outcomes for students with special educational needs who have additional care needs.

This Working Group, which is chaired by Mr. Eamon Stack, Chairperson of the NCSE Council, has commenced its work and the work will run in tandem with the completion of the overall Comprehensive Review of the SNA Scheme. It is intended that the reports of the Working Group and of the Review will be completed in Spring 2018.

In tandem with this, a cross Departmental Working Group has been established to develop proposals in relation to the need for nursing supports in schools for children with complex medical needs. This Cross Departmental Working Group has to date held a number of meetings.

In the meantime, until any changes are agreed, the responsibility for funding Nurses, irrespective of where they are located, is the responsibility of the HSE and they also remain responsible for the clinical and professional governance of the nursing profession in Ireland.

In relation to insurance, the position is that the nature and terms of an individual school's insurance arrangements are a matter between the individual school and its insurers.

### **Summer Works Scheme**

175. **Deputy Eamon Scanlon** asked the Minister for Education and Skills when the summer works scheme will be re-opened for applications; and if he will make a statement on the matter. [52847/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The current Summer Works Scheme (SWS) 2016 -2017 was applied on a multi-annual basis. The Deputy will be aware that nearly 50% of schools have applied for inclusion under the scheme which reflects a very high demand.

Almost €80 million has been approved to date under the Summer Works Scheme, in respect of over 640 school projects in categories 1 - 6. Details of the successful school applicants are published on my Department's website [www.education.ie](http://www.education.ie).

The 2018 budgetary provision will allow my Department to meet the carry over costs of summer works projects already approved. The assessment of applications in the remaining categories 7-10 as well as proceeding with any future summer works scheme is reliant on the availability of funding.

*Question No. 176 answered with Question No. 156.*

### **Residential Institutions Statutory Fund**

177. **Deputy Catherine Connolly** asked the Minister for Education and Skills his views on the refusal by Caranua to provide funeral expenses for a person (details supplied) who was a survivor of a residential institution and following five days' testimony at the commission received a payment from the redress board in view of the fact that Caranua has amended its criteria to include funeral expenses; and if he will make a statement on the matter. [52969/17]

**Minister for Education and Skills (Deputy Richard Bruton):** Caranua, the Residential Institutions Statutory Fund Board, is an independent statutory body established pursuant to the Residential Institutions Statutory Fund Act 2012 to oversee the use of the cash contributions of up to €110 million, pledged by the religious congregations, to support the needs of survivors of institutional child abuse. The determination of the criteria by reference to which Caranua may make decisions in respect of applications to it is a statutory function of the organisation itself

and I have no role in that process. Furthermore, I have no role in Caranua's day to day operations including in relation to the processing of individual applications. I have been informed that Caranua have explained to the individual in question the reason why they are not prepared to provide funding for funeral services. As you know, this decision and any decision of Caranua may be appealed to an independent Appeals Officer appointed under section 21 of the 2012 Act and that a person who is affected by a decision of an Appeals Officer may appeal to the High Court on a point of law.

### **Schools Building Projects Status**

178. **Deputy Pearse Doherty** asked the Minister for Education and Skills the reason for the delays in progressing a school building project (details supplied); when this project will proceed to construction phase; if his attention has been drawn to the unsuitable accommodation available on site at the school; and if he will make a statement on the matter. [52927/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The major building project referred to by the Deputy is at an advanced stage of architectural planning Stage 2b (Detailed Design), which includes the application for statutory approvals and the preparation of tender documents. All statutory approvals have been secured.

The Stage 2b submission has been reviewed by the Department and in August 2017 my Department issued comments on the stage 2b submission to the school and its Design Team. My Department requested confirmations from the Design Team that it carries out *one final review* of all of its tender documentation to ensure compliance with DoES requirements. The Design Team has been requested to submit written confirmation from each Design Team member including the PSDP that they have completed this review and are satisfied that the Tender Documents are complete, correct and in compliance with DoES and Building Control (Amendment) Regulations (BC(A)R) tender documentation requirements. A response is awaited.

Upon receipt of these confirmations, my Department will then revert to the school with regard to the further progression of the project.

### **Schools Building Projects**

179. **Deputy Thomas Pringle** asked the Minister for Education and Skills the status of the design and planning stages of the school building project for a school (details supplied); if this school is being prioritised due to the continued deterioration of the prefabs which make up the school; and if he will make a statement on the matter. [52959/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The project at the school referred to by the Deputy, will comprise of a new two storey 8 classroom primary school at the existing site.

In June of this year a Design Team was appointed and the project commenced Stage 1 of the Architectural Planning Process. Stage 1 is the Preliminary Design Stage where the Design Team in conjunction with the school authorities will analyse all the constraints of the site, develop a preferred design option and ensure that the preferred option is the best option for the delivery of the brief.

Once the Stage 1 submission has been received and reviewed by my Department a meeting will be arranged with the school authorities and its Design Team to review and progress the

design proposals.

The project will be progressed through the normal stages of architectural planning and it will be a matter for the school and its design team to expedite the progression of the design through those stages.

### Oideachas trí Ghaeilge

180. D'fhiafraigh **Deputy Peadar Tóibín** den Aire Oideachais agus Scileanna an bhfuil sé ar intinn ag a roinn beartas forbartha don Ghaeloideachas lasmuigh den Ghaeltacht a chruthú; agus an ndéanfaidh sé ráiteas ina thaobh. [52992/17]

**Minister for Education and Skills (Deputy Richard Bruton):** Tá mo Roinn, trí thionscnaimh éagsúla, ag cur na Gaeilge chun cinn sa chóras oideachais agus ag tacú leis an gcóras Gaeiloideachais. Tá an Roinn ag rannchuidiú le roinnt gníomhaíochtaí sa *Straitéis 20 Bliain don Ghaeilge* rud a léiríonn tiomantas na Roinne sa réimse seo. Tugadh isteach curaclam nua don Ghaeilge ar leibhéal na bunscoile agus na hiar-bhunscoile. Leagtar béim sa dá cheann acu seo ar an gcur chuige cumarsáideach maidir le cur chun cinn cumas agus inniúlachtaí na ndaltaí sa teanga thar réimse leathan ábaltachtaí ó fhoghlaimoírí Gaeilge go cainteoirí dúchais. Anuas air sin, faoin *bPolasaí ar Oideachas Gaeltachta 2017-2022* tá pacáiste saincheaptha tacaí curtha i dtoll a chéile ag mo Roinn chun tacaíocht a thabhairt do scoileanna Gaeltachta, lena n-áirítear bearta chun soláthar múinteoirí i scoileanna lán-Ghaeilge a fheabhsú.

Níl aon phlean ann chun beartas ar leithligh a leagan amach don ghaeloideachas. Tá mé cinnte, mar sin féin, go léiríonn na forbairtí a luadh thuas tiomantas leanúnach mo Roinne d'fhonn an Ghaeilge a chur chun cinn ar fud an chórais oideachais agus i dtreo tacaíocht a thabhairt don Ghaeloideachas.

Beidh tionchar dearfach ag cur chun cinn na ngníomhaíochtaí atá sa Bheartas ar Oideachas Gaeltachta 2017-2022 maidir leis an soláthar ginearálta don Ghaeloideachas. Tá mo Roinn tar éis a bheith ag obair go dlúth leis an Oifig um Sholáthar Rialtais d'fhonn iarratas ar thairiscintí a fhorbairt ar dhearadh, forbairt agus seachadadh céim nua san oideachas trí mheán na Gaeilge, Baitsiléir in Oideachas (B.Ed.) don bhunmhúinteoireacht agus céim mháistreachta san Oideachas Gaeilge agus Gaeltachta (M.Ed.) d'fhonn scileanna nua a theagasc do mhúinteoirí agus príomhoidí atá ann cheana. Tá an t-iarratas ar thairiscintí le foilsiú go luath agus táthar ag súil le go dtosóidh an M.Ed. i mí Mheán Fómhair 2018, agus tá an B.Ed. le tosú ó mhí Mheán Fómhair 2019 i leith. Táthar ag súil le go bhfeabhsóidh céimithe ar na cúrsaí seo soláthar múinteoirí bunscoile agus iar-bhunscoile atá in ann ardcháilíocht oideachais trí mheán na Gaeilge a sheachadadh. Tá dhá phost breise múinteoireachta arna soláthar don chlár um Máistreacht Ghairmiúil san Oideachas in Ollscoil Náisiúnta na hÉireann, Gaillimh chun méadú a dhéanamh ar líon na múineoirí iar-bhunscoile atá in ann réimse ábhar a mhúineadh trí mheán na Gaeilge.

### Summer Works Scheme Applications

181. **Deputy Mary Butler** asked the Minister for Education and Skills when a school (details supplied) will be considered for an application for summer works scheme 2018 to 2020; and if he will make a statement on the matter. [52996/17]

**Minister for Education and Skills (Deputy Richard Bruton):** I wish to advise the Deputy that my Department is in receipt of a Category 10 application under the Summer Works Scheme (SWS) from the school to which she refers.

The current SWS is being applied on a multi-annual basis. I also wish to advise the Deputy that nearly 50% of schools have applied for inclusion under the scheme which reflects a very high demand. Details of successful school applicants in respect of Categories 1 to 6 are published on my Department's website *www.education.ie*. Almost €80 million has been approved to date under the SWS in respect of over 640 school projects in categories 1 - 6. The 2018 budgetary provision will allow my Department meet the costs of summer works projects already approved; the assessment of applications in the remaining Categories 7-10 is reliant on the availability of funding.

### **Schools Site Acquisitions**

182. **Deputy Jan O'Sullivan** asked the Minister for Education and Skills if a site has been acquired for a new school (details supplied); the arrangements that have been made for temporary accommodation for the school which is scheduled to open in 2018; and if he will make a statement on the matter. [53002/17]

**Minister for Education and Skills (Deputy Richard Bruton):** A building project for the new post-primary school referred to by the Deputy is included in my Department's current 6 year construction programme.

Officials from my Department have been working closely with Limerick City and County Council under the Memorandum of Understanding for the acquisition of school sites in order to identify and procure a suitable site for the school.

A number of potential site options have been identified and these are currently at an advanced stage of consideration.

While a site acquisition process is underway, given the commercial sensitivities associated with land acquisitions generally I am not in a position to comment further at this time. However, the patron of the school will be informed of the location as soon as it is possible to do so.

The task of sourcing temporary accommodation for the Secondary School to which the Deputy refers, which is due to open in September 2018, has been devolved to the Patron body (Educate Together). The Department and the Patron are fully committed to the opening of this school. Educate Together are working on identifying suitable temporary accommodation to facilitate the opening of the school for September 2018 and the Department will provide any assistance necessary to help Educate Together in this regard.

### **Minor Works Scheme Payments**

183. **Deputy Eamon Scanlon** asked the Minister for Education and Skills his plans to formalise and regularise the minor works grant; his further plans to introduce a defined timeframe for these payments in order to avoid stress on schools; and if he will make a statement on the matter. [53011/17]

**Minister for Education and Skills (Deputy Richard Bruton):** Demographic pressures, and the imperative of ensuring a school place for every child, are placing significant demands on the education capital budget.

As part of our longer term infrastructural planning, my Department will explore whether it will be possible to give greater certainty to primary schools in relation to the payment of the Minor Works Grant taking account of the Government's 10 Year Public Capital Investment Plan,



which is currently under development.

### **Teacher Redeployment**

184. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will address a matter (details supplied) regarding the teaching registration of a person; and if he will make a statement on the matter. [53013/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The core function of the redeployment arrangements is to facilitate the redeployment of all surplus permanent/CID holding teachers to schools that have vacancies. Thereafter, schools are required under the panel arrangements to fill permanent vacancies from supplementary panels comprised of eligible fixed-term (temporary/substitute) and part-time teachers.

Circular 0068/2017 sets out the arrangements for panel access for fixed-term/temporary and part-time teachers to the Supplementary Redeployment Panel for the 2018/19 school year.

Applicants must meet all of the published criteria in order to gain access to the Supplementary Redeployment Panel.

The teacher referred to by the Deputy has submitted an application to be included on the Supplementary Redeployment Panel.

All applications received by the closing date of the 8th December for inclusion on the Supplementary Redeployment Panel are currently being assessed as part of the checking process.

### **Schools Facilities**

185. **Deputy Kevin O’Keeffe** asked the Minister for Education and Skills if an application submitted under the emergency works grant scheme by a school (details supplied) will be reconsidered in view of the urgent need of the school. [53023/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The school to which the Deputy refers applied for funding under my Department’s Emergency Works Scheme to provide car parking facilities at the school.

As the scope of the works were outside the terms of the scheme, the application was refused. The mechanism for applying for funding for works of this nature is my Department’s Summer Works Scheme.

It is open to the school authority to apply for these works under a future Summer Works Scheme.

### **Schools Building Projects**

186. **Deputy Fergus O’Dowd** asked the Minister for Education and Skills the position regarding a new primary school for children with disabilities who are attending a school (details supplied) in County Louth. [53025/17]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy is aware, a project to provide permanent accommodation for the school in question is included on my

Department's Capital Programme.

Officials in my Department continue to liaise with officials in the relevant local authority in accordance with the Memorandum of Understanding in relation to the acquisition of a suitable site to facilitate this building project. The location for the school has been agreed and all parties are currently working to finalise the terms of this proposed acquisition as soon as possible.

Once this is accomplished draft contracts will be requested and the acquisition will progress into the conveyancing stage. Subsequent to the completion of same, subject to no issues arising, the project to deliver a new school will progress into architectural planning.

### **Gaelscoil Issues**

187. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the reason education and training boards are communicating with Gaelscoileanna and Gaeltacht schools in English only; the reason administration materials used by ETBs are in English only; his views on whether schools should be able to conduct their business with the ETBs in the language of the school; and if he will make a statement on the matter. [53028/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The Deputy will be aware that Education and Training Boards are public bodies and are therefore obliged to have their own language schemes in place to implement their obligations under Official Languages Act 2003.

ETBs have responsibilities to support appropriately the all-Irish Schools and Colleges operating under their management. However, individual language schemes are a matter for each ETB and are not collated centrally.

My Department actively supports the Irish language and recently issued Circular 34/2017 to inform managerial authorities, principals and teachers of the initial steps being taken by my Department in the implementation of the Policy on Gaeltacht Education 2017-2021 for the school year 2017/18.

This circular also advised schools participating in the Gaeltacht School Recognition Scheme to prioritise the use of Irish in communicating with parents, the local community and other parties.

### **School Enrolments**

188. **Deputy Danny Healy-Rae** asked the Minister for Education and Skills to outline the enrolment policy for secondary schools; his views on the fact that enrolment is decided after all applications are received in order that the school will vet the person to determine if applicants will be accepted; and if persons in catchment areas receive preference. [53030/17]

**Minister for Education and Skills (Deputy Richard Bruton):** It is the responsibility of the managerial authorities of all schools to implement an enrolment policy in accordance with the Education Act, 1998. The enrolment policy must be non-discriminatory and must be applied fairly in respect of all applicants.

My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in the area. Parents can choose which school to apply to and where the school has places available the pupil should be admitted. However, in schools

where there are more applicants than places available a selection process may be necessary.

This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. In this regard, a school may decide to prioritise applicants based on a catchment area approach.

As the Deputy will be aware I published the Education (Admission to Schools) Bill on 6th July 2016. The Bill, which passed Committee Stage on 28 June 2017, will shortly proceed to Report Stage.

The Bill amends the Education Act 1998 to provide an over-arching framework for greater transparency and fairness in school enrolment generally and thereby gives greater confidence to parents that the admission criteria laid down by schools and the procedures used by them are legitimate, reasonable and fair.

The provisions of the Bill should make it easier for parents to more easily access local schools and to enrol their children in a school that meets their needs.

### **School Transport Provision**

189. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if a school bus (details supplied) will either be repaired or replaced; and if he will make a statement on the matter. [53050/17]

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

Currently over 114,000 children, including some 12,000 children with special educational needs, are being transported in over 4,500 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres annually.

Bus Éireann has confirmed that the bus, referred to by the Deputy, was operating a school transport service on a temporary basis and has now been replaced.

### **Protected Disclosures**

190. **Deputy Thomas Byrne** asked the Minister for Education and Skills to outline the position with regard to protected disclosures made by persons employed by the National Council for Curriculum and Assessment. [53059/17]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy is aware, I have appointed an independent external examiner to carry out an investigation into claims made by a number of current and former staff of the National Council for Curriculum and Assessment (NCCA), contained in a disclosure made under the Protected Disclosures Act 2014, to report to me on the investigation and make any appropriate recommendations.

### **Nursing and Midwifery Board of Ireland**

191. **Deputy Clare Daly** asked the Minister for Education and Skills to set out the number of students per year from each of the six institutions (details supplied) that run the pre-regis-

tration direct entry midwifery degree who did not proceed with the fourth and final year of this degree and did not qualify; and the number of those who failed in the course of the fourth and final year and did not qualify. [53068/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The details sought by the Deputy are not readily available. Officials in my Department are arranging for the relevant information to be gathered and it will be forwarded to the Deputy as soon as it becomes available.

### School Funding

192. **Deputy Thomas Byrne** asked the Minister for Education and Skills to outline the statutory obligations he must comply with in respect of funding primary and secondary schools. [53078/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The statutory obligations my Department must comply with in respect of funding for recognised primary schools and post primary schools within the free education scheme derive mainly from the Education Act 1998. Funding to meet these obligations is voted to my Department in the annual Appropriation Acts.

At the core of funding arrangements for schools is reliance upon capitation as the principal determinant of funding. Schools are notified via Department Circular in relation to grant rates and any changes to same and these are available on my Departments website at [www.education.ie](http://www.education.ie).

### Schools Building Projects Status

193. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills to outline the progress to date and the expected progress in the near future in the case of a building project at a school (details supplied); when this project is expected to be completed; and if he will make a statement on the matter. [53085/17]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy may be aware, the project to which he refers has been devolved for delivery to the local Education and Training Board (ETB).

Planning permission has been received for the project which is at the detailed design stage. In this regard, the Stage 2B submission was recently submitted to my Department for examination. The outcome of this examination will be conveyed to the ETB as soon as it is available. As the project is still in architectural planning, it is not possible to say now when it will be completed.

### Schools Building Projects Status

194. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills to outline the progress to date and the expected progress in the near future in the case of a building project at a school (details supplied); when this projected is expected to be completed; and if he will make a statement on the matter. [53086/17]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy is aware, a

building project for the school to which he refers is included in my Department's 6 Year Capital Programme.

The preliminary work relating to the project has commenced following a site visit to the school by my Department. This includes considering how the accommodation requirements of the school will be best met and this process is currently in train. When this process has been completed, my Department will be in contact with the Patron of the school.

### **Apprenticeship Programmes**

195. **Deputy Maurice Quinlivan** asked the Minister for Education and Skills to outline the estimated cost of abolishing apprenticeship fees for 2018. [53098/17]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** An Annual Student Contribution is levied on all students attending Institutes of Technology (IoTs). Previously this Annual Student Contribution was paid by FÁS/SOLAS with apprentices themselves paying the part of the contribution relating to examination fees. As part of Budget 2014, SOLAS ceased making payments to IoTs and apprentices pay the full pro rata Annual Student Contribution.

The amount charged to apprentices is calculated on a pro rata basis of the time which they spend in IoTs during the academic year. This cost would typically be one third of the Annual Student Contribution paid by students attending for the full academic year, currently €3,000 and would amount to approx. €1,000 per student per annum.

The cost of not charging the Annual Student Contribution to apprentices is estimated to be €3.8 million in 2017 and €4.2 million in 2018.

I have no plans to abolish the Annual Student Contribution for apprentices.

### **Apprenticeship Data**

196. **Deputy Maurice Quinlivan** asked the Minister for Education and Skills further to Parliamentary Question No. 388 of 7 November 2017 to outline the way in which the cost of an apprentice per annum is calculated. [53099/17]

197. **Deputy Maurice Quinlivan** asked the Minister for Education and Skills further to Parliamentary Question No. 388 of 7 November 2017 if he will provide a breakdown of the way in which the cost of an apprentice per year is calculated. [53102/17]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** I propose to take Questions Nos. 196 and 197 together.

The 2018 budget allocation for apprenticeship training is €122 million which represents an increase of almost 24% on the 2017 allocation of €98.7 million. This will support an end of year population of over 16,000 craft based apprentices at an average of €6,700 per apprentice and an end of year population of over 2,000 in new consortia led apprentices at an average of €5,100 per apprentice. The average of these two figures is the figure given to the Deputy in Parliamentary Question 388 of 7 November.

### **Summer Works Scheme**



198. **Deputy Tom Neville** asked the Minister for Education and Skills if his Department provides funding for outdoor shelters and the expansion of playgrounds in national schools; and if he will make a statement on the matter. [53107/17]

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

Where a school did not apply under SWS 2016 and 2017, it will be open to the school, if it so decides, to make an application under a future scheme. Alternatively, a school may use its minor works grant to carry out the works in full or on a phased basis as that grant permits, if the school considers it to be a priority.

### **Pension Provisions**

199. **Deputy Tom Neville** asked the Minister for Education and Skills if a review of the retirement benefit scheme on medical grounds will be considered to allow persons to take on rehabilitative work similar to his Department's disability allowance and partial capacity benefit schemes; and if he will make a statement on the matter. [53108/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The award of an occupational pension on retirement on medical grounds under pension schemes administered by my Department for teachers and other school staff is grounded on an assessment of the medical evidence supplied as part of the application process. The medical evidence is assessed by an Occupational Health Service Provider on behalf of the Department. The criteria to be satisfied is that the person is incapable by reason of infirmity of discharging his/her duties and that the infirmity is likely to be permanent. The decision to award or refuse a pension in such circumstances is made by my Department based on the medical recommendation.

My Department's occupational pension schemes operate in the context of overall public service pension policy which is determined by the Minister for Finance, Public Expenditure and Reform. My Department does make provision for registered teachers who are still in employment to avail of reasonable accommodations (for those with disabilities) and partial return to work (for those transitioning from illness to full-time duties as appropriate) in conjunction with the Occupational Health Service Provider and their employer.

I understand that disability allowance and partial capacity benefit schemes referred to by the Deputy, are administered under the social welfare code. I am therefore not in a position to comment on the operation of those schemes.

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

200. **Deputy Maurice Quinlivan** asked the Minister for Education and Skills if his attention has been drawn to a person (details supplied) who has been diagnosed with behavioural disorder and has been without a school placement since September 2017; the measures being taken to secure a suitable school placement for the person; and if he will make a statement on the matter. [53113/17]

**Minister for Education and Skills (Deputy Richard Bruton):** The enrolment of a child to a school is a matter, in the first instance, for the parents of the child and the Board of Management of a school. My Department has no role in relation to processing applications for enrolment to schools.

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.

Where possible, provision is made for the inclusive education of children with special educational needs. My Department's policy is that students 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), through its network of Special Educational Needs Organisers (SENOs), co-ordinates special needs education provision at local level and arranges for the delivery of special educational supports to schools. It is also the role of the NCSE to make appropriate arrangements to establish special classes in schools in communities where the need for such classes has been identified.

SENOs are a valuable source of support to parents who are actively sourcing a placement for their child. The parents of the child referred to by the Deputy are encouraged to contact their local SENO directly to discuss their child's special educational needs and request assistance in identifying educational placements. Contact details are available on [www.ncse.ie](http://www.ncse.ie).

The NCSE also works in collaboration with the Educational Welfare Services (EWS) of the Child and Family Agency which is the statutory agency that can assist parents who are experiencing difficulty in securing a school place for their child or can offer assistance where a child is out of school.

The local service is delivered through the national network of Educational Welfare Officers (EWO). Contact details are available at <http://www.tusla.ie/get-in-touch/education-and-welfare/>.

My Department has been advised by the local Educational Welfare Officer that they are liaising with the local SENO to assist the family in seeking a placement for the child referred to by the Deputy and, in the meantime, assisting with an application for home tuition.

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 Education and 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.

My Department has no authority to compel a school to admit a student, except in the case of an appeal under Section 29 of the Education Act, 1998 being upheld.

Application forms for taking a section 29 appeal are available on my Department's website at the following link: <http://www.education.ie/en/Parents/Services/Appeal-against-Permanent-Exclusion-Suspension-or-Refusal-to-Enrol/Section-29-Appeals-Application-Form.doc>, or by contacting Section 29 Administration Unit, Friars Mill Road, Mullingar, Co. Westmeath, phone 0761 108588.

## State Examinations Exemptions

201. **Deputy Fergus O'Dowd** asked the Minister for Education and Skills if an exemption for a leaving certificate exam subject for a person (details supplied) will be granted; and if he will make a statement on the matter. [53115/17]

**Minister for Education and Skills (Deputy Richard Bruton):** While the study of Irish is compulsory in both primary and post-primary schools recognised by my Department, there are a limited number of specific circumstances whereby an exemption from this requirement may be granted.

The granting of exemptions is governed by Departmental circular M10/94 for post-primary schools. Under this circular the authority to grant exemptions within the terms of the circulars has been delegated to school management.

If a school is uncertain as to whether a pupil's circumstances fall within the criteria of the relevant circular or where a school's decision to refuse an application for an exemption is queried, it is open to either the school or the parent/guardian to seek advice from my Department as to the application of the criteria for an exemption to a particular case. Officials from my Department will contact the Deputy with the details of how a request for advice in respect of the Irish exemption circulars may be processed.

## School Transport Review

202. **Deputy Aindrias Moynihan** asked the Minister for Education and Skills to set out the status of the school transport review recommendation to reduce the minimum number of students needed for a route; and if he will make a statement on the matter. [53119/17]

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

Currently over 114,000 children, including some 12,000 children with special educational needs, are being transported in over 4,500 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres annually.

The purpose of the School Transport Scheme is, having regard to available resources, to support the transport to and from school of children who reside remote from their nearest school.

In general, children are eligible for school transport if they meet the distance criteria and are attending their nearest school.

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

The Programme for Government committed to a review of the concessionary charges and rules element of the School Transport Scheme. As part of the review I established a Cross Party Group to feed into the review. This review has been completed and is available on the Department's website.

However, following a meeting of this Cross Party Group a range of submissions relating to the School Transport Scheme were received from members of the Oireachtas. As these submis-

sions largely related to the scheme in general they were outside the scope of the original review.

These submissions have, however been examined. In instances where a route is to be withdrawn under the minimum numbers policy and where school affected can show evidence that the number of eligible pupils will again reach ten or more within two years then this route should not be withdrawn.

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

203. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills to set out the status of an appeal by a school (details supplied); and if he will make a statement on the matter. [53206/17]

**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 46.03 hours special education teaching support, based on its school profile and an enrolment of 69 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 45 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 46.03 hours, which was equivalent to the allocation the school received in 2016/17.

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 considered 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 31 2017. These appeals have been processed and this appeal process has now concluded. The school mentioned did submit and appeal and were informed of the outcome in August 2017.

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 for 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. The school referred to by the Deputy in this question has submitted a request for a review under



this process and the NCSE will be in contact with the school regarding this request in the near future.

### **Rights of Way Registration**

204. **Deputy James Lawless** asked the Minister for Justice and Equality the process for registering a right of way; the changes to the process; and if he will make a statement on the matter. [52660/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I can inform the Deputy that there are two systems of registration in Ireland managed and controlled by the Property Registration Authority (PRA).

Where the property affected by the right of way is unregistered land, the process for registering a deed of Grant of Right of Way is set out in the PRA's Practice Direction "Registry of Deeds Procedures" available on the PRA website *www.prai.ie*.

Where the property affected by the right of way is registered land (i.e. registered in the Land Registry) the process for registering a deed of Grant of Right of Way in the Land Registry is set out in the PRA's Practice Direction "Burdens – Registration of Burdens" and if an application is made to have the right of way registered as appurtenant to the dominant tenement in the PRA's Practice Direction "Appurtenant Rights" available on the PRA website *www.prai.ie*.

The reference in the Deputy's Question to "changes to the process" may refer to rights of way acquired by prescription. Section 35(1) of the Land and Conveyancing Law Reform Act 2009 as amended by section 37(1)(b) of the Civil Law (Miscellaneous Provisions) Act 2011 provided that "An easement or profit à prendre may be acquired at law by prescription – (a) on registration of a court order under this section, or (b) in accordance with section 49A of the Act of 1964".

PRA practice in relation to rights of way acquired by prescription, in accordance with Section 49A of the Registration of Title Act 1964 as amended [i.e. in relation to registered land], is set out in the PRA Practice Direction "Easements and Profits à Prendre Acquired by Prescription under Section 49A" available on the PRA website *www.prai.ie*.

PRA procedure for the registration of a court order under Section 35(1) of the Land and Conveyancing Law Reform Act 2009 as amended in the Registry of Deeds is set out in the PRA Practice Direction "Registry of Deeds Procedures" and in the Land Registry in the PRA Practice Direction "Burdens – Registration of Burdens".

### **Family Law Cases**

205. **Deputy Robert Troy** asked the Minister for Justice and Equality to outline the status within law of the 2007 Hague Convention on the international recovery of child support and other forms of family maintenance and its protocol on the law applicable to maintenance obligations; and if he will make a statement on the matter. [53210/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The arrangements governing the recovery of maintenance within the EU are contained in Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations which has applied in full since 18 June 2011. Denmark participates in the jurisdiction, recognition and enforcement aspects of this Regula-

tion by virtue of a separate agreement between that country and the EU and the provisions in the instrument relating to applicable law and cooperation between Central Authorities do not apply in relation to that Member State. The UK, which, unlike Ireland, opted into the Regulation after its adoption, also does not participate in the applicable law provisions.

The Maintenance Regulation explicitly provides that the law applicable to maintenance obligations is to be determined in accordance with the Hague Protocol of 23 November 2007 on the law applicable to maintenance obligations in the Member States bound by that instrument. The Hague Protocol was approved on behalf of the European Community (as it then was) pursuant to a Council Decision dated 30 November 2009 which further provided for the provisional application of that Protocol to maintenance claims in a Member State as and from 18 June 2011. As indicated above, however, neither Denmark nor the UK took part in that Decision and, therefore, were not bound by its terms.

The Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance was approved on behalf of the European Union pursuant to a Council Decision dated 9 June 2011. Both Ireland and the United Kingdom took part in the adoption and application of that Decision.

The legislation dealing with certain aspects of the Convention is being developed but the need to address other legislative priorities of a pressing nature has resulted in delays in the progression of that development. It is hoped, however, that the preliminary work in relation to a draft Scheme will be brought to a conclusion early in 2018.

### **Anti-Terrorism Measures**

206. **Deputy Micheál Martin** asked the Minister for Justice and Equality if the increased violent attacks on civilians will be discussed at the December EU Council meeting. [53226/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The draft agenda for this week's meeting of the European Council sets out a number of broad areas for discussion by the Heads of State and Government - defence; social issues, education and culture; migration; external relations; and the Brexit negotiations.

The EU's actions to counter terrorism are a consistent aspect of the agenda of the Council of Justice and Home Affairs Ministers. The Deputy will wish to know that I attended a meeting of the Justice and Home Affairs Council on Thursday last week at which Ministers discussed ongoing work to combat the threats from terrorism and violent radicalisation that has seen a number of brutal attacks on innocent people in a number of EU member states.

Work to counter violent radicalisation is an important element of the EU agenda in this regard and a high-level expert group, set up earlier this year by the European Commission, to look at enhancing ways to counter violent radicalisation presented an interim report to Ministers which, importantly, emphasised the need to ensure a cross-sectoral approach to countering violent radicalisation.

Ongoing actions to enhance co-operation between law enforcement and counter terrorism authorities in the EU, particularly with regard to sharing information and making the best use of the available EU and Member State resources, also formed an important part of my discussions on countering terrorism with colleagues at the Council.

207. **Deputy Catherine Connolly** asked the Minister for Justice and Equality to specify the body responsible for investigating a complaint against the Garda Commissioner, GSOC and the Policing Authority; and if he will make a statement on the matter. [52632/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** Complaints against members of the Gardaí can be made to the Garda Síochána Ombudsman Commission (GSOC) in accordance with the provisions of the Garda Síochána Act 2005. The Oireachtas enacted the Garda Síochána (Amendment) Act 2015 to reform, strengthen and clarify the remit and operation of the GSOC. One of the changes was to allow GSOC to investigate a complaint made against the Garda Commissioner with the approval of the Minister for Justice and Equality.

Both GSOC and the Policing Authority are statutorily independent. It is important that we all respect the independence of bodies such as GSOC and the Policing Authority.

Both bodies have customer service charters which set out the process for the making of complaints against their respective bodies and how these will be handled.

There is a mechanism in the Garda Síochána Act for the independent investigation of the conduct of a designated officer of GSOC. Section 109 of the Act permits the Minister, having consulted with GSOC, to invite the Chief Justice to nominate a judge of the Supreme Court, the Court of Appeal or the High Court to inquire into the conduct of a designated officer of GSOC while performing functions under section 98 or 99 in relation to an investigation. Given the nature of such an inquiry, namely one to be carried out by a judge of the superior courts who will have the powers, rights and privileges vested in a judge of the High Court, it cannot be considered to be an ordinary complaints or grievance procedure.

The Policing Authority Customer Charter states that a person who is unhappy about the standard of service is encouraged to raise the matter with the staff member concerned. If the issue is not resolved in this manner it can be the subject of a formal complaint. If that does not resolve it, the matter can be brought to the Office of the Ombudsman.

### Garda Expenditure

208. **Deputy Niall Collins** asked the Minister for Justice and Equality the overtime budget for the Limerick and Tipperary Garda divisions for 2015 to 2018; the allocation and spend of this budget by Garda rank; the overtime spent on Operation Thor; and if he will make a statement on the matter. [52647/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will be aware, the allocation and management of the Garda overtime budget is the responsibility of the Garda Commissioner having due regard to the available resources and his operational needs.

I am advised by the Garda authorities, that the overtime expenditure in the Limerick and Tipperary Garda Divisions for 2015 – 2017 (Jan-Nov) is outlined in the following tables:

#### Limerick Division

Rank	2015	2016	Jan-Nov 2017
Garda	€1,075,433	€1,041,173	€1,662,601
Sergeant	€305,727	€331,580	€453,128
Inspector	€81,578	€99,282	€135,423
Civilian	€6,280	€11,437	€12,885

Total	€1,469,018	€1,483,472	€2,264,037
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### Tipperary Division

Rank	2015	2016	Jan-Nov 2017
Garda	€540,799	€979,972	€1,382,473
Sergeant	€269,154	€362,681	€466,477
Inspector	€51,916	€74,260	€106,943
Civilian	€6,733	€5,098	€10,444
Total	€868,602	€1,422,011	€1,966,387

The overtime expenditure on Operation Thor in the Limerick and Tipperary Garda Divisions for 2015-2017 (Jan-Nov) is outlined in the following table:

Division	2015	2016	Jan-Nov 2017
Limerick	€50,918	€285,443	€120,591
Tipperary	€519	€236,266	€145,553

### Garda Civilian Staff Data

209. **Deputy Niall Collins** asked the Minister for Justice and Equality the number of civilian employees of An Garda Síochána that are provided with an unmarked Garda car as part of their employment; the positions such persons hold; and if he will make a statement on the matter. [52648/17]

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

I understand from the Garda Authorities however that official vehicles are allocated to Regions, Branches or Offices rather than individuals. It is a matter for the relevant Commissioner, Divisional Officer or Executive Director to allocate the vehicles to specific duties to meet operational requirements as they arise.

### Garda Data

210. **Deputy John Brady** asked the Minister for Justice and Equality the number of new gardaí allocated to each Garda division in 2017. [52669/17]

**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.

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. To achieve this the Government has put in place a plan for an overall Garda workforce of 21,000 personnel by 2021 comprising 15,000 Garda members, 2,000 Reserve members and 4,000 civilians. We are making real, tangible progress on achieving this

goal.

I am informed by the Commissioner that since the reopening of the Garda College in September 2014, just under 1,600 recruits have attested as members of An Garda Síochána and have been assigned to mainstream duties nationwide. Garda numbers taking account of projected retirements, will increase to around the 13,500 mark by year end - a net increase of 500 since the end of 2016.

I am also pleased that Budget 2018 maintains this high level of investment in the Garda workforce and ensures 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. This will see Garda numbers reach the 14,000 mark by the end of 2018.

In addition, a further 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 Division in the coming years.

In so far as the allocation of newly attested Gardaí is concerned, this is a matter for the Garda Commissioner. I am assured by the Commissioner that the needs of all Garda Divisions are fully considered when determining the allocation of resources. However, it is important to keep in mind that newly attested Gardaí have a further 16 months of practical and class-room based training to complete in order to receive their BA in Applied Policing. To ensure that they are properly supported and supervised and have opportunities to gain the breadth of policing experience required, the Commissioner's policy is to allocate them to specially designated training stations which have the required training and development structures and resources in place, including trained Garda tutors and access to a permanently appointed supervisory Sergeant who is thoroughly familiar with their responsibilities under the training programme.

I am informed that the breakdown of the allocation of newly attested Gardaí this year is as set out in the following table:

Newly attested Garda assigned in 2017	
Division	2017
D.M.R. EAST	37
D.M.R. NORTH	70
D.M.R. NORTH CENTRAL	69
D.M.R. SOUTH	66
D.M.R. SOUTH CENTRAL	78
D.M.R. WEST	73
KILDARE	47
LAOIS / OFFALY	42
MEATH	30
WESTMEATH	22
WICKLOW	19
CAVAN / MONAGHAN	22



Newly attested Garda assigned in 2017	
DONEGAL	13
LOUTH	34
SLIGO / LEITRIM	8
KILKENNY/CARLOW	30
TIPPERARY	21
WATERFORD	30
WEXFORD	34
CORK CITY	26
CORK NORTH	15
CORK WEST	15
KERRY	17
LIMERICK	18
CLARE	10
GALWAY	10
MAYO	14
ROSCOMMON / LONGFORD	10

### Irish Prison Service

211. **Deputy Clare Daly** asked the Minister for Justice and Equality if a final decision has been taken on the use of the former Mountjoy prison training unit as a facility for older prisoners; and if he will make a statement on the matter. [52670/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I can advise the Deputy that the Irish Prison Service has commenced planning for the repurposing of the Training Unit Place of Detention (on the Mountjoy Prison Campus) to a dedicated Unit for older prisoners.

A key action of the current Irish Prison Service Strategic Plan (Action 2.5) is to ensure that older prisoners are identified as a specific group who have particular needs within the prison population. There are currently a number of such prisoners in the care of the Irish Prison Service who have significant and ongoing healthcare needs, many of whom are currently dispersed across the estate and in some cases significant distances away from the healthcare providers they rely on.

The establishment of the unit will allow the Irish Prison Service to accommodate such prisoners in an adapted unit within close proximity to a variety of medical care facilities.

It is envisaged that the repurposing of the unit will take between 12 to 18 months to complete. As such it is the intention of the Irish Prison Service that this facility will open for older prisoners in 2019.

### UN Convention on the Rights of Persons with Disabilities

212. **Deputy Catherine Connolly** asked the Minister for Justice and Equality the time-frame for ratification of the UN Convention on the Rights of Persons with Disabilities; the reason for the delay including legislative barriers; and if he will make a statement on the matter. [52683/17]

**Minister of State at the Department of Justice and Equality (Deputy Finian McGrath):** 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.

I am pleased that the Government, at a meeting last week, agreed to ratify the Convention. The next step will be for the Tanaiste and Minister for Foreign Affairs and Trade to bring forward a Memorandum for Government on the formal ratification process which will happen at the latest in the new year.

The Government also approved the publication of draft legislation relating to deprivation of liberty for public consultation. The draft legislative provisions outline proposed safeguards for older people, persons with a disability and certain categories of people with mental health issues to ensure that they are not unlawfully deprived of their liberty in residential facilities.

Deprivation of liberty is a sensitive and important matter which goes to the heart of fundamental freedoms and human rights. Legislative proposals in this area will have significant implications for families, the operation of the health services and the courts. It is important that people fully understand what is being proposed. For this reason I am inviting submissions from stakeholders and the general public by way of public consultation until 9 March 2018.

This Government is making good progress with regard to making the Convention's requirements operational in Ireland in an appropriate manner. Considerable progress has already been made to overcome the remaining legislative barriers to Ireland's full implementation of the Convention as set out in the 2015 roadmap. The Assisted Decision-Making (Capacity) Act 2015 was signed into law on 30 December 2015 and is a comprehensive reform of the law on decision-making capacity. Section 5 of the Criminal Law (Sexual Offences) Act 1993 was reformed through a 2017 Act of the same name to facilitate the full participation in family life of persons with intellectual disabilities and the full expression of their human rights.

There are two further priority implementation issues: these are the enactment of the Disability (Miscellaneous Provisions) Bill 2016 and the commencement of the Assisted Decision Making Capacity Act 2015 which requires the Decision Support Service to be operational and ready to roll out the new decision-making support options. The 2018 Budget has provided an allocation of €3 million for the establishment of the Decision Support Service.

Finally, I am continuing to take a wide range of practical measures to improve the lives of people with disabilities. The Report of the 'Make Work Pay Group' was published in April of this year and already action, as announced by Minister Harris, has been taken on its recommendations.

We have a Comprehensive Employment Strategy in place and 2017 has seen positive action measures being taken to support public sector recruitment of people with disabilities. I also published the Disability Inclusion Strategy in July of this year containing wide range of practical commitments to improve the lives of people with disabilities.

### **Domestic Violence Incidence**

213. **Deputy Jim O'Callaghan** asked the Minister for Justice and Equality the number of reported cases of domestic violence in each of the six regions of the Dublin metropolitan region for 2016, and to date in 2017, in tabular form; and if he will make a statement on the matter. [52700/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate, the Central Statistics Office (CSO), as the national statistics agency, is responsible for the publication of the official Recorded Crime Statistics; domestic violence incidents are not currently recorded as a separate category within the classification system.

Cosc (the National Office for the Prevention of Domestic, Sexual and Gender-based Violence), An Garda Síochána, the Courts Service, and the Probation Service are all currently working on a State Data Committee with the Central Statistics Office and Tusla under the Second National Strategy on Domestic, Sexual and Gender-based violence 2016 – 2021 in order to improve data availability and disaggregation in the area of data on domestic violence. Specifically, the Second National Strategy provides for the establishment of a gold standard with regard to the collection and analysis of data under a range of categories.

Similarly, the recently established Data Working Group, chaired by Cosc, with representative members from non-government organisations including Women's Aid, SAFE Ireland and Sonas Domestic Violence Charity Ltd. are currently devising a work plan to advise on the enhancement of data collection in the area.

I am advised that the recording of incidents relating to domestic abuse is closely monitored by the Garda National Protective Services Bureau to ensure:

- a uniform approach is maintained in the recording and investigation of such incidents;
- that records accurately reflect such violence/abuse; and
- that victims receive appropriate supports from members of An Garda Síochána, in the monitoring, managing and investigation of such incidents and from other state and non-governmental organisations within the community

I am advised by the Garda authorities that work is ongoing, including appropriate consultations with the CSO, to ensure that appropriate quality assurance processes are put in place, with a view to publishing relevant statistical information in due course.

Work to address the full range of the Garda Inspectorate's recommendations, including in relation to data quality, is ongoing and is supported by very large investments totalling €330 million from 2016-2021 for Garda technology and systems, including €250 million under the Capital Plan.

I can assure the Deputy that significant work is underway to improve the collection of data relating to the recording of domestic violence. While progress has been made, further incremental improvements will occur over time, resulting in the delivery of far more robust data to support An Garda Síochána in analysing and improving their service to victims of domestic violence.

### **Garda Resources**

214. **Deputy Sean Sherlock** asked the Minister for Justice and Equality the Garda resources allocated in each division in County Cork and Cork city; the resources requested in each division in the past six months; and the resources needed to bring each division in line with population growth in the divisional area. [52721/17]

**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.

I am informed by the Commissioner that in regard to the deployment of Garda personnel, a distribution model is used which takes into account all relevant factors including population, crime trends and the policing needs of each individual Garda Division. I am further informed that ratios such as the number of Garda per head of population are not an appropriate tool to use when considering the allocation of Garda resources as they fail to take account of, among other things, the fact that crime levels and types can vary significantly among communities of similar population size.

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. To achieve this the Government has put in place a plan for an overall Garda workforce of 21,000 personnel by 2021 comprising 15,000 Garda members, 2,000 Reserve members and 4,000 civilians. We are making real, tangible progress on achieving this goal.

I am informed by the Commissioner that since the reopening of the Garda College in September 2014, just under 1,600 recruits have attested as members of An Garda Síochána and have been assigned to mainstream duties nationwide, of whom 38, 20 and 20 have been assigned to the Cork City Division, the Cork North Division and the Cork West Division respectively. Garda numbers, taking account of projected retirements, will increase to around the 13,500 mark by year end - a net increase of 500 since the end of 2016.

I am also pleased that Budget 2018 maintains this high level of investment in the Garda workforce and ensures 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. This will see Garda numbers reach the 14,000 mark by the end of 2018.

In addition, a further 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 Division, including the Co. Cork Divisions.

In so far as the allocation of newly attested Gardaí is concerned, this is a matter for the Garda Commissioner. I am assured by the Commissioner that the needs of all Garda Divisions are fully considered when determining the allocation of resources. However, it is important to keep in mind that newly attested Gardaí have a further 16 months of practical and class-room based training to complete in order to receive their BA in Applied Policing. To ensure that they are properly supported and supervised and have opportunities to gain the breadth of policing experience required, the Commissioner's policy is to allocate them to specially designated training stations which have the required training and development structures and resources in place, including trained Garda tutors and access to a permanently appointed supervisory Sergeant who is thoroughly familiar with their responsibilities under the training programme.

I am informed by the Commissioner that the number of personnel including Reserves and civilians assigned to the Co. Cork Divisions as of 31 October 2017, the latest date for which

figures are readily available, is as set below.

Strength of County Cork Garda Divisions as of 31 October 2017

Division	Garda Strength	Reserve	Civilians
Cork City Division	662	44	67
Cork North Division	317	14	29
Cork West Division	291	10	24

### Data Retention

215. **Deputy Catherine Murphy** asked the Minister for Justice and Equality his plans to amend the Data Retention Bill 2017, in view of the fact that the Murray report states that the data retention system here is precluded by EU law; and if he will make a statement on the matter. [52744/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Deputy will be aware that on 3 October I published the general scheme of a Communications (Retention of Data) Bill 2017 to replace the Communications (Retention of Data) Act 2011.

This proposal for new legislation responds to recent judgments of the Court of Justice of the European Union and will update the current law in Ireland to take account of requirements of the Court. In particular, the Deputy will note that I propose to provide for prior judicial authorisation in all cases where State agencies seek access to communications data in the context of investigations into serious crime and safeguarding the security of the State.

I wrote to the Oireachtas Committee on Justice and Equality to ask it to undertake pre-legislative scrutiny of the general scheme of a new Communications (Retention of Data) Bill. I understand the Committee has concluded their pre-legislative scrutiny of the general scheme and I look forward to their report in the context of bringing forward these proposals for legislation.

Mr. Justice Murray's report was comprehensive analysis of the law in this area and has provided valuable advice in the context of developing my proposals for new legislation in this area. I had forwarded Mr. Justice Murray's report to the Oireachtas Committee on Justice and Equality in order to support its consideration of the general scheme for the new legislation.

### Refugee Status Applications

216. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the status of an application by a person (details supplied) for refugee status; and if he will make a statement on the matter. [52745/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** If an application for asylum or subsidiary protection has been made in the State, for confidentiality reasons it is not the practice to comment on such applications and the applicant or their designated legal advisor should contact the International Protection Office directly either by email to [info@ipo.gov.ie](mailto:info@ipo.gov.ie), by telephone to the IPO Customer Service Centre at 01 6028008 or in writing to Customer Service Centre, International Protection Office, 79-83 Lower Mount Street, Dublin 2. Similarly, the International Protection Appeals Tribunal operate an email which can be contacted by individuals with any queries regarding their appeal application - [info@protectionappeals.ie](mailto:info@protectionappeals.ie).



The Chief International Protection Officer, following consultation with the United Nations High Commissioner for Refugees (UNHCR), published a statement on the Prioritisation of Applications for International Protection under the International Protection Act 2015 on 27 February 2017, which is available on the website of the International Protection Office [www.ipa.gov.ie](http://www.ipa.gov.ie).

Under Section 26 of the International Protection Act 2015, it is an offence to identify an international protection applicant. The offence is punishable by summary conviction to a Class A fine or a term of imprisonment of 12 months or both.

### **Legislative Programme**

217. **Deputy Noel Rock** asked the Minister for Justice and Equality the timeframe for the Intoxicating Liquor (Breweries and Distilleries) Bill 2016 to be enacted; and if he will make a statement on the matter. [52763/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The position is that the Intoxicating Liquor (Breweries and Distilleries) Bill 2016 completed Second Stage on 23 March and is currently awaiting Committee Stage. I intend to bring forward Committee Stage amendments to the Bill to ensure that the rules that normally apply to the grant of retail licences will also apply to licences granted under the Bill. This will mean that applicants for a licence under the Bill will have to apply to the court for a certificate before a licence can be granted by the Revenue Commissioners and the licence will be subject to annual renewal. I should add that the required Financial Resolution in relation to this Bill is on the schedule of Dáil business to be taken without debate on 12 December.

### **Crime Data**

218. **Deputy Sean Fleming** asked the Minister for Justice and Equality further to Parliamentary Question No. 477 of 7 November 2017, when the information requested will be provided; and if he will make a statement on the matter. [52939/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As indicated in reply to Question 477 of 7 November I sought a report from the Garda Commissioner in relation to the number of weapons that were stolen from houses and vehicles in the past five years.

I received a report on the matter from the Garda Commissioner. I have sought clarification from the Commissioner on the information in the report provided and will write to the Deputy when the updated report is available. I will let you have the information sought as soon as possible.

### **Garda Operations**

219. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if a detailed report on Garda Operation C-Point will be provided; the number of persons arrested and charged to date; the number of successful convictions obtained to date; and if he will make a statement on the matter. [52949/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will be aware, the conduct of Garda Operations are a matter for An Garda Síochána, in which I have

no direct role.

However, I sought, and have received, the following information from the Garda authorities on Operation C-Port.

Operation C-Port is a Garda initiative to provide for the effective policing of Dublin Port and its environs. The purpose of the initiative is to ensure a visible Garda presence and to provide a higher degree of security integrity at the biggest multi-level base port in the State. Operation C-Port commenced in September 2016 and comprises a 24/7 Garda presence at entry and exit points to Dublin Port and immigration control checkpoints, in conjunction with targeted initiatives.

Operation C-Port ensures that relevant legislative and regulatory provisions are observed by persons having business in or passing through Dublin Port and its environs and preventing unlawful entry into the State. This is achieved by providing foot / cycle / mobile patrols and a high visibility Garda and multi-agency enforcement presence at the Port and in its environs.

Members of An Garda Síochána deployed under Operation C-Port, perform the following duties:

- a 24-hour visible presence at points of entry to and exit from Dublin Port;
- immigration duties at passenger ferries, cruise-liners, roll-on / roll-off, bulk freight, load-on / load-off vessels landing at Dublin Port;
- enforcement of the Road Traffic and Road Transport Acts and Regulations, together with relevant bye-laws, focusing on the Dublin Tunnel and Heavy Goods Vehicles (HGVs);
- crime prevention, through overt and covert patrols of Dublin Port; and
- enforcement of National Security through border protection duties and the protection of national infrastructure.

Under Operation C-Port, joint border management initiatives, in conjunction with personnel from the Garda National Immigration Bureau and the Irish Naturalisation and Immigration Service (INIS), regularly take place. The Operation also includes regular joint initiatives conducted with the Revenue Commissioners (Customs and Excise) which target the illegal importation and transportation of drugs and contraband cigarettes.

I am further informed that since its commencement, Operation C-Port is associated with a total of 1,362 recorded incidents (a separate incident is created for each detection). Each detection is dealt with by way of arrest, summons and / or fixed charge notice where appropriate. Detections related to immigration incidents are dealt with by a person being Refused Leave to Land in this jurisdiction.

The following table details the incidents recorded as occurring within Dublin Port and its environs and recorded under Operation C-Port initiative since its commencement in September 2016 to date (12 December 2017):

Category	Recorded	Detected	Proceedings commenced
Illegal Importation / Exportation of Animals	7	4	1

Category	Recorded	Detected	Proceedings commenced
Attention and Complaints	26	N/A	N/A
Burglary	1	1	1
Court Related – Execution of Warrants	19	19	8
Intoxicated Drivers	14	12	12
Drivers Under the Limit	2	N/A	N/A
Drugs Offences	8	8	8
Possession of Offensive Weapon	1	1	1
Human Trafficking	1	0	0
Fraud	3	3	3
Immigration	199	122	-
Fatal Industrial Accident	1	N/A	N/A
Mental Health Act	1	N/A	N/A
Vehicle Collision on Private Property	1	N/A	N/A
Proactive Policing - Checkpoints	2	N/A	N/A
Property Found / Seized	10	0	N/A
Public Order	7	7	4
Searches (including under the Misuse of Drugs Acts)	364	N/A	N/A
Theft	6	4	2
Traffic-related	689	270	152

### Witness Protection Programme

220. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the budget allocation to the Garda witness protection programme for 2015 to 2018; and if he will make a statement on the matter. [52950/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Estimates provision for the Witness Security Programme for 2018 is €1.198 million. The budget allocation for the Programme in 2017 was €1.198 million; the final expenditure figure for 2017 is not yet available. Expenditure on the programme in 2016 was €1.32 million and in 2015 was €1.198 million.

The Witness Security Programme is operated by the Garda Authorities. While legislation was not required for its establishment or operation, it is supported by provisions in the Criminal Justice Act 1999, as amended. The operation of the Programme and the resources required for it are kept under continuous and active review by the Garda Authorities.

The Deputy will appreciate that by virtue of the highly confidential nature of the Witness Security Programme and the need to maintain the protection of persons who receive support from it, it is not the practice to detail the specifics of its operation.

### Direct Provision Data

221. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality the number of adults over 18 years of age and children under 18 years of age that are in direct provision. [52960/17]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** All children under 18 years who live in State provided accommodation are under the care of their parent(s) or guardian(s). Any unaccompanied minors who arrive in the State are under the care of Tusla, the Child & Family Agency.

The Reception & Integration Agency (RIA) of my Department provides monthly statistics covering the Deputy's question on the website [www.ria.gov.ie](http://www.ria.gov.ie). As the November figures are still being compiled, the most recent figures are for 31 October 2017. The following table is available in graph format on page 5 of the October 2017 Monthly Statistics:

Age	Female	Male	Total
0-4	221	270	491
5-12	291	304	595
13-17	93	106	199
18-25	256	467	723
26-35	620	996	1616
36-45	363	606	969
46-55	101	186	287
56-65	45	39	84
66+	15	11	26
Total	2,005	2,985	4,990

### Direct Provision Payments

222. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality the amount provided to operators and owners of direct provision accommodation in each of the years 2011 to 2016 and to date in 2017. [52962/17]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** The Deputy will appreciate that contract values are commercially confidential. In order to ensure the best value is achieved in the expenditure of public funds, it is not the practice to release into the public domain confidential information relating to matters which are under ongoing discussion between contractors and my Department. Notwithstanding this and in line with the Freedom of Information Acts, contract values for each centre for each year up to and including contracts which terminated in 2014 are available on the website of the Reception and Integration Agency: <http://www.ria.gov.ie/en/RIA/Contract%20Values%202016.pdf/Files/Contract%20Values%202016.pdf>

For ease of reference, I have included the overall figures for the years in question.

Details of contracts which terminated in 2015 will be available on the website in early 2018.

Total Paid to all contractors by year:

Year	Commercial Contractors	Amount
2011	Commercial contracts	€57.784 m
	State-owned contracts	€8.258 m
	Self-catering	€1.687 m
2012	Commercial contracts	€52.071 m
	State-owned contracts	€6.987 m
	Self-catering	€0.913 m
2013	Commercial contracts	€45.735 m
	State-owned contracts	€6.901 m
	Self-catering	€0.671 m
2014	Commercial contracts	€43.684 m
	State-owned contracts	€6.901 m
	Self-catering	€0.486 m
2015	Commercial contracts *	€46.671 m
	State-owned contracts	€7.010 m
	Self-catering	€1.214 m
2016	Commercial contracts *	€51.705 m
	State-owned contracts	€7.646 m
	Self-catering	€0.976 m
2017 (end Nov)	Commercial contracts *	€48.724 m
	State-owned contracts	€8.258 m
	Self-catering	€0.781 m

\*This figure includes payments for Emergency Reception and Orientation Centres contracted by RIA on behalf of the Irish Refugee Protection Programme and the Office for the Promotion of Migrant Integration.

### Direct Provision Expenditure

223. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality the annual cost to the State of providing ancillary services to direct provision centres, including catering, in each of the years 2011 to 2016 and to date in 2017. [52963/17]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** Ancillary services including catering, security, light, heat, laundry facilities etc., provided in accommodation centres under contract to the Department of Justice and Equality are included in the contract price agreed following negotiations with the contractor.

The Deputy will appreciate that contract values are commercially confidential. In order to ensure the best value is achieved in the expenditure of public funds, it is not the practice to release into the public domain confidential information relating to matters which are under on-going discussion between contractors and my Department. Notwithstanding this and in line with the Freedom of Information Acts, contract values for each centre for each year up to and including contracts which terminated in 2014 are available on the website of the Reception and Integration Agency (RIA): <http://www.ria.gov.ie/en/RIA/Contract%20Values%20>



2016.pdf/Files/Contract%20Values%202016.pdf. The Deputy will appreciate that it would not be possible to extrapolate from the overall contract price the specific costs of heating, lighting, laundry or other ancillary service. For ease of reference, I have included the overall figures for the years in question.

Details of contracts which terminated in 2015 will be available on the website in early 2018.

Total Paid to all contractors by year:

Year	Commercial Contractors	Amount
2011	Commercial contracts	€57.784 m
	State-owned contracts	€8.258 m
	Self-catering	€1.687 m
2012	Commercial contracts	€52.071 m
	State-owned contracts	€6.987 m
	Self-catering	€0.913 m
2013	Commercial contracts	€45.735 m
	State-owned contracts	€6.901 m
	Self-catering	€0.671 m
2014	Commercial contracts	€43.684 m
	State-owned contracts	€6.901 m
	Self-catering	€0.486 m
2015	Commercial contracts *	€46.671 m
	State-owned contracts	€7.010 m
	Self-catering	€1.214 m
2016	Commercial contracts *	€51.705 m
	State-owned contracts	€7.646 m
	Self-catering	€0.976 m
2017 (end Nov)	Commercial contracts *	€48.724 m
	State-owned contracts	€8.258 m
	Self-catering	€0.781 m

\*This figure includes payments for Emergency Reception and Orientation Centres contracted by RIA on behalf of the Irish Refugee Protection Programme and the Office for the Promotion of Migrant Integration.

### Traveller Culture

224. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality further to Parliamentary Question No. 64 of 5 December 2017, the steps he is taking to address actions 98, 112, and 117 in the Traveller and Roma Inclusion Strategy 2017-2021. [52964/17]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** On 13 June this year, I launched the National Traveller and Roma Inclusion Strategy 2017 – 2021. This Strategy contains 149 Actions, grouped under ten themes, which are as follows:

- Cultural Identity;
- Education;

- Employment and The Traveller Economy;
- Children and Youth;
- Health;
- Gender Equality;
- Anti-discrimination and Equality;
- Accommodation;
- Traveller and Roma Communities;
- Public Services

I chair the Steering Group which has the responsibility for monitoring and achieving progress on the implementation of the Strategy. The Steering Group consists of representatives of the Traveller and Roma communities, as well as of representatives of relevant Government Departments and Agencies.

Since the launch of the Strategy, the Steering Group has met twice, on 2 August and on 18 October. The next meeting is planned for Wednesday 13 December. The meetings provide an opportunity to review progress and to drive forward implementation of the Strategy.

To date, work has begun on approximately 100 of the actions in the Strategy. The Steering Group will continue to monitor progress on these Actions and to focus on actions where progress has not yet commenced. It is a priority for me that the momentum achieved to date is maintained.

The following specific Actions which are included in the Strategy:

98. The Department of Justice and Equality will support the development of community leadership in gender equality with men and women from the Traveller and Roma communities with a view to developing gender equality.

112. Members of the Traveller and Roma communities will be supported in the reporting of racist crimes.

117. The Department of Justice and Equality will support the development and delivery by Traveller and Roma organisations of initiatives aimed at challenging homophobia and transphobia within the Traveller and Roma communities including support for Traveller and Roma families who have children/partners coming out.

With regard to Action 98, my Department has provided increased funding of €55,000 to the National Traveller Women's Forum in 2017 to assist the organisation in promoting the gender equality actions contained in the NTRIS with a view to further developing Gender Equality in the Traveller and Roma communities. Further discussions will take place during 2018 between this Department and the national Traveller and Roma-focussed NGOs with a view to the promotion of the gender equality actions contained in the National Traveller and Roma Inclusion Strategy 2017-2021.

On Action 112, I understand that the former Garda Racial Intercultural and Diversity Office has recently been subsumed into the Garda Bureau of Community, Diversity and Integration. It has responsibility for coordinating, monitoring and advising on all aspects of policing Ireland's diverse communities. The GBCDI monitors the reporting and recording of hate and

racist crime on a continual basis.

Garda Ethnic Liaison Officers (ELOs) are appointed to work with minority communities at local level throughout the country. These officers combined with the GBCDI play a fundamental role in liaising with minority groups and work in partnership to encourage tolerance, respect and understanding within communities in the pursuit of preventing the commission of hate and racist crime. GBCDI and ELOs provide advice and assistance to victims of hate or racist crime where required or deemed necessary.

Existing Irish law is in compliance with the EU Framework Decision on Racism and Xenophobia as regards online hate speech. This is, however, a complex area to legislate for and any further proposals for research in this area would have to take account of the review carried out under the auspices of the National Action Plan against racism in recent years and would have to take cognisance of best practice in the Cybercrime area.

Finally, for Action 117, my Department will work with Traveller and Roma NGOs in 2018 with a view to providing the support necessary for the delivery of the initiatives concerned, as described in this Action. In this regard, my Department will commence work in the New Year on the drafting of a new National LGBT Strategy, which will also contain recommendations in this area.

### **Citizenship Applications**

225. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a person (details supplied) will be considered for Irish citizenship; and if he will make a statement on the matter. [52998/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that there is no record of an application for a certificate of naturalisation from the persons 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.

It is open to any individual to lodge an application for a certificate of naturalisation if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956, as amended, which governs the granting of Irish citizenship through naturalisation.

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). The website also contains guidance on the completion of an application for naturalisation and an on-line naturalisation residency calculator which individuals may find of assistance in establishing if the statutory residency requirements are met.

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.

## **Private Security Authority**

226. **Deputy Pearse Doherty** asked the Minister for Justice and Equality the statutory role and powers of the Private Security Authority in the event that a device, alarm or security system apparatus installed by an approved contractor should fail; if liability rests with the authority; the measures taken by the authority to ensure that the privacy of customers is respected by contractors licensed by the authority; and if he will make a statement on the matter. [53008/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Private Security Authority (PSA), established under the Private Security Services Act 2004, as amended, is the regulatory body with responsibility for regulating and licensing the private security industry in the State. The Authority is an independent body under the aegis of the Department of Justice and Equality. My Department has no role in the day to day running of the Authority.

All contractor licences issued by the PSA are underpinned by industry standards prescribed in Regulations. Contractors licensed in the Electronic Security sectors encompassing the installation and maintenance of Intruder Alarm, Access Control and CCTV systems must meet the National Standards Authority of Ireland (NSAI) Standard Recommendation SR40. This Standard provides direction for contractors and their employees on both confidentiality and care of clients' property and requires procedures to be put in place to deal securely with any confidential information to which they have access.

I am informed by the Authority that the specific technical standard required for an installer of intruder alarms licence is European Standard EN 50131 Parts 1 & 7, and the standard required for an installer of CCTV is PSA 2006:12. Compliance with the standards is audited by independent certification bodies.

In addition, all contractors are required to comply with national legislation including data protection regulations.

The Authority does not carry any liability in respect of the work undertaken by licensed contractors. The Authority does however require contractors to have insurance cover relevant to their business activities which should protect consumers in the event of any claim being awarded against a contractor.

Finally, I am also informed by the Authority that customers, if they wish to do so, may make a complaint about the installation of a security system to the Authority who will investigate the complaint. If the complaint is upheld the Authority may take action against the licensed contractor up to and including the revocation of a licence.

## **Garda Misconduct Allegations**

227. **Deputy Catherine Murphy** asked the Minister for Justice and Equality if the case of a person (details supplied) was included in his Department's internal review mechanism process; if a letter informing the person of the outcome of their review ever issued; and if he will make a statement on the matter. [53021/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The person referred to by the Deputy had requested, by letter of 13 November 2014, that his complaint be referred to the Independent Review Mechanism (IRM) established by the Government to consider certain allegations of Garda misconduct or inadequacies in the investigation of certain allegations.

His request was considered by the Department and it was determined that his complaint did

not fall within the remit of the IRM. The issues he raised were more pertinent to the remit of the Department of Agriculture, Food and the Marine.

My Department advised the person of the above by letter of 25 February 2015. His complaint was referred to the Department of Agriculture, Food and the Marine on 27 February 2015 for attention and direct reply.

### **Prisoners Treatment**

228. **Deputy Jack Chambers** asked the Minister for Justice and Equality the timeframe for the implementation of therapeutic communities in the prison system; if his statement in this regard will be clarified further to his response to Parliamentary Question No. 253 of 5 December 2017 (details supplied); and if he will make a statement on the matter. [53045/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Irish Prison Service has advised that the introduction of a Therapeutic Community treatment model within the Irish Prison Service is a new and innovative model of addiction support within the IPS. In order to achieve the best results and optimum outcomes, it is imperative to review the international evidence, and develop an acceptable plan which is true to the values and principles of the Therapeutic Community Approach, balanced with the needs of the Irish Prison Service and statutory expectations therein.

The Irish Prison Service is committed to progressing this initiative in 2018 through a competitive tendering process. To progress the project to tender stage is likely to take 6-9 months.

### **Customs and Excise Protocols**

229. **Deputy Fergus O'Dowd** asked the Minister for Justice and Equality if he will examine correspondence (details supplied) brought to the attention of his Department regarding a customs matter; and if he will make a statement on the matter. [53077/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** My Department has been in contact with the person in question to inform them that the matters raised do not fall within the responsibility of the Department of Justice and Equality. These matters are more appropriate for Customs officials in the Office of the Revenue Commissioners and a copy of the correspondence has been sent to that Office for their attention and consideration.

I am advised by the Office of the Revenue Commissioners that the matters raised in the correspondence are receiving attention and they will be in direct contact with the person in question in due course.

To be of assistance, a copy has also been sent to the Garda authorities.

### **Drugs Crime**

230. **Deputy Aindrias Moynihan** asked the Minister for Justice and Equality further to Parliamentary Question Nos. 45 of 23 May 2017 and 286 of 27 June 2017, when the statistics requested will be made available; the reason for the delay; and if he will make a statement on the matter. [53120/17]



**Minister for Justice and Equality (Deputy Charles Flanagan):** Further to my recent correspondence, I am informed by the Garda authorities that, as of 30 November 2017, a total of 371 Garda personnel from the Garda Divisions of Cork City, Cork North and Cork West have received training in testing for the presence of drugs when a vehicle / driver has been stopped at a Mandatory Intoxicant Testing checkpoint or on suspicion of driving under the influence of an intoxicant.

I am further informed that, in the period April 2017 to 30 November, a total of 74 drug driving tests have been administered in the three Cork divisions, of which 12 produced positive results.

As the Deputy is aware, the oral fluid test is only one of the options open to members of An Garda Síochána in respect of the detection of drug driving offences. Members of An Garda Síochána may form the opinion that a driver is under the influence of an intoxicant from their observation of the persons driving or the behaviour and appearance of the person when stopped.

In addition, the power to conduct an impairment test is provided under Section 11 of the Road Traffic Act, 2010, as amended, which permit members of An Garda Síochána to require a driver to perform a number of tests in order for the member to establish if the driver is committing an offence. These provisions have been further extended by the Road Traffic Act, 2016, which permits members of An Garda Síochána to perform an impairment test following arrest in respect of certain road traffic offences. As of 30 November 2017, 2,501 members of An Garda Síochána nationwide have received training in conducting impairment testing.

### **Disabilities Data**

231. **Deputy John Brady** asked the Minister for Justice and Equality the percentage of persons with disabilities in public service employment in view of the commitment made in the comprehensive employment strategy for persons with disabilities. [53122/17]

**Minister of State at the Department of Justice and Equality (Deputy Finian McGrath):** As the Deputy will be aware, public bodies are expected to achieve a statutory target of 3% for the number of staff employed with disabilities under Part 5 of the Disability Act 2005.

Implementation of Part 5 of the Act is monitored on an ongoing basis by the National Disability Authority. The Authority reports each year on progress made towards the statutory target for employment in the public sector.

The Authority's most recently published report shows that at the end of 2015, 3.6% of staff employed in public sector bodies were people with disabilities. This is an increase from 3.5% in 2014 and is the fourth successive year of exceeding the 3% target.

The provisions under Part 5 of the Act are strengthened in the context of the Comprehensive Employment Strategy for People with Disabilities.

The Strategy sets out a ten-year approach to ensuring that people with disabilities who are able to, and want to, work are supported and enabled to do so. It is a cross-government approach that brings together actions by different Departments and State agencies in a concerted effort to address the barriers and challenges that impact on employment of people with disabilities.

One of the key priorities in the Strategy is to increase the statutory target from 3% to 6% on a phased basis by January 2024. I can inform the Deputy that Department of Justice and Equality officials are preparing legislation to amend the 2005 Act to provide for this increased

statutory target. It is my intention that these provisions will be included in the Disability (Miscellaneous Provisions) Bill 2016 during its passage through the Oireachtas.

### **Garda Remuneration**

232. **Deputy Willie Penrose** asked the Minister for Justice and Equality the steps he will take to end the discrimination in eligibility for pensions in respect of the 19 surviving ex-members of An Garda Síochána who resigned or left the force from 1 October 1976, having served at least five years; if they can be treated in the same way as those that returned post-1976, in terms of their pension entitlements; and if he will make a statement on the matter. [53141/17]

**Minister for Justice and Equality (Deputy Charles Flanagan):** Prior to 1 October 1976, where a member of An Garda Síochána resigned or was dismissed before reaching the age and service at which he could retire on pension, that member forfeited all superannuation benefits under the then Garda Síochána Superannuation Scheme. This situation was changed following discussions at the Garda Conciliation Council, the industrial relations machinery for members of An Garda Síochána. It was agreed at that time by both sides, the official side and the Garda representative associations, and endorsed by the then Minister for Finance, that the new arrangements should apply to members of An Garda Síochána serving on, or after, 1 October 1976. By extension these new terms did not and cannot apply to members who had left An Garda Síochána prior to that date. Generally speaking, these Agreed Reports provide that a Garda who resigned or was dismissed on or after 1 October 1976 can have superannuation benefits accrued to the date of resignation or dismissal, preserved until the member reached 60 years of age.

The then Department of Finance, and now Department of Public Expenditure and Reform (DPER), which continues to have overall responsibility for public service pension matters, agreed with the proposals for a cut-off date for eligibility for preserved benefits.

Similar arrangements have also been introduced in pension schemes across the public sector with varying ‘cut-off’ dates depending on the particular organisation involved and the conclusion of negotiations between management and the relevant staff interests.

I must stress that this was an agreed date between all of the parties involved in the discussions and was not imposed. It is an inevitable consequence of the introduction of improvements in pension schemes that members of that scheme who had left it prior to the effective date cannot avail of that benefit.

My Department has consulted the Department of Public Expenditure and Reform and has been advised that the position remains that it is not possible to resolve a case individually on an administrative basis and provide an individual with preserved benefits without changing the terms of the scheme retrospectively. Such amendment would, in equity, have to cover all public servants who resigned prior to the effective date applicable to their schemes. That Department has further stated that changing the various schemes to change the cut-off date is not a practicable proposition.

### **Good Friday Agreement**

233. **Deputy David Cullinane** asked the Minister for Business, Enterprise and Innovation the trade matters contained within the Good Friday Agreement; and if she will make a statement on the matter. [52686/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The Good Friday Agreement of 1998 provided for the establishment of several implementation bodies, including a 'Trade and Business Body'. The British Irish Agreement Act 1999 and the equivalent UK legislation provided the statutory basis for the establishment of this body, known as InterTrade Ireland.

Since its establishment, InterTrade Ireland - which is co-funded by my Department and the Northern Ireland Department for the Economy - has implemented a range of initiatives and programmes to help businesses develop and enhance cross-border trade. The Body has also notably been active, since the EU-UK referendum in June 2016, in assisting companies in both jurisdictions prepare for the commercial challenges that Brexit may present.

### **Trade Union Recognition**

234. **Deputy Mick Barry** asked the Minister for Business, Enterprise and Innovation if she will raise with a company (details supplied) which is engaged by the HSE on State contracts the reason it does not recognise a union which represents its staff in view of the fact that it recognises a union in Northern Ireland; and if she will make a statement on the matter. [53235/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I thank the Deputy for bringing this matter to attention but should point out that under Irish law there is no requirement for an employer to recognise trade unions for the purpose of collective bargaining.

Article 40 of the Irish Constitution guarantees the right of citizens to form associations and unions. It has been established in a number of legal cases that the constitutional guarantee of the freedom of association does not guarantee workers the right to have their union recognised for the purpose of collective bargaining.

I can assure the Deputy however that it has been the consistent policy of successive Irish Governments to promote collective bargaining through the laws of this country and through the development of an institutional framework supportive of a voluntary system of industrial relations that is premised upon freedom of contract and freedom of association. There is an extensive range of statutory provisions designed to back up the voluntary bargaining process.

The Industrial Relations (Amendment) Act 2015 which came into effect in August 2015 provides an improved framework in this area for employees' right to engage in collective bargaining. The 2015 Act provides a clear and balanced mechanism by which the fairness of the employment conditions of workers in their totality can be assessed where collective bargaining does not take place.

The Act ensures that such workers, aided by a trade union, can advance claims about remuneration and conditions of employment and have these determined by the Labour Court based on comparisons with similar companies. It provides definitions of key terms as well as guidelines to help the Labour Court identify if internal bargaining bodies are genuinely independent of their employer, and policies and principles for the Labour Court to follow when assessing the comparability of the remuneration and conditions in dispute.

I trust that this information is helpful to the Deputy.

### **Land Ownership**

235. **Deputy John McGuinness** asked the Minister for Business, Enterprise and Innovation the process by which land at a location (details supplied) was advertised and sold; and if she will make a statement on the matter. [52633/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I understand that the land to which the Deputy refers is currently under negotiation between IDA Ireland and an interested party that would use the property for industrial activity. The proposed sale of the property is entirely in line with the Agency's statutory obligations.

### Trade Agreements

236. **Deputy Charlie McConalogue** asked the Minister for Business, Enterprise and Innovation if she will be supporting a final agreement with Mercosur countries in which beef is a component of such a deal. [52780/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** An EU-Mercosur Free Trade Agreement (FTA) would be the EU's largest trade deal to date, and is four times the size of the trade agreement with Japan. It aims to eliminate trade tariffs between the EU and the Mercosur region. Irish exporters are currently subject to trade tariffs, barriers and restrictions, when exporting to Mercosur, while imports from Mercosur, particularly in Agriculture, are currently subject to high tariffs. The proposed FTA should make exports from Ireland more attractive and potentially increase demand for Irish products.

Within the region, Brazil is Ireland's main trading partner with total exports from Ireland of €715 million and total imports of €634 million in 2014. Brazil has been highlighted as a 'High Growth Market' in the Enterprise Ireland Plan 2016, with Enterprise Ireland client's companies' exports value increasing by 84% from 2012 to 2014. In 2014, Ireland exported in excess of €950 million to Mercosur countries, with services representing approximately 60% of the total exports and Chemicals accounting for 49% of Irish exports to Mercosur. 132 Enterprise Ireland client companies exported to Mercosur in 2014. Year on year growth of exports to the region from 2013-2014 increased by 25%.

On the other hand, Ireland has strong concerns in relation to agriculture, especially the impact that these negotiations present to the EU beef sector. While all Free Trade Agreements include agriculture tariffs, agricultural market access and TRQs (Tariff Rate Quotas), TRQs provided under such agreements are not always fully utilised by our trading partners. Equally, most Member States tend to have sensitivities in relation to certain goods or services to be comprehended under an FTA.

Ireland has continued to highlight the cumulative impact of agricultural market access in relation to all trade agreements. We have done this through engagement with the Trade Policy Committee in Brussels, as well as joining with other Member States in formally writing to the Commission outlining our concerns. Both my predecessor as Minister and my colleague Minister Creed have also raised the matter in various fora.

Overall, Ireland remains fully committed to this negotiation, especially in view of the important economic and political gains expected for both sides from a comprehensive, ambitious and balanced EU-Mercosur Association Agreement. However, any TRQ offered must be structured - in terms of its size, composition and the application of in-quota tariff rates - in a way that mitigates the potential impact of a Mercosur deal on the EU beef sector.

As negotiations are ongoing, it remains unclear what the final outcome will be, although it must be acknowledged that for the Mercosur countries offers on EU agricultural produce are es-

sential to securing any deal. In that regard, a further round of high-level talks is taking place the week beginning the 12th December and negotiations are led by the EU Commission on behalf of Member States.

### Jobs Data

237. **Deputy Niall Collins** asked the Minister for Business, Enterprise and Innovation the national and regional job targets under the programme for Government and Enterprise 2025 in each of the years 2016 to 2020; the latest quarterly national household survey data of the most recent rent figures for these targets in each region; the job targets up to 2020 on an annual basis, by region, in tabular form; and if she will make a statement on the matter. [52785/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The goal under the 2016 Programme for a Partnership Government was to deliver an extra 200,000 jobs by 2020, of which 135,000 will be outside of Dublin. With a strong focus on job creation and retention, the annual Action Plans for Jobs provide a framework to achieve this objective.

Between June 2015 and January 2016, my Department published eight Regional Action Plans for Jobs, aimed at raising employment levels in the regions and facilitating them to achieve their economic potential. A key objective of each of the plans is to have a further 10 to 15 per cent at work in each region by 2020, with the unemployment rate of each region within one percentage point of the national average. Each plan contains a series of actions with timelines for delivery between 2015-2017, through improved collaboration between enterprise agencies and other stakeholders supporting enterprise development in the regions. The targets and achievements to date in terms of job creation are provided in the table.

The Regional Action Plans for Jobs are supported by a Regional Enterprise Fund (2017-2020) of up to €60 million, which was launched to drive enterprise development and job creation in the regions. This funding has been provided by my Department, through Enterprise Ireland. I announced the result of the first call in Mullingar on the 11/12/2017. Twenty-one successful applicants representing all regions of the country have secured up to €30.5m for their projects. Over €14m has been approved for projects in the southern region, over €11m for projects in the eastern and midlands region and over €5m has been approved for the northern and western region, subject to grant conditions.

My Department has also granted €150 million over five years to the IDA regional property programme, which invests in property solutions outside Dublin.

Region	Regional targets 2015-2020	Q1 2015	Q2 2017	Change in employment level
North East/North West	28.0	190.7	196.7	6.0
Midland	14.0	114.0	122.4	8.4
West	25.0	177.0	187.9	10.9
Dublin	66.0	584.9	627.0	42.1
Mid-East	25.0	234.6	247.4	12.8
Mid-West	23.0	148.6	161.9	13.3
South-East	25.0	201.9	214.9	13.0
South-West	40.0	277.8	304.7	26.9
State	246.0	1,929.5	2,063.00	133.5



**IDA Ireland Portfolio**

238. **Deputy Joan Burton** asked the Minister for Business, Enterprise and Innovation if there have been inquiries from prospective investors regarding a replacement manufacturing industry for a site (details supplied) in County Kildare; the way in which the IDA is actively promoting the site to existing customers and potential investors; and if she will make a statement on the matter. [53019/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I am informed that the HP site is not in IDA Ireland ownership. I understand, from the IDA, the property was placed on the open market in July 2017 and that HP has engaged agents to handle its sale.

However, the IDA is engaging closely with HP about the facility and the Agency is aware of contact between prospective buyers and the company. The IDA will continue to draw the attention of both existing and potential clients - whether in Ireland or overseas - to the availability of the property.

**IDA Ireland Data**

239. **Deputy Maurice Quinlivan** asked the Minister for Business, Enterprise and Innovation the amount of grant aid awarded by the IDA in each of the years 2013 to 2016, inclusive, and to date in 2017. [53096/17]

240. **Deputy Maurice Quinlivan** asked the Minister for Business, Enterprise and Innovation the level of grant aid awarded to companies by the IDA in 2016 and to date 2017, by county, in tabular form. [53097/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I propose to take Questions Nos. 239 and 240 together.

The table provides a breakdown of grants paid by IDA Ireland to its client companies between 2013 and 2016. The figure provided for Dublin includes payments to the National Institute for Bioprocessing Research and Training. Details of grants paid in 2017 will be available early next year.

It is important to note that grants paid in a particular year are not necessarily linked to either the investments won or the jobs created in that 12-month period. Grants are generally drawn down over the lifetime of a project which is normally over a period of three to five years. Some investments which result in job creation may not be grant aided and some well-established firms may no longer be receiving grant payments.

County	2013	2014	2015	2016
Carlow	€5,093,152	€72,000	€2,027,393	€1,080,631
Cavan	€0	€0	€120,622	€418,271
Clare	€0	€3,172,202	€4,463,951	€3,023,557
Cork	€12,380,130	€18,353,580	€13,260,876	€13,220,973
Donegal	€3,071,490	€1,889,800	€1,697,150	€685,500
Dublin	€24,803,491	€19,952,938	€19,826,741	€20,136,706
Galway	€17,277,141	€8,422,227	€18,357,383	€13,611,022
Kerry	€584,145	€16,800	€3,220,609	€1,024,766

County	2013	2014	2015	2016
Kildare	€4,690,248	€728,457	€5,798,570	€3,573,544
Kilkenny	€0	€0	€350,000	€440,000
Laois	€0	€25,000	€75,000	€5,000
Leitrim	€0	€0	€0	€0
Limerick	€4,434,483	€15,374,032	€10,596,531	€13,589,484
Longford	€0	€0	€397,750	€169,542
Louth	€2,935,800	€3,672,307	€993,000	€3,031,765
Mayo	€4,180,577	€6,376,253	€2,406,422	€1,498,389
Meath	€1,540,920	€0	€300,000	€0
Monaghan	€0	€58,022	€200,000	€200,000
Offaly	€150,042	€324,662	€120,000	€355,540
Roscommon	€110,000	€0	€733,000	€0
Sligo	€796,831	€750,892	€4,229,218	€922,814
Tipperary	€2,729,055	€3,654,309	€2,939,811	€2,580,100
Waterford	€1,938,976	€1,867,329	€1,341,864	€10,914,081
Westmeath	€272,624	€1,948,923	€2,513,508	€1,768,687
Wexford	€934,569	€783,794	€1,534,136	€568,307
Wicklow	€27,623	€43,738	€234,048	€159,372
TOTAL	€87,951,297	€87,487,265	€97,737,583	€92,978,051

### Office of the Director of Corporate Enforcement Reports

241. **Deputy Maurice Quinlivan** asked the Minister for Business, Enterprise and Innovation further to Parliamentary Question No. 124 of 21 November 2017, the specific powers she lacks or the legal obstacle preventing the publishing of the report received from the Office of the Director of Corporate Enforcement in regard to an investigation (details supplied); and her plans to introduce changes to ensure she has the ability to publish future reports. [53207/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The Section 955(1)(a) Report from the Director of Corporate Enforcement has been the subject of detailed consultation with the Office of the Attorney General.

On the advice received from the Attorney General, I do not have a legal power to publish statutory reports prepared pursuant to section 955 of the Companies Act, 2014.

The Companies Act 2014 contains strict confidentiality obligations on information in the possession of the Director. Section 956 provides that no person shall disclose information obtained by the Director in performing the function of the Director, unless in accordance with law. Breaches of confidentiality under the Act are treated as category 2 offences, with maximum penalties of 5 years of imprisonment and/or a fine of €50,000.

There is a public interest policy underlining the absence of an express power to publish material used in criminal investigations. The publication of confidential investigative material could have the undesirable effect of damaging any ongoing or future investigations.

I am conscious, however, that the shortcomings identified by Judge Aylmer in his ruling in the case of DPP v Sean Fitzpatrick have been the subject of significant concern. It is important to understand what factors led to such mistakes being made and we must take appropriate steps to address these shortcomings and ensure that they are never repeated.

In view of this, while I cannot publish the Report itself, I intend to publish, as soon as possible, an account of the investigative failures identified by Judge Aylmer and the steps that are being taken to address them. These include ongoing reform within the ODCE and the establishment, as announced by Government in November, of the Office of the Director of Corporate Enforcement as a new independent company law enforcement agency, to provide greater autonomy to the agency and ensure it is better equipped to investigate increasingly complex breaches of company law. Work on the drafting of the necessary General Scheme of a Bill to give effect to this decision has commenced.

### **Office of the Director of Corporate Enforcement Reports**

242. **Deputy Maurice Quinlivan** asked the Minister for Business, Enterprise and Innovation further to Parliamentary Question No. 124 of 21 November 2017, when she will publish the account of the investigative failures identified by a person (details supplied); and the steps being taken to address them. [53208/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The Section 955(1)(a) Report from the Director of Corporate Enforcement has been the subject of detailed consultation with the Office of the Attorney General.

On the advice received from the Attorney General, I do not have a legal power to publish statutory reports prepared pursuant to section 955 of the Companies Act, 2014.

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### **Trade Agreements**

243. **Deputy Catherine Connolly** asked the Minister for Business, Enterprise and Innovation the position regarding the EU Mercosur deal; if same is being deferred pending the human

rights impact assessment being part of the sustainable impact assessment expected in 2018; and if she will make a statement on the matter. [53218/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The European Commission acts as lead negotiator on behalf of the EU Member States in Trade negotiations. The EU follows closely the situation of indigenous peoples' rights in Brazil. There are regular contacts with indigenous peoples' representatives, civil society, and Brazilian authorities.

Indigenous peoples' rights are addressed in the context of the EU-Brazil High Level Dialogue on Human Rights. During his visits to Brazil, the EU Special Representative for Human Rights regularly meets representatives of indigenous peoples. The next dialogue on human rights will take place in Brussels.

The EU implements several projects in support of indigenous peoples in Brazil for a total of EUR 2.5 million. The EU Delegation and Member States Embassies organise regular visits to different regions of Brazil to get first-hand information on the situation of indigenous groups' rights. The last visit to Mato Grosso do Sul was in April 2016.

In the context of the EU's negotiations with Mercosur, the European Commission has launched a sustainability impact assessment which will, inter alia, look at the potential impacts of the EU-Mercosur Free Trade Agreement on human rights, in line with the Commission's Trade for All Communication and the Guidelines on the analysis of human rights impact in impact assessments of trade-related policy initiatives. Land-related conflicts and indigenous people's rights will feature prominently amongst the human rights analysed. The EU will continue to support the indigenous peoples' rights in Brazil using all the available instruments in its bilateral relations with Brazil, as well as in the context of the EU-Mercosur negotiations for an association agreement.

There are no plans to defer the Trade agreement based on the sustainability impact assessment. Ireland supports the EU efforts in monitoring the situation on human rights. Overall, Ireland remains fully committed to this negotiation, especially in view of the important economic and political gains expected for both sides from a comprehensive, ambitious and balanced EU-Mercosur Association Agreement

### **Trade Agreements**

244. **Deputy Catherine Connolly** asked the Minister for Business, Enterprise and Innovation if she has satisfied herself that the EU Mercosur deal adequately addresses climate change; if so, the basis for that satisfaction; the extent to which climate change has been incorporated in each chapter of the EU Mercosur deal; and if she will make a statement on the matter. [53219/17]

245. **Deputy Catherine Connolly** asked the Minister for Business, Enterprise and Innovation the extent to which the precautionary principle enshrined in EU law as a cornerstone of its environmental policy has been incorporated in each chapter of the EU Mercosur deal; and if she will make a statement on the matter. [53220/17]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I propose to take Questions Nos. 244 and 245 together.

The EU is currently negotiating a trade agreement with the four founding members of Mercosur (Argentina, Brazil, Paraguay, and Uruguay). A further round of high-level talks on the

EU-Mercosur FTA took place from 29 November to 8 December 2017. The European Commission acts as lead negotiator on behalf of the EU Member States in Trade negotiations.

An EU-Mercosur FTA would be the EU's largest trade deal to date, and would be four times the size of the EU-Japan Economic Partnership Agreement, which was recently concluded. An EU-Mercosur trade agreement aims to eliminate trade tariffs between the EU and the Mercosur region. Irish exporters are currently subject to trade tariffs, barriers and restrictions, when exporting to Mercosur, while imports from Mercosur, particularly in agriculture, are currently subject to high tariffs. The proposed FTA should make exports from Ireland more attractive and potentially increase demand for Irish products.

EU law requires all relevant EU policies, including trade policy, to promote sustainable development. Sustainable development has three pillars: economic, environmental and social. The EU Mercosur FTA has a defined section on sustainable development which includes climate change. A Sustainability Impact Assessment being carried out on the EU Mercosur FTA will also have a designated section on climate change as part of its environmental analysis.

The precautionary principle is enshrined in the EU treaties and all EU trade agreements must respect those treaties. The EU ensures that all its trade agreements fully respect the right to regulate on the basis of the precautionary principle. Trade agreements must also uphold existing EU food safety regulations and other 'secondary legislation' which includes the precautionary principle.

Overall, Ireland remains fully committed to this negotiation, especially in view of the important economic and political gains expected for both sides from a comprehensive, ambitious and balanced EU-Mercosur Association Agreement that will be good for a range of Irish exporting companies and jobs. However, we also have to be mindful of the cumulative impact of EU FTAs on specific sectors, such as agriculture, and the challenges which they face if having to respond to competition on multiple fronts in a comparatively short space of time.

### **Disability Services Provision**

246. **Deputy Clare Daly** asked the Minister for Health when funding that an organisation (details supplied) has been requesting for the past five years to source new buildings and upgrade current buildings will be released; and if he will make a statement on the matter. [52869/17]

**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 the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Disability Support Services Provision**

247. **Deputy Clare Daly** asked the Minister for Health if his Department will provide funding for transport for persons attending a service (details supplied) who are unable to use public



transport. [52870/17]

**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.

The provision of transport to adults with a disability attending HSE-funded day services is not a core health service, and the HSE endeavours to ensure that all service users access public transport, including rural transport services, if possible. This is in keeping with the principle of mainstreaming with a clear focus on ensuring persons with a disability have access to the normal range of services and participate in community life as far as possible. In general, day service users are in receipt of disability allowance and are automatically entitled to the Free Travel Pass, so there should be no additional cost burden at an individual level.

However when all other options are exhausted, and a person cannot avail of a day service because they do not have transport to attend, some transport is provided by disability service providers on a case by case basis as resources allow. Service providers are continuously reviewing their transport arrangements to ensure that they are used as effectively and equitably as possible within available resources. This may result in the provision of a reduced quantum of service to the service user, and the HSE does its best to provide transport in certain cases without reducing services. Service providers continue to keep the matter of transport under review.

The HSE has committed to establishing a high level cross divisional working group to rationalise the provision of transport and to maximise equitable access and efficiencies. The HSE also intends to liaise with the National Transport Authority and disability service providers to explore ways in which the Authority's services could assist people with disabilities. The National Transport Authority has a total of 17 Transport co-ordinating units called Local Link which provide safe secure and reliable Public Transport services in local and rural areas of Ireland through a combination of scheduled Public Transport services and door to door services. The HSE plans to explore the opportunities these units may provide to people with disabilities to access day services and participate in the social, educational and economic life of their local communities.

As the remainder of the Deputy's relates to an individual case, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Departmental Correspondence**

248. **Deputy Micheál Martin** asked the Minister for Health if he has received correspondence from a person (details supplied); if so, if his Department or an agency under the remit of his Department is taking action on foot of this correspondence; and if he will make a statement on the matter. [53200/17]

360. **Deputy Micheál Martin** asked the Minister for Health if he has received correspondence from a person (details supplied); if he or an agency under the remit of his Department is taking action on foot of this correspondence; and if he will make a statement on the matter. [53153/17]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 248 and

360 together.

I, my Department, and an agency under the remit of my Department have received correspondence from the person concerned and have been copied in on related correspondence submitted to other Departments and agencies. My Department and an agency under the remit of my Department are taking action on foot of the correspondence received.

### **Home Help Service Provision**

249. **Deputy David Cullinane** asked the Minister for Health if his attention has been drawn to a project (details supplied) in County Waterford and the fact that the project offers support to older persons in their own homes through providing volunteers as home visitors; the status of the project's HSE section 39 funding for 2018; and if he will make a statement on the matter. [52612/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible

### **Medicinal Products Availability**

250. **Deputy Bríd Smith** asked the Minister for Health if his attention has been drawn to reports that a drug (details supplied) prescribed to women during pregnancy in both New Zealand and Britain has been linked to adverse health issues and outcomes; if this drug is or was available to women here; and if he will make a statement on the matter. [52613/17]

**Minister for Health (Deputy Simon Harris):** The Health Products Regulatory Authority (HPRA) is the competent authority for the regulation of medicines in Ireland. The HPRA has stated that Hormonal Pregnancy Tests (HPTs) such as Primodos and Duogynon were never authorised (i.e. licensed) for use in Ireland. However, it is understood that Duogynon was available in Ireland up to the 1970s, with distribution discontinued in 1978. Although never authorised for use in Ireland, the 1975 annual report of the National Drugs Advisory Board (NDAB, a predecessor of the HPRA) outlined the consideration given by the NDAB to the use of hormonal testing for pregnancy. This report related to hormonal pregnancy testing preparations in general, and did not mention any specific product. In April 1975, the NDAB issued a warning letter to practitioners regarding the use of hormonal pregnancy testing preparations. This letter reminded practitioners that these preparations had not been assessed by the NDAB, and that their use as a means of pregnancy testing had not been accepted by the NDAB. The letter also highlighted that these preparations should be avoided, as a firm statement of safety could not be given and other, more efficient methods of pregnancy testing were available.

While not an authorised medicinal product in Ireland, five reports of suspected adverse reactions associated with use of Duogynon were received by the NDAB between 1976 and 1980, describing suspected congenital abnormalities. There is very limited information available in relation to these reports.

The HPRA has no information regarding the numbers of women in Ireland who may have used Duogynon for diagnosis of their pregnancies in the 1970s.

In the UK, where HPTs were licensed (and where they were used from the early 1950s to 1978), an Expert Working Group of the UK's Commission on Human Medicines recently

completed a review of this issue and published a report on the use of hormone pregnancy tests (HPTs) and adverse effects relating to pregnancy, including possible birth defects. This report concluded that following extensive and rigorous review, based on the totality of the available data, that the scientific evidence does not support a causal association between the use of HPTs such as Primodos and birth defects or miscarriage.

### **Respite Care Services Provision**

251. **Deputy Bobby Aylward** asked the Minister for Health the status of the provision of overnight respite for children with special needs in counties Carlow and Kilkenny through the purchase of suitable property (details supplied); the position regarding the provision of interim alternative respite solutions for children with special needs in counties Carlow and Kilkenny; and if he will make a statement on the matter. [52615/17]

**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.

The Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Narcolepsy Issues**

252. **Deputy Noel Rock** asked the Minister for Health if the funding for St. James's Hospital national narcolepsy service has been included in the estimates 2018 process; and if he will make a statement on the matter. [52629/17]

**Minister for Health (Deputy Simon Harris):** Work is under way on the setting up a Centre of Excellence for Narcolepsy based in St. James's Hospital for patients with all forms of narcolepsy in adults and in children transitioning from the paediatric services. Funding for the infrastructure, staffing and recruitment for this centre is being considered as part of the overall 2018 service plan process.

### **Tobacco Control Measures**

253. **Deputy Noel Rock** asked the Minister for Health if his attention has been drawn to the level of product inconsistency and trade confusion at retail level regarding sales of e-cigarettes and refill liquids, specifically with labels which reference to taste, smell and or flavours (details supplied); if section 30(1)(d) of SI 271 of 2016 makes it an offence to reference taste or smell or other additives on the label of e-cigarettes and refill containers; if this prohibition includes references to a flavouring which the Tobacco Products Directive, TPD2, defines as an additive that imparts smell and or taste; his plans to either amend his Department's guidance document to make this clear or amend SI 271 of 2016 to make an exception to permit flavour references

on e-cigarettes; and if he will make a statement on the matter. [52630/17]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** Compliance with the legislation is the responsibility of individual companies.

Regulation 30 of the European Union (Manufacture, Presentation and Sale of Tobacco and Related Products) Regulations 2016 (S.I. No. 271 of 2016) as amended by S.I. No. 252 of 2017, does not restrict the use of words which denote flavourings, such as “cherry” or “menthol”, on unit packets and outside packaging of electronic cigarettes or refill containers.

Regulation 30 does not prevent the use of the word “nicotine” to show the nicotine content on unit packets and outside packaging of electronic cigarettes or refill containers.

Revised guidance on this matter issued to stakeholders on Friday, 1 December 2017 and is also available on the Department of Health’s website. The guidance should not be construed as legal advice nor should it be inferred that all legal responsibilities have been identified in the guidance. It is a matter for companies to determine how best to comply with legislation, if there is uncertainty regarding compliance, legal advice should be sought.

### **Cross-Border Health Services Provision**

254. **Deputy John McGuinness** asked the Minister for Health if the refund due to a person (details supplied) under the Cross Border Healthcare Directive will be issued [52634/17]

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

### **Medicinal Products Availability**

255. **Deputy Gino Kenny** asked the Minister for Health if a decision has been made in relation to the libre continuous glucose monitoring system being made widely available to persons with type 1 diabetes here; and if he will make a statement on the matter. [52637/17]

**Minister for Health (Deputy Simon Harris):** Under the Health (Pricing and Supply of Medical Goods) Act 2013, the HSE has statutory responsibility for the administration of the community drug schemes; therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

### **Hospital Consultant Recruitment**

256. **Deputy Charlie McConalogue** asked the Minister for Health the position regarding the recruitment of a consultant (details supplied); and if he will make a statement on the matter. [52639/17]

**Minister for Health (Deputy Simon Harris):** I have asked the HSE to respond to the Deputy directly on this matter.

### **Mental Health Services Provision**

257. **Deputy Bernard J. Durkan** asked the Minister for Health if urgent assistance can be supplied by CAMHS Celbridge or an appropriate body in the case of a person (details supplied); and if he will make a statement on the matter. [52641/17]

**Minister for Health (Deputy Simon Harris):** Enquiries have been made with the HSE who have indicated that they are in contact with this person and their family and I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

The Deputy may be aware that the HSE provides advice on their website: <http://www.yourmentalhealth.ie/supports-services/urgent-help.html> for people who may have concerns regarding persons with suicidal tendencies. The HSE advises that where someone has such concerns, they should contact as quickly as they can their G.P., their local Emergency Department, HSE Mental Health Services or the Samaritans.

### Hospital Appointments Status

258. **Deputy Lisa Chambers** asked the Minister for Health when a person (details supplied) will receive an appointment with an endocrinologist; the length of time the waiting list for an appointment with the endocrinologist is at the hospital; the name of the consultant that will be examining the person; and if he will make a statement on the matter. [52649/17]

**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 Staff Data

259. **Deputy Pearse Doherty** asked the Minister for Health the staffing levels and staffing rota details in respect of the radiology department at Letterkenny University Hospital; the vacancies which have yet to be filled at this department; and if he will make a statement on the matter. [52655/17]

**Minister for Health (Deputy Simon Harris):** In response to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

### Hospital Waiting Lists Data

260. **Deputy Pearse Doherty** asked the Minister for Health the waiting times for persons



awaiting an appointment at Letterkenny University Hospital's radiology department for three months, six months, nine months, 12 months, 15 months and more than 15 months, respectively; and if he will make a statement on the matter. [52656/17]

**Minister for Health (Deputy Simon Harris):** In response to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

### **Emergency Departments Closures**

261. **Deputy Peadar Tóibín** asked the Minister for Health the number of fatalities that have occurred in ambulances or hospitals of persons who live within 20 miles of an accident and emergency department that has been closed in the past 20 years. [52657/17]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the HSE to respond to you directly.

### **Hospital Appointments Status**

262. **Deputy Timmy Dooley** asked the Minister for Health when a person (details supplied) on a waiting list for over a year will have eye surgery; and if he will make a statement on the matter. [52658/17]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the HSE to respond to you directly.

### **Hospital Appointments Status**

263. **Deputy Timmy Dooley** asked the Minister for Health when a person (details supplied) in County Clare will have surgery carried out; and if he will make a statement on the matter. [52662/17]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the HSE to respond to you directly.

### **Hospital Appointments Status**

264. **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. [52663/17]

**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.

### **Health Services Access**

265. **Deputy Thomas P. Broughan** asked the Minister for Health the number of transgender persons on waiting lists for HRT that have been waiting for zero to three months, three to six months, six to nine months, nine to 12 months, 12 to 15 months, 15 to 18 months and more than 18 months, by county; and if he will make a statement on the matter. [52675/17]

266. **Deputy Thomas P. Broughan** asked the Minister for Health the support and assistance provided to transgender persons in accessing services; the improvements he plans to make in this area; and if he will make a statement on the matter. [52676/17]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 265 and 266 together.

As these are service matters, I have referred the Deputy's questions to the Health Service Executive for direct reply.

### **Civil Registration Service**

267. **Deputy Peter Burke** asked the Minister for Health the status of a marriage licence application by a person (details supplied); and if he will make a statement on the matter. [52679/17]

**Minister for Health (Deputy Simon Harris):** The Civil Registration Service is operated by the Health Service Executive on behalf of the General Register Office under the aegis of the Department of Employment Affairs and Social Protection. I have referred your question to the Health Service Executive for direct reply to you.

### **Health Services Provision**

268. **Deputy Peter Burke** asked the Minister for Health if supports will be provided for a person (details supplied) without a specialist's recommendation; and if he will make a statement on the matter. [52680/17]

**Minister for Health (Deputy Simon Harris):** Under the Health (Pricing and Supply of Medical Goods) Act 2013, the HSE has statutory responsibility for the administration of the community drug schemes; therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

### **Nursing Home Beds Data**

269. **Deputy Peadar Tóibín** asked the Minister for Health the number of nursing home beds in County Meath; the number of persons on waiting lists for nursing home beds in County Meath; and the average waiting times for persons waiting for nursing homes. [52682/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as

possible.

### **Appointments to State Boards**

270. **Deputy Peadar Tóibín** asked the Minister for Health the board members of the Ireland east group and Our Lady's Hospital, Navan. [52687/17]

**Minister for Health (Deputy Simon Harris):** My Department recently advertised, through the Public Appointments Service process, for nominees to the Ireland East Hospital Group Board and I expect to be in a position to appoint Board members shortly.

Our Lady's Hospital Navan is part of the Ireland East Hospital Group and does not have a board.

### **HIQA Inspections**

271. **Deputy Clare Daly** asked the Minister for Health the number of the 2012 recommendations by HIQA in regard to the quality, safety and governance of care provided to acute patients at Tallaght Hospital that have been implemented to date. [52691/17]

272. **Deputy Clare Daly** asked the Minister for Health the monitoring conducted by HIQA in regard to the implementation of its 2012 recommendations in regard to the quality, safety and governance of care provided to acute patients at Tallaght Hospital; and if he will make a statement on the matter. [52692/17]

273. **Deputy Clare Daly** asked the Minister for Health if HIQA has received reports of concerns regarding the implementation of the 2012 report into the quality, safety and governance of care provided to acute patients at Tallaght Hospital; and if so, if it plans to act to investigate them. [52693/17]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 271 to 273, inclusive, together.

You may be aware that the Board of Tallaght Hospital established a Committee to oversee the implementation of the 2012 HIQA Report recommendations relating to Tallaght Hospital.

I understand that many of these HIQA recommendations are now incorporated into the normal working of the hospital's governance, leadership, management and clinical processes. I have asked the HSE to reply directly to you with a current update on the implementation of the 2012 recommendations by HIQA.

### **Health Services Staff Data**

274. **Deputy Peadar Tóibín** asked the Minister for Health further to Parliamentary Question No. 418 of 21 November 2017, his views on whether the question asked was answered; and his further views on whether this is acceptable. [52694/17]

**Minister for Health (Deputy Simon Harris):** My view is that the answer to the question did not address the details sought and was not satisfactory. I have asked the HSE to revert to the Deputy with a more comprehensive answer addressing the details sought in the Deputy's question.

## Hospital Appointments Delays

275. **Deputy Lisa Chambers** asked the Minister for Health the reason for the delay in a person (details supplied) receiving an appointment; when they will receive an appointment; and if he will make a statement on the matter. [52696/17]

**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.

## Health Services Staff Training

276. **Deputy James Browne** asked the Minister for Health the mental health training provided for first responders; and if he will make a statement on the matter. [52712/17]

**Minister for Health (Deputy Simon Harris):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

## Mental Health Services

277. **Deputy James Browne** asked the Minister for Health his plans to bring forward amendments to the Health Act 2004 to delegate budget authority further down the structure of mental health services in view of the recent Roscommon service review report; and if he will make a statement on the matter. [52714/17]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004 (as amended), it is the responsibility of the HSE to manage its entire budget and to set out in its National Service Plan what can be delivered in the coming year within the funding available. The Executive has responsibility for implementing its mental health Budget as part of its Service Plan, including agreed service priorities at national or local levels. In this context, further delegation is a matter for the Executive.

The Accountability Framework within the HSE also provides an administrative framework of delegated authority, which currently provides for delegated budget accountability from the National Director of Mental Health to a Chief Officer at Community Health Organisation level.

I am familiar with the report recently published by the HSE on mental health services in Roscommon, including a recommendation that the HSE should consider delegating budget authority further down its organisation than is currently the case. The Executive has established

an Implementation Team to follow through on the recommendations of this Report.

At this time and bearing in mind all the circumstances, it is not considered that any legislative amendments along the lines suggested by the Deputy are necessary in relation to any recommendation of this report.

### **Services for People with Disabilities**

278. **Deputy Bobby Aylward** asked the Minister for Health the position regarding the provision of services at a residential care centre (details supplied); and if he will make a statement on the matter. [52723/17]

**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 the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Nursing Homes Support Scheme**

279. **Deputy Peter Burke** asked the Minister for Health the timeframe for the introduction of changes to the fair deal scheme; the way in which a cap on farm land reduction will be implemented; and if he will make a statement on the matter. [52747/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** The Nursing Homes Support Scheme (NHSS) is a system of financial support for those in need of long-term nursing home care. Participants contribute to the cost of their care according to their income and assets while the State pays the balance of the cost. The Scheme aims to ensure that long-term nursing home care is accessible and affordable for everyone and that people are cared for in the most appropriate settings.

When the NHSS commenced in 2009, a commitment was made that it would be reviewed after three years. The Report of the Review was published in July 2015. Arising out of the Review, a number of key issues have been identified for more detailed consideration across Departments and Agencies.

An Interdepartmental/Agency Working Group has been established to progress the recommendations contained in the Review. This Group is chaired by the Department of Health and includes representatives from the Department of the Taoiseach, the Department of Public Expenditure and Reform, the HSE, the Revenue Commissioners, and when required, the National Treatment Purchase Fund (NTPF). These recommendations include examining the treatment of business and farm assets for the purposes of the financial assessment element of the Scheme. The programme for a Partnership Government has also committed to reviewing the NHSS to remove any discrimination against small businesses and family farms. It is important to remember that the NHSS is largely underpinned by primary legislation and changes to the NHSS will require legislative implementation.



On this basis, I have requested legal advice from the office of the Attorney General regarding potential changes to the legislation that will address this matter. My department has also been cognisant of this matter in the context of this years estimates process. I have recently met with representatives from the I.F.A and the Irish Creamery Milk Suppliers Association to discuss various strategies that may assist with addressing their members concerns and have apprised them of the current progress. I remain hopeful to be in receipt of this legal advice before year end and I am committed to this review of the position with regard to family farms and small businesses for the purposes of the financial assessment of the scheme. Any proposed changes will require primary legislation and I hope to be in a position to progress this in early 2018.

### Hospital Services

280. **Deputy Catherine Connolly** asked the Minister for Health the status of the hyperbaric oxygen therapy centre at University Hospital Galway; the location, opening times and designated person in charge thereof; the referral process of same; and if he will make a statement on the matter. [52749/17]

**Minister for Health (Deputy Simon Harris):** In response to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

### Long-Term Illness Scheme Coverage

281. **Deputy Jackie Cahill** asked the Minister for Health the timeframe for the FreeStyle Libre to be available on the HSE's long-term illness scheme for persons with diabetes; and if he will make a statement on the matter. [52750/17]

**Minister for Health (Deputy Simon Harris):** Under the Health (Pricing and Supply of Medical Goods) Act 2013, the HSE has statutory responsibility for the administration of the community drug schemes; therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

### Hospital Appointments Administration

282. **Deputy Timmy Dooley** asked the Minister for Health if an appointment for a person (details supplied) will be scheduled at the paediatric unit in University Hospital Galway; and if he will make a statement on the matter. [52756/17]

**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**

283. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an appointment for a person (details supplied); and if he will make a statement on the matter. [52757/17]

**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.

### **Nursing Homes Support Scheme Data**

284. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of persons in receipt of financial support under the nursing homes support scheme as of December 2017; and if he will make a statement on the matter. [52768/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **General Practitioner Services**

285. **Deputy John Brassil** asked the Minister for Health his plans to advance evaluation of best practice for teleconsultations in primary and other care settings and develop guidance and clinical protocols for such teleconsultations; and if he will make a statement on the matter. [52791/17]

**Minister for Health (Deputy Simon Harris):** Teleconsultations generally mean virtual medical consultations between healthcare professionals or between a healthcare professional and a patient. Teleconsultations can potentially provide easier access to health services in certain circumstances, in a primary care setting for example, such as in remote locations or for chronically ill patients. It can also be of assistance to have health practitioners communicate virtually between each other. Such consultations are simply another channel of service, similar to GP-patient phonecalls.

There currently are no technological barriers to teleconsultations being made available for widespread use within the context of the health service. The Department are aware that some teleconsultation solutions are currently being offered in the private health sector. When delivering remote health services, providers must ensure the integrity of patient data, as required by current data protection law and the forthcoming implementation of the EU General Data Pro-

tection Regulation in May 2018.

Telemedicine linkages between patients and primary care professionals as well as between primary care settings in hospitals have significant potential to improve access, efficiency and patient centredness. The provision of services by telemedicine is already the subject of specific guidance to doctors from the Medical Council through the *Guide to Professional Conduct and Ethics*. An implementation plan for the SláinteCare Committee report is being finalised which will see in coming years significant opportunity to further develop telemedicine services to enhance accessibility, responsiveness and efficiency of provision of primary and secondary healthcare services.

### Medicinal Products Availability

286. **Deputy Róisín Shortall** asked the Minister for Health his plans for the HSE to fund PrEP in view of the announcement on 1 November 2017 that the drugs will become available for prescription from 4 December 2017; and if he will make a statement on the matter. [52796/17]

**Minister for Health (Deputy Simon Harris):** Under the Health (Pricing and Supply of Medical Goods) Act 2013, the HSE has statutory responsibility for the pricing and reimbursement of the community drug schemes; therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

### Hospital Charges

287. **Deputy Fergus O'Dowd** asked the Minister for Health the number of persons with haemochromatosis that have attended venesection clinics by clinic in 2015, 2016, and to date in 2017; the names of the venesection clinics that have reintroduced the day case levy of €80 for the same time period, in tabular form; and if he will make a statement on the matter. [52797/17]

359. **Deputy Niamh Smyth** asked the Minister for Health if the charge for persons with a condition of haemochromatosis (details supplied) will be abolished; the hospitals that are charging at present; the reason they are charging the fee; the reason policy has changed on this routine procedure; and if he will make a statement on the matter. [53138/17]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 287 and 359 together.

I am aware of this issue and have asked officials in my Department to examine it, including the particular points made by the Irish Haemochromatosis Association, and to provide me with advice.

The Deputy's questions relate to service delivery matters and accordingly I have asked the HSE to respond directly.

### Hospital Charges

288. **Deputy Fergus O'Dowd** asked the Minister for Health the steps he will take in the case of daily charges being introduced in the venesection clinic in County Louth earlier in 2017 in order to ensure that persons with haemochromatosis do not avoid the clinic for financial reasons and subsequently put their health at risk; and if he will make a statement on the matter.

[52798/17]

**Minister for Health (Deputy Simon Harris):** The Health Act 1970 (as amended) provides that all people ordinarily resident in the country are entitled, subject to certain charges, to public in-patient hospital services including consultant services and to public out-patient hospital services. Under the Health (In-Patients Charges) (Amendment) Regulations 2008, a person who has been referred to a hospital for an in-patient service, including that provided on a day case basis, will have to pay the statutory daily charge, currently €80 per day, up to a maximum of €800 per year. On this basis, where venesection is classed as a day case procedure and is not carried out in an out patient setting, the public in-patient charge applies. However, I am aware of this issue and have asked officials in my Department to examine it, including the particular points made by the Irish Haemochromatosis Association, and to provide me with advice.

### Hospital Waiting Lists Action Plans

289. **Deputy Billy Kelleher** asked the Minister for Health if the four-month target for persons with scoliosis for 2017 has been discontinued and does not appear in the programme for 2018; and if he will make a statement on the matter. [52800/17]

290. **Deputy Billy Kelleher** asked the Minister for Health if an immediate independent clinical review of scoliosis services will be agreed to in view of the failure to meet scoliosis targets; and if he will make a statement on the matter. [52801/17]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 289 and 290 together.

The HSE Action Plan for Scoliosis set out a short to medium term strategy aiming to ensure that no patient requiring surgery for scoliosis would have to wait longer than four months for such surgery by the end of 2017. The action undertaken this year included additional activity within our paediatric hospitals, which was facilitated by the staff recruitment campaigns this year, and outsourcing initiatives to hospitals at home and overseas. For the first time in a number of years, the waiting list for scoliosis-related surgery is reducing.

My Department is committed to supporting the HSE to continue to bring down the waiting times and improve access to scoliosis services, and progress continues on reducing numbers waiting and waiting times in a planned, safe and sustainable manner. The four-month target set by the HSE for long waiters this year has driven the progress that has been made and the Director General of the HSE has indicated that the 4 month target will be maintained for 2018 measured from when the person is determined as needing surgery. A Paediatric Scoliosis Services Co-Design Group is in place, which includes clinicians, hospital staff and representatives from the scoliosis advocacy groups, to design a comprehensive contemporary and patient-centred approach to the delivery of scoliosis services. I had a fruitful meeting with this group recently to discuss their work to date. The work of the Co-Design Group will form the basis for developing scoliosis services into 2018 and beyond. The Group is expected to develop criteria for surgery based on clinical grounds and national and international best practice to ensure that children/young adolescents have surgery when clinically indicated for their individual case and within a time period that does not cause clinical deterioration of their condition, as opposed to within an administrative fixed timeline or target.

Further investment in paediatric orthopaedic services next year is being considered in the context of the 2018 National Service Plan discussions.

### **Hospital Waiting Lists Data**

291. **Deputy Pat Buckley** asked the Minister for Health the yearly data on waiting times for when psychiatric patients presented at accident and emergency departments and when they are either admitted for treatment or discharged in each of the years 2010 to 2016 and to date in 2017, by hospital, in tabular form; and if he will make a statement on the matter. [52809/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Hospitals Data**

292. **Deputy Pat Buckley** asked the Minister for Health the yearly number of psychiatric patients presented at accident and emergency departments, by hospital, in each of the years 2010 to 2016 and to date in 2017, in tabular form; and if he will make a statement on the matter. [52810/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Hospitals Funding**

293. **Deputy Pat Buckley** asked the Minister for Health the annual funding provided for the psychiatry and psychology departments, by hospital, in each of the years 2010 to 2016, and to date in 2017, in tabular form; and if he will make a statement on the matter. [52811/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Hospital Beds Data**

294. **Deputy Pat Buckley** asked the Minister for Health the number of persons admitted to psychiatric inpatient beds from the accident and emergency departments; the amount spent annually on these admissions by hospital in each of the years 2006 to 2016, and to date in 2017, in tabular form; and if he will make a statement on the matter. [52812/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Mental Health Services Expenditure**

295. **Deputy Pat Buckley** asked the Minister for Health the cost by quarter of the little things mental health campaign. [52813/17]

296. **Deputy Pat Buckley** asked the Minister for Health if the LittleThings mental health



campaign is being run by an external company; if so, the nature of the contract, including length of contract, agreed payment, nature of invoicing, details of the person or body that decides campaign messaging and other relevant details; and if he will make a statement on the matter. [52814/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** I propose to take Questions Nos. 295 and 296 together.

As these comprise a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Mental Health Services Data**

297. **Deputy Pat Buckley** asked the Minister for Health the number of incidents of self harm, suicide attempts and suicides that were recorded in each inpatient psychiatric unit in each of the years 2014 to 2016, and to date in 2017, in tabular form; and if he will make a statement on the matter. [52815/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Hospitals Data**

298. **Deputy Pat Buckley** asked the Minister for Health the number of return patients for each inpatient psychiatric unit in each of the years 2014 to 2016 and to date in 2017, in tabular form; and if he will make a statement on the matter. [52816/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Addiction Treatment Services**

299. **Deputy Fergus O'Dowd** asked the Minister for Health if emergency funding will be made available to fund an outreach team for a project (details supplied) in County Louth to deal with the increase in the area of homelessness and addiction; and if he will make a statement on the matter. [52821/17]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** With effect from 1 January 2014, operational and financial responsibility for the Red Door Project was transferred to the HSE. In the circumstances, I have referred this matter to the HSE for direct reply.

### **Hospital Waiting Lists**

300. **Deputy Seán Crowe** asked the Minister for Health the waiting times for a person to see a gastroenterologist in Tallaght hospital; the number of persons on this waiting list; the longest waiting time on the list; and the measures he is taking in conjunction with the hospital

authorities to resolve delays in this area [52823/17]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the Health Service Executive to respond to you directly.

### **HSE Records**

301. **Deputy Billy Kelleher** asked the Minister for Health the reason a person (details supplied) has not received files relating to a relative, as promised; when this information will be released; and if he will make a statement on the matter. [52831/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Drug and Alcohol Task Forces**

302. **Deputy Darragh O'Brien** asked the Minister for Health the number of substance use education and-or prevention workers in each of the regional task force areas; the project promoter for each area, in tabular form; and if he will make a statement on the matter. [52834/17]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** It is assumed that the Deputy is referring to staff employed to support the day-to-day operation of Local and Regional Drug and Alcohol Task Forces and HSE Addiction Service staff.

Drug and Alcohol Task Force coordinators are, in the main, employed by the Health Service Executive (HSE). The HSE allocates funding to the 10 Regional Drug and Alcohol Task Forces for various support workers, such as posts of development worker and administrator.

Therefore, I have asked the HSE to collate the information requested and to respond to the Deputy directly.

### **Hospital Services**

303. **Deputy Kate O'Connell** asked the Minister for Health if enzyme replacement therapy is approved by a committee; if so, the reason therefor; the persons who sit on that committee; the frequency with which the committee meets; the approval criteria; and if he will make a statement on the matter. [52835/17]

304. **Deputy Kate O'Connell** asked the Minister for Health if there is a specific budget for enzyme replacement therapy; if so, the way in which it is administered; and if he will make a statement on the matter. [52836/17]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 303 and 304 together.

Officials in my Department have sought clarification in relation to these two PQs. Once this information has been received I will arrange for a reply to issue to the Deputy.

### **Medicinal Products Reimbursement**

305. **Deputy Kate O’Connell** asked the Minister for Health his views on whether it is appropriate that the HSE does not track the time taken for medicines to be reimbursed against their initial submission date for approval; if he will request the HSE to commence tracking of this data as a key performance indicator of it fulfilling its role in assessing and reimbursing new medicines; and if he will make a statement on the matter. [52837/17]

**Minister for Health (Deputy Simon Harris):** The HSE has statutory responsibility for medicine pricing and reimbursement decisions, in accordance with the Health (Pricing and Supply of Medical Goods) Act 2013. The Act specifies the criteria for decisions on the reimbursement of medicines.

The 2013 Act does not give the Minister for Health any powers in this regard. The HSE does not require approval or consent from the Minister or Government when making a reimbursement decision.

HSE decisions on which medicines are reimbursed by the taxpayer are made on objective, scientific and economic grounds, on the advice of the National Centre for Pharmacoeconomics (NCPE).

The NCPE conducts health technology assessments (HTAs) for the HSE, and makes recommendations on reimbursement to assist HSE decisions. The NCPE uses a decision framework to systematically assess whether a drug is cost-effective as a health intervention.

As outlined in the IPHA agreement, and in line with the 2013 Act, the HSE will decide, within 180 days of receiving the application (or a longer period if further information is sought from the company), to either add the medicine to the reimbursement list or agree to reimburse it as a hospital medicine, or refuse to reimburse the medicine.

The HSE strives to reach a decision in as timely a manner as possible and within the 180 days. However, because of the significant monies involved, it must ensure that the best price is achieved, as these commitments are often multi-million euro investments on an ongoing basis. This can lead to a protracted deliberation process.

The price that some companies are seeking to charge means that the innovative products may never reach the patients as health systems cannot afford the price. In many cases the main driver of the price is an estimate of the maximum amount that health care systems can pay and is not connected to the health benefit of the treatment or indeed the development costs.

These high costs cause unnecessary delays in the reimbursement process.

In many cases the price submitted is an artificially high price which will be reduced following rounds of resource intensive negotiations. For example, in 2015 price reductions were negotiated for almost two thirds of medicines that underwent a full health technology assessment.

When the decision is taken not to reimburse a medicine, there is an extension in this timeline. This is due to the requirement of the HSE to issue a “notice of proposal”, and to allow 28 days for manufacturers to make representations to reconsider their decision. The HSE must then consider those representations and it is only after then that they make a formal decision.

## Medical Products

306. **Deputy Kate O’Connell** asked the Minister for Health his views on whether a QALY-based health technology assessment is an appropriate mechanism for assessing the cost and

clinical effectiveness of an orphan medicinal product; if the HSE has found orphan medicinal products to be cost effective under its current health technology assessment; and if he will make a statement on the matter. [52838/17]

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

### **Medicinal Products Reimbursement**

307. **Deputy Kate O’Connell** asked the Minister for Health if an independent expert to review the appropriateness, transparency and timeliness of the HSE’s reimbursement process for orphan medicinal drugs will be appointed in view of a growing number of orphan drugs failing to secure reimbursement here despite being made available in other EU countries; and if he will make a statement on the matter. [52839/17]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive (HSE) has statutory responsibility for decisions on the pricing and reimbursement of medicines, under the Health (Pricing and Supply of Medical Goods) Act 2013. The 2013 Act specifies the criteria to be applied in making decisions on the reimbursement of medicines.

The issue of orphan medicines, with very small patient populations, and the price barriers for health systems in supplying them to patients, is world-wide. Orphan product manufacturers have exclusive patents and are monopoly suppliers. They can, and frequently do, seek very high prices for these products.

The HSE seeks, where possible, to give patients early access to new treatments. However, it must work within the budget provided by the Oireachtas. In the statutory reimbursement process, supported by the 2016 Framework Agreement with industry, the HSE makes decisions on objective scientific and economic grounds. Criteria which must be considered include the population’s health needs, the product’s cost and clinical effectiveness, opportunity costs, the budget impact and available resources.

HSE decisions are supported by health technology assessments (HTAs), which systematically assess whether a drug is a cost-effective health intervention. Currently, most new medicines, including orphan products, undergo HTAs. However, not all applications have sufficient information for assessment and in such cases this must be sought. Also, as HTAs frequently cannot demonstrate value for money for items at the price sought by the company, lengthy price negotiations between the HSE and the manufacturer may be needed. These factors contribute significantly to the length of the reimbursement decision making process.

A new Committee called the “Rare Diseases Medicinal Products/Technology Review Committee” was established in June 2017 by the National Centre for Pharmacoeconomics. The terms of reference for the Committee have been finalised and the responsibilities of the Committee include the review of proposals for funding of new products for rare diseases or expanded indications for existing products for rare diseases. The composition of the Committee will ensure that the voice of patients, patient groups and clinical experts will be available to the HSE when considering reimbursement of drugs for rare diseases.

The Committee will also contribute to the development of clinical guidelines for relevant Orphan Medicinal Products and support the implementation of same.

Dr. Michael Barry was appointed the Chair of the Committee on the 13 September 2017. It is expected that Committee will begin its work in early 2018 after appointment of the necessary support staff.

With the potential costs involved and the competing demands across the health service, every effort must be made to secure the best outcome for the health service and the taxpayer. This includes seeking realistic and sustainable pricing and supply models for new treatments.

### **Health Strategies**

308. **Deputy Paul Murphy** asked the Minister for Health his views on the proposal in the report of the Dublin Midlands Hospitals Group strategy group to downgrade 24-hour accident and emergency cover in Portlaoise hospital; his views on the impact on the local population's health care and the potential complications in the treatment of high-security prisoners in the nearby prison; and if he will make a statement on the matter. [52840/17]

**Minister for Health (Deputy Simon Harris):** The most important issue in relation to consideration of services at the Midlands Regional Hospital Portlaoise is that patient safety and outcomes must come first. Reports on Portlaoise hospital in recent years have pointed to the need for reconfiguration of some services to ensure that patients are treated in the most appropriate setting by specialist staff that can safely meet their needs. Since 2014, the focus has been on supporting the hospital to develop and enhance management capability, implementing changes required to address clinical service deficiencies, and incorporating the hospital into the governance structures within the Dublin Midlands Hospital Group. Significant work has been undertaken to strengthen and stabilise current arrangements for services at the hospital to ensure that services currently provided that are not sustainable are discontinued and those that are, are safety assured and adequately resourced.

The HSE has confirmed that hospital funding has increased by 28% relative to the 2012 budget and staffing levels have risen by 29% from the 2014 base. Funding of €300,000 has also been provided in 2017 to facilitate the opening of the new medical assessment unit.

In addition, governance and management arrangements in Portlaoise Hospital have been strengthened, additional clinical staff have been appointed and staff training, hospital culture and communications have improved.

The Dublin Midlands Hospital Group has been working for some time on a draft plan for a new model of clinical service delivery at Portlaoise Hospital. A draft plan was submitted to my Department in December 2016. This draft report was reviewed in detail and was the subject of detailed engagement between Department officials and the HSE. Significant additional work was undertaken by the HSE on foot of this engagement resulting in a revised draft plan that was submitted to my Department in September 2017.

The report is currently under detailed consideration in my Department. Once there is an agreed position on the draft plan, it is intended that there will be further engagement with all interested parties, to ensure that the needs of patients, staff, the local and wider community are addressed. Any future changes to services at Portlaoise, will have to take account of existing patient flows and demands in other hospitals, as well as the need to develop particular services at Portlaoise in the context of the overall service configuration in the Dublin Midlands Hospital Group.



## **Services for People with Disabilities**

309. **Deputy Shane Cassells** asked the Minister for Health if the 60% grant cut by the HSE to the early intervention therapy programmes for children with Down's syndrome in counties Meath and Louth will be reversed; and if he will make a statement on the matter. [52841/17]

**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 the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

## **Respite Care Services Provision**

310. **Deputy Joan Collins** asked the Minister for Health his views on the lack of consistent respite for persons at a location (details supplied) and the lack of houses available in the community. [52845/17]

**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.

The Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

## **Orthodontic Services Waiting Lists**

311. **Deputy Fergus O'Dowd** asked the Minister for Health the waiting times for paediatric orthodontic treatment in Louth county hospital for priority cases; and if he will make a statement on the matter. [52848/17]

**Minister for Health (Deputy Simon Harris):** In response to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly.

## **Addiction Treatment Services**

312. **Deputy Fergus O'Dowd** asked the Minister for Health the funding provided to local addiction outreach services under the HSE's remit in the CHO 8 area, in each of the years 2015

and 2016, and to date in 2017, in tabular form. [52849/17]

313. **Deputy Fergus O'Dowd** asked the Minister for Health the catchment areas of the HSE funded addiction outreach services in the CHO 8 area; and the breakdown of funding per head of capita. [52850/17]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** I propose to take Questions Nos. 312 and 313 together.

As these are service matters, they have been referred to the Health Service Executive for attention and direct reply to the Deputy.

### **Dental Services Provision**

314. **Deputy Billy Kelleher** asked the Minister for Health if he is satisfied with the level of dental services provided to elderly medical card holders in long-term care; the services and accommodations in place to cater for their needs; and if he will make a statement on the matter. [52851/17]

**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**

315. **Deputy Timmy Dooley** asked the Minister for Health when a person (details supplied) will have eye surgery carried out; and if he will make a statement on the matter. [52852/17]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the HSE to respond to you directly.

### **Hospital Appointments Status**

316. **Deputy Robert Troy** asked the Minister for Health if an appointment for a person (details supplied) will be maintained; and if he will make a statement on the matter. [52853/17]

**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.

### **Hospital Appointments Status**

317. **Deputy Timmy Dooley** asked the Minister for Health when a person (details supplied) in County Clare will receive a date for a procedure; and if he will make a statement on the matter. [52855/17]

**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 inpatient, 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.

### **Health and Social Care Professionals Registration Boards**

318. **Deputy Catherine Connolly** asked the Minister for Health if there will be a requirement for registered practitioners, under the upcoming implementation of statutory registration for the counselling and psychotherapy profession, to also be a member of a professional body or a particular professional body; and if he will make a statement on the matter. [52866/17]

**Minister for Health (Deputy Simon Harris):** The Health and Social Care Professional Act 2005, which, it is proposed, will regulate the professions of counsellor and psychotherapist, does not provide that registrants be a member of a professional body.

In accordance with the provisions of that Act, the draft Regulations to designate these professions and to establish a registration board for both professions have been laid before the Houses of the Oireachtas and resolutions approving the drafts have been submitted to each House for consideration. Subject to the approval of the Houses, the next step will be the appointment of the 13 members of the registration board following the submission of suitable candidates for my consideration by the Public Appointments Service. I hope that the registration board will be in a position early next year to begin the task of drafting the various bye-laws to allow it to establish its registers.

### **Mobility Allowance**

319. **Deputy Peter Burke** asked the Minister for Health if grants are offered by his Department that pay for a taxi service for elderly and immobile persons who live alone and cannot avail of public transport; and if he will make a statement on the matter. [52868/17]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I understand that the Deputy has clarified that he is referring to persons with a physical disability. The Deputy may be familiar with the background to the closure of both the Mobility Allowance and Motorised Transport Grant schemes in February 2013. Since the closure of the Mobility Allowance, the Government has directed that the Health Service Executive should continue to pay an equivalent monthly payment of up to €208.50 per month to the 4,133 people in receipt of the Mobility Allowance, on an interim basis, pending the establishment of a new Transport Support Scheme.

The Government decided that the detailed preparatory work required for a new Transport Support Scheme and associated statutory provisions should be progressed by the Minister for Health. The Programme for a Partnership Government acknowledges the ongoing drafting of primary legislation for a new Transport Support Scheme to assist those with a disability to meet their mobility costs. The Government's legislative programme for 2017 includes the Health (Transport Support) Bill. I can confirm that work on the policy proposals for the new Scheme is at an advanced stage. The proposals seek to ensure that:

- There is a firm statutory basis to the Scheme's operation;
- There is transparency and equity in the eligibility criteria attaching to the Scheme;
- Resources are targeted at those with greatest needs; and
- The Scheme is capable of being costed and is affordable on its introduction and on an ongoing basis.

The draft General Scheme and Heads of Bill were circulated to other government Departments and have been the subject of consultation between the Department of Health and the Department of Public Expenditure and Reform. When the consultation with other relevant Departments has been completed, the next step will be to seek Government approval to the drafting of a Bill for the new Scheme.

It is important to note that the Disabled Drivers and Disabled Passengers scheme operated by the Revenue Commissioners, remains in place. This scheme provides VRT and VAT relief, an exemption from road tax and a fuel grant to drivers and passengers with a disability, who qualify under the relevant criteria set out in governing regulations made by the Minister for Finance.

Specifically adapted vehicles driven by disabled persons are also exempt from payment of tolls on national toll roads and toll bridges. Transport Infrastructure Ireland has responsibility for this particular Scheme.

### **Respite Care Services Data**

320. **Deputy Louise O'Reilly** asked the Minister for Health the number of hours of respite care offered to families of children with disabilities in the first 11 months of 2017 as compared to the first 11 months of 2016, by CHO and LHO. [52925/17]

321. **Deputy Louise O'Reilly** asked the Minister for Health the number of hours of respite care offered to families of adults with disabilities in the first 11 months of 2017 as compared to the first 11 months of 2016, by CHO and LHO. [52926/17]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I propose to take Questions Nos. 320 and 321 together.

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

I am very much aware of the importance of access to planned respite, which ensures that

people with disabilities receive opportunities to socialise and separately, facilitates families to receive a break from caring. Respite services may vary, according to the assessed needs of the individuals and their carer. The model of respite is changing and although some still require overnight respite, others prefer and benefit from day respite. The number of respite nights has been reducing as persons with disabilities are seeking alternative models, such as day respite or extended day.

The most recent available data from the HSE indicates that for 2016, 175,555 overnight respite sessions and 43,143 day sessions were accessed. It is planned that 161,262 overnight respite sessions will be accessed in 2017. The number of day respite sessions planned is 42,552.

In addition, the HSE will provide 128 new emergency residential placements and new home support and in-home respite for 75 additional people who require emergency supports.

In the HSE's Social Care Operational Plan for 2017, 5,720 people with a Disability are expected to avail of centre-based respite services. Based on existing levels of service and in addition to the centre-based respite service, it is planned that between 2,000 and 2,500 persons will avail of respite services such as holiday respite or occasional respite with a host family.

The HSE continues to work with agencies to explore various ways of responding to this need in line with the budget available

As the level of data requested by the Deputy is not currently available, I have arranged for the questions to be referred to the Health Service Executive (HSE) for the inclusion of this data in the reply to the Deputy.

### **Hospital Appointments Status**

322. **Deputy John McGuinness** asked the Minister for Health if an appointment for a person (details supplied) will be expedited as a matter of urgency. [52934/17]

**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.

### **Treatment Benefit Scheme Eligibility**

323. **Deputy John McGuinness** asked the Minister for Health if direct funding or the HSE treatment abroad scheme will be provided for a person (details supplied); and if he will make a statement on the matter. [52936/17]

**Minister for Health (Deputy Simon Harris):** The HSE operates the Treatment Abroad Scheme, for persons entitled to treatment in another EU/EEA Member State or Switzerland under EU Regulation 883/04, as per the procedures set out in EU Regulation 987/09, and in ac-



cordance with Department of Health Guidelines.

I have asked the HSE to reply to the Deputy directly.

### **Air Ambulance Service Operations**

324. **Deputy Brendan Ryan** asked the Minister for Health if he will provide a report on the frequency of helicopter transports arriving at Beaumont Hospital at a location (details supplied); his plans for the hospital to build a helicopter landing pad in the grounds of the hospital; and if he will make a statement on the matter. [52971/17]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the HSE to respond to you directly.

### **Hospital Appointments Status**

325. **Deputy Barry Cowen** asked the Minister for Health when a person (details supplied) will receive a hospital appointment. [52972/17]

**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.

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

326. **Deputy Michael Healy-Rae** asked the Minister for Health his views on a matter (details supplied) regarding the early childhood care and education scheme; and if he will make a statement on the matter. [52975/17]

**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.

My colleague Minister Zappone, who has responsibility for the ECCE and AIM Programmes, has advised that while the proposals were intended to ensure that optimal outcomes for children with a disability could be achieved, she has also been contacted by many parents concerned about the impact of the changes. And in order to ensure those concerns are responded to, she is now pausing the changes and will shortly announce a consultation whereby all voices, including those of parents of children with disabilities, can be heard, the results of which will be central to guiding the path forward.

## **Hospital Appointments Status**

327. **Deputy Robert Troy** asked the Minister for Health if a hospital appointment for a person (details supplied) will be expedited. [52982/17]

**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.

## **Health Services Provision**

328. **Deputy John McGuinness** asked the Minister for Health the funding available to a person (details supplied) for a placement at a service; and when the placement will commence. [52985/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

## **Medical Card Applications**

329. **Deputy John McGuinness** asked the Minister for Health the documents the HSE claim were not submitted with an application for a medical card by a person (details supplied); and if he will make a statement on the matter. [52987/17]

**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.

## **Mental Health Services Funding**

330. **Deputy John McGuinness** asked the Minister for Health if funding will be provided for an Alzheimer's unit at a location (details supplied) in County Kilkenny; if the matter has been discussed at local level; and his views and those of the HSE on such a proposal. [52989/17]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

## **Speech and Language Therapy Staff**

331. **Deputy Eamon Scanlon** asked the Minister for Health when a speech and language therapist will be appointed in St. Patrick's Hospital, Carrick-on-Shannon; if his attention has been drawn to the fact that the position has been vacant since March 2017; his views on the fact

that there are stroke patients in the community and in the hospital and young children waiting for appointments; and if he will make a statement on the matter. [53010/17]

**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.

### HSE Data

332. **Deputy Joan Burton** asked the Minister for Health the number of community occupational therapists operating in County Kildare and west County Wicklow; the towns they cover; if there are vacancies; if so, the length of time the vacancies have existed; the actions being taken to secure a therapist for the position; and if he will make a statement on the matter. [53015/17]

333. **Deputy Joan Burton** asked the Minister for Health the number of community physiotherapists operating in counties Kildare and Wicklow; the towns they cover; if there are vacancies; if so, the length of time the vacancies existed; the actions being taken to secure a therapist for the position; and if he will make a statement on the matter. [53016/17]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 332 and 333 together.

As these questions relate to service matters, I have arranged for them to be referred to the Health Service Executive (HSE) for direct reply.

### Hospital Waiting Lists

334. **Deputy Joan Burton** asked the Minister for Health if his attention has been drawn to the fact that one tenth of the national waiting list for gastrointestinal endoscopy procedures is at Naas General Hospital; his views on same; and if he will make a statement on the matter. [53018/17]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the Health Service Executive to respond to you directly.

### Respite Care Services

335. **Deputy Fergus O'Dowd** asked the Minister for Health the position regarding respite services for persons with disabilities in County Louth. [53024/17]

**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.

The Programme for Partnership Government states that the Government wishes to provide

more accessible respite care to facilitate full support for people with a disability.

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Occupational Therapy Provision**

336. **Deputy Kevin O'Keeffe** asked the Minister for Health if his attention has been drawn to the fact that funding for occupational therapy in north County Cork has been cut; and if occupational therapy services will be funded in the case of a person (details supplied). [53029/17]

**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 the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **General Practitioner Services Provision**

337. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a new general practitioner for Lixnaw, County Kerry; and if he will make a statement on the matter. [53033/17]

**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.

### **Hospital Records**

338. **Deputy Peter Burke** asked the Minister for Health if information will be provided to a person (details supplied) regarding an operation in 1990. [53044/17]

**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**

339. **Deputy Michael Healy-Rae** asked the Minister for Health if an operation for a person (details supplied) will be expedited; and if he will make a statement on the matter. [53049/17]

**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.

### **Speech and Language Therapy Staff**

340. **Deputy Peadar Tóibín** asked the Minister for Health the number of speech therapists and psychologists with functional Irish that are working in the educational sector; the number of these professionals working in Gaeltacht areas; the mechanisms by which his Department ensures that Gaeltacht schools have access to health professionals with functional Irish; and if he will make a statement on the matter. [53062/17]

**Minister for Health (Deputy Simon Harris):** In accordance with the Official Languages Act 2003, my Department, the Health Service Executive and the other health agencies which come under the aegis of my Department are committed to ensuring that customers who wish to conduct their business through Irish can be facilitated to the greatest extent possible. The Health Service Executive has statutory responsibility for the provision of health and social care services, including psychological and speech and language therapy services in Gaeltacht areas and therefore, I have asked the HSE to respond to you directly.

My Department has made enquiries of the Department of Education and Skills in relation to the provision of psychological and speech therapy services in the educational sector. The Department of Education and Skills has informed us that the National Educational Psychological Service (NEPS) provides an educational psychological service to schools. It is primarily a school based service with the aim of supporting teachers and parents in meeting the needs of learners in schools. In assigning psychologists to Gaeltacht schools and Gaelscoileanna, NEPS has some 58 staff identified as competent in the delivery of service through the medium of Irish. For a number of years NEPS has provided an Irish language programme for its Psychologists with the assistance of Gaeleagras Teo. and an Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta (COGG). The programme comprises of a general language component and a technical language component suited to the needs of an education psychology service.

The Department of Education and Skills does not directly provide broad based speech and language therapy services within the education sector, such facility being provided to school-going age children by the HSE or agencies funded by it. However, the National Council for Special Education does have three speech and language therapy staff with the National Behavioural Support Service which has input into partner post-primary schools.

### **Community Care Provision**

342. **Deputy Billy Kelleher** asked the Minister for Health if his attention has been drawn to a media report (details supplied) which suggests that 168,438 adult bed days per year equivalent to 460 beds per day could be saved through the targeted use of oral nutritional supplements in the management of disease related malnutrition in the community; the measures that have been put in place to free up these beds in the midst of the acute facility beds shortage; and if he will make a statement on the matter. [53070/17]

348. **Deputy Billy Kelleher** asked the Minister for Health if his attention has been drawn to a 2016 HIQA report (details supplied); the actions that have been taken since the report's



publication to address these shortcomings in view of the fact that malnourished persons stay in acute beds for 30% to 70% longer than non malnourished persons; and if he will make a statement on the matter. [53076/17]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** I propose to take Questions Nos. 342 and 348 together.

Minister Harris has made hospital food and malnutrition in hospitals a priority issue. In this context and with reference to the Deputy's question on the relevant report, the Department of Health published *Food and Nutritional Care in Hospitals – Guidelines for preventing Under-Nutrition in Acute Hospitals* in 2009. These Guidelines included a recommendation on using a nutritional screening tool, the Malnutrition Universal Screening Tool (MUST).

Currently the Department is working with the HSE on the development of the *National Clinical Guideline for the Prevention and Treatment of under nutrition: Use of Nutrition Support in adults in the Acute Care Setting*. This is to ensure use of the MUST tool in all Irish Hospitals and make it a mandatory requirement for all patients to be screened on admission to hospital.

The HSE is also addressing the issue by establishing a multidisciplinary hospital food and nutrition policy development group. This group includes representation from the chairs of the Nutrition and Hydration Steering Committee from a hospital within each Hospital Group. The HSE has employed a Project Dietitian with specific skills and experience in the area of hospital food/menus to lead on the development of a National Hospital Food and Nutrition Policy and Implementation Plan. This policy will be supported by the Acute Hospital Division and the Health and Wellbeing Division.

The Food and Nutrition Policy and Implementation Plan will include minimum nutrition standards and refer to other relevant policies, such as protected meal times policy, the use of oral nutritional supplements, nutrition screening and referral pathways. Oral Nutrition Supplements (ONS) are designed to prevent and treat under-nutrition. Evidence of their efficacy is underpinned by expert clinical guidelines including those of the National Institute for Clinical Excellence (NICE). There is increasing evidence of their cost effectiveness compared to standard care, arising largely from reductions in use of acute care resources.

I also understand that the Department is carrying out a health service Capacity Review which will have a wider scope than previous exercises which concentrated on just acute bed capacity. This Review will examine key elements of primary and community care infrastructure in addition to hospital facilities. It has involved a major data gathering exercise in relation to activity, un-met demand and capacity within the acute, primary and social care services sectors, analysis of that data, baseline forecasting of both demand and associated capacity requirements for each health sector and consideration and modelling of the potential impacts of policy change and productivity improvements. The Review will provide a basis for determining both the extent of capacity requirements over the next 15 years and the type of capacity needed. The findings will also inform the development of a new 10 year national capital plan. Work on this Review is at an advanced stage and a final report is expected early in the new year (2018).

### **Community Care Provision**

343. **Deputy Billy Kelleher** asked the Minister for Health the prevalence of disease related malnutrition across all health and social care settings in the past five years according to clinical treatment settings including inpatient, outpatient, nursing homes and general practitioner clin-

ics by county, in tabular form; and if he will make a statement on the matter. [53071/17]

344. **Deputy Billy Kelleher** asked the Minister for Health his plans to use nutritional screening and malnutrition rates as mandatory quality indicators across all clinical treatment settings; and if he will make a statement on the matter. [53072/17]

345. **Deputy Billy Kelleher** asked the Minister for Health the initiatives his department is engaged in with regard to mitigating against the annual cost of disease related malnutrition in the community setting in which 93% of persons with malnutrition reside and which is estimated to be more than the annual cost of obesity at some €1.4 billion per annum; and if he will make a statement on the matter. [53073/17]

346. **Deputy Billy Kelleher** asked the Minister for Health if his attention has been drawn to the example of best practice displayed by the Netherlands in tackling the issue of disease related malnutrition through the establishment of the Dutch malnutrition steering group (details supplied) which successfully reduced the prevalence of malnutrition across all healthcare settings over a 12-year period; his plans to bring forward a similar initiative here; and if he will make a statement on the matter. [53074/17]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** I propose to take Questions Nos. 343 to 346, inclusive, together.

Hospital food and malnutrition in hospitals have been made a priority issue and in response the HSE has established a multi-disciplinary hospital food and nutrition policy development group. This group will include representation from the chairs of the Nutrition and Hydration Steering Committee from a hospital within each Hospital Group.

The HSE has employed a Project Dietitian with specific skills and experience in the area of hospital food/menus to lead on the development of a National Hospital Food and Nutrition Policy and implementation plan. This Policy will be supported by the Acute Hospital Division and the Health and Wellbeing Division.

The development of the policy will take cognisance of pre-existing policies and work in this area (Irish and international) including individual hospital nutrition policies, the HSE calorie posting, the healthier vending policies and screening policies already underway. The overarching food and nutrition policy will include minimum nutrition standards and refer to other relevant policies such as protected meal times policy, nutrition screening and referral pathways.

As the specific issues you have raised are service matters, they have been referred to the Health Service Executive for attention and direct reply to the Deputy. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up on the matter.

### **Community Care Provision**

347. **Deputy Billy Kelleher** asked the Minister for Health his plans regarding dietitians within CHOs and community settings; the sourcing allocation that is being made available to community dietitians to meet current and future demand levels; and if he will make a statement on the matter. [53075/17]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** A national Obesity Policy and Action Plan was launched by the Minister of Health in September 2016. The national policy covers the period up to 2025 and aims to reverse obesity trends, prevent

health complications and reduce the overall burden for individuals, families, the health system, and the wider society and economy. The Policy acknowledged that every sector of our society has a role in reducing the burden of obesity, and emphasised the key role that the education sector will have in achieving the objectives, particularly in relation to child obesity.

The Obesity Policy prescribed ‘Ten Steps Forward’ that would be taken to prevent overweight and obesity. Under each step there are a number of actions, some of which have been identified for early implementation. Step 6 provides the mobilisation of the health services ‘to better prevent and address overweight and obesity through effective community-based health promotion programmes, training and skills development and through enhanced systems for detection and referrals of overweight and obese patients at primary care level.’

The priority actions under this step are:

- Target high-risk groups through community development programmes that support healthy lifestyles, prevention and management of overweight and obesity in children and adults.
- Include obesity prevention and care as a requirement of GP contracts.

As the issue you have raised is a service matter, it has been referred to the Health Service Executive for attention and direct reply to the Deputy. If you have not received a reply from the HSE within 15 working days, please contact my Private Office and they will follow up the matter.

*Question No. 348 answered with Question No. 342.*

### **Respite Care Services**

349. **Deputy Thomas Pringle** asked the Minister for Health if he will intervene to address staff shortages at a facility (details supplied) in County Donegal; the reason for the delay in recruiting the three vacant posts; the steps he is taking to ensure that recruitment is carried out efficiently to avoid staff shortages in respite service; and if he will make a statement on the matter. [53079/17]

**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.

The Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

As the Deputy’s question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Respite Care Services Provision**

350. **Deputy Bobby Aylward** asked the Minister for Health the progress being made in alleviating waiting lists for day respite for parents of children with special needs in counties

Carlow and Kilkenny in centres (details supplied); and if he will make a statement on the matter. [53083/17]

**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.

The Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Disabilities Assessments**

351. **Deputy Bobby Aylward** asked the Minister for Health his views on the significant number of parents of children with special needs that have had to take cases to the High Court due to failure in the provision of assessments of need by the Health Service Executive; his plans to alleviate the waiting lists for assessments of need for children with special needs; and if he will make a statement on the matter. [53084/17]

**Minister of State at the Department of Health (Deputy Finian McGrath):** This is an ongoing legal process and I do not wish to comment on the matter until these proceedings have been completed.

I have arranged for the Deputy's question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Medical Card Eligibility**

352. **Deputy Mick Barry** asked the Minister for Health the reason the decision was made to no longer cover medical and adhesive tape on the medical card; and if alternative funding arrangements have been made to cover costs for those that require it for daily use. [53087/17]

**Minister for Health (Deputy Simon Harris):** Under the Health (Pricing and Supply of Medical Goods) Act 2013, the HSE has statutory responsibility for the administration of the community drug schemes; therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

### **Services for People with Disabilities**

353. **Deputy Tom Neville** asked the Minister for Health his views on a matter (details supplied); and if he will make a statement on the matter. [53110/17]

**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.

The Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

As the Deputy's question relates to an individual case, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Respite Care Services Funding**

354. **Deputy Fergus O'Dowd** asked the Minister for Health his plans to provide urgent and immediate emergency funding for respite service proposals that are currently in the HSE's possession, specifically to provide immediate funding for the Talbot proposal as requested in previous parliamentary questions that will provide immediate and substantial relief to the crisis in County Louth as highlighted in a programme (details supplied); and if he will make a statement on the matter. [53111/17]

**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.

The Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Respite Care Services Provision**

355. **Deputy Michael McGrath** asked the Minister for Health his plans to ensure that respite care is urgently provided for a person (details supplied) in County Cork in view of the exceptional circumstances that now apply. [53114/17]

**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.

The Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

As the Deputy's question relates to an individual case, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Services for People with Disabilities**

356. **Deputy Michael McGrath** asked the Minister for Health when he expects a person (details supplied) in County Cork will be seen as an outpatient at the national rehabilitation hospital, Dun Laoghaire; and if he will make a statement on the matter. [53116/17]

**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 the Deputy's question relates to an individual case, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Home Care Packages**

357. **Deputy Pearse Doherty** asked the Minister for Health the action being taken to address the gaps and service disruptions within the care package being made available to a person (details supplied) with complex health needs; if his attention has been drawn to the impact which this situation is having on ensuring continuity of care in respect of this person's care plan; and if he will make a statement on the matter. [53118/17]

**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.

### **Drugs Payment Scheme**

358. **Deputy Aindrias Moynihan** asked the Minister for Health when prescriptions dispensed by a person (details supplied) will be paid; the status of the claim; and if he will make a statement on the matter. [53123/17]

**Minister for Health (Deputy Simon Harris):** Under the Health (Pricing and Supply of Medical Goods) Act 2013, the HSE has statutory responsibility for the administration of the community drug schemes; therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

*Question No. 359 answered with Question No. 287.*

*Question No. 360 answered with Question No. 248.*

### **Health Services**



361. **Deputy Róisín Shortall** asked the Minister for Health further to Questions Nos. 1309 of 20 June 2017 and 410 of 21 November 2017, if his attention has been drawn to the ongoing conditions in the GMHS clinic in the Royal City of Dublin Hospital on Baggot Street (details supplied); his views on whether these are suitable conditions for the single GMHS clinic in the country to be operating in; if he will visit the facility to see the conditions for himself; and if he will make a statement on the matter. [53216/17]

**Minister for Health (Deputy Simon Harris):** Your question has been referred to the Health Service Executive for direct reply as the management of the healthcare property estate is a service matter.

### General Practitioner Services

362. **Deputy Anne Rabbitte** asked the Minister for Health further to Question No. 279 of 29 November 2017, if this figure includes persons under 18 years of age entitled to access free general practitioner care by virtue of a medical card; and if not, the number of persons under 18 years of age entitled to free general practitioner care either through the general practitioner visit card or the medical card. [53221/17]

**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.

### General Practitioner Data

363. **Deputy Anne Rabbitte** asked the Minister for Health his Department's estimate of the number of persons under six years of age who will be entitled to free general practitioner care in 2018 to 2021 respectively; and the estimated full-year cost in 2018 terms of providing such coverage. [53222/17]

**Minister for Health (Deputy Simon Harris):** The introduction of GP care without fees to children under 6 years of age in July 2015 was a major step forward in improving access, quality and affordability of health care in Ireland. The under-6s GP service contract, which includes age-based preventive checks focused on health and well-being and a cycle of care for children with asthma, underlines the Government's commitment to enhancing primary care and keeping people well in their own community. To date, almost 363,000 children have access to GP care without fees through a medical card or GP visit card. This represents approximately 92% of children under 6 years.

Population projections produced by the ESRI for the 0-5 age cohort as part of their work on the recently published "Projections of Demand for Healthcare in Ireland, 2015-2030: First Report from the Hippocrates Mode, (available at <https://www.esri.ie/pubs/RS67.pdf>), are set out in the following table:

#### ERSI Population Projections for Health Demand: 0-5 Age Cohort

Year	No.
2018	395,839
2019	393,988
2020	392,612
2021	392,502

Source: Projections of demand for healthcare in Ireland, 2015-2030: First report (Estimates based on ESRI “Central” scenario, which considers a continued improvement in mortality rates that slowly converge to a standard rate of improvement, unchanged fertility rates (from 2015) and a moderate migration projection)

The HSE Primary Care Reimbursement Service estimates that the annual cost of a GP Visit Card for a child under 6 years is €240 and the cost of a Medical Card for a child under 6 years is €340.

### **Trade Union Recognition**

364. **Deputy Mick Barry** asked the Minister for Health if he will raise with a company (details supplied) that is engaged by the HSE on State contracts the reason it does not recognise a union which represents its staff in view of the fact that it recognises a union in Northern Ireland; and if he will make a statement on the matter. [53234/17]

**Minister for Health (Deputy Simon Harris):** I have asked the HSE to respond to the Deputy directly on this matter.

### **Brexit Negotiations**

365. **Deputy Maureen O’Sullivan** asked the Minister for Agriculture, Food and the Marine if there will be an exemption in the Brexit agreement regarding transport of approved rescue dogs from both jurisdictions; and if this could be facilitated between Ireland and the UK. [53173/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The Article 50 negotiations between the EU and the UK proceeded on the basis of the phased approach set out in the European Council Guidelines of 29 April 2017, which foresaw that discussions on the future EU-UK relationship will get under way as soon as sufficient progress has been made on the EU’s key priorities under the withdrawal process – notably citizens’ rights, the UK’s financial settlement and the Irish specific issues.

In this regard, I welcome that Prime Minister May and European Commission President Juncker reached agreement on a joint progress report last Friday and I hope that this week’s European Council will agree with the recommendation of Chief Negotiator Michel Barnier and that we can start discussions on a future relationship and any transitional arrangements as soon as possible.

Post-Brexit arrangements in relation to the movement of animals, including the transport of approved rescue dogs between Ireland and the UK, will form part of the future relationship strand of the EU/UK negotiation process.

As I have indicated previously, my Department’s approach to these negotiations is to work towards ensuring that the future EU-UK relationship will be as close to the current arrangements as possible, thereby minimising the potential impact on the movement of animals, which is important for a broad range of reasons, including the need to ensure that approved rescue dogs can move between Ireland and the UK without undue disruption.

### **Agriculture Scheme Administration**

366. **Deputy Paul Kehoe** asked the Minister for Agriculture, Food and the Marine further to Question No. 170 of 16 November 2017, if he plans to alter the regulations that will allow the landowner to replace existing vegetation with a different type that would be better for the environment and of benefit to the farm; and if he will make a statement on the matter. [52617/17]

**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. If a landscape feature is removed it must be replaced with the same feature, for example if a length of hedgerow is removed a corresponding length of hedgerow must be re planted at another location on the holding.

My Department do not foresee any changes to this requirement.

### **Agriculture Scheme Payments**

367. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of payments to a person (details supplied); and if he will make a statement on the matter. [52619/17]

368. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of payments to a person (details supplied); and if he will make a statement on the matter. [52621/17]

371. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of payments to a person (details supplied); and if he will make a statement on the matter. [52664/17]

372. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of payments to a person (details supplied); and if he will make a statement on the matter. [52665/17]

373. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of payments to a person (details supplied); and if he will make a statement on the matter. [52666/17]

374. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of payments to a person (details supplied); and if he will make a statement on the matter. [52671/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I propose to take Questions Nos. 367, 368 and 371 to 374, inclusive, together.

These 6 PQs relate to a commonage on Carryeen Mountain on which illegal burning has been determined by my Department to have taken place during the period 1st March to 31st August

My Department actively investigates incidents of illegal burning using satellite imagery. Where land has been burned between the period of 1 March and 31 August of any given year it is not eligible for payment under the Basic Payment Scheme (BPS) 2017.

The persons named in the above Parliamentary Questions submitted applications under the 2017 BPS. In order to qualify for payment under the BPS an applicant must have an eligible hectare of land in respect of each entitlement held.

As part of the process of determining land eligibility, parcels declared by the persons named on their 2017 BPS applications have been identified as having been burned outside of the permitted timeframes. Accordingly, such lands are not eligible for the purpose of a BPS payment and this has created an over claim on the named persons' BPS applications.

The persons named have been written to by my Department outlining the current position in relation to their BPS applications and setting out the options available to them in relation to the over-claimed parcels, including the right to seek a review.

Should the persons named seek a review, they should ensure that they submit any supporting documentation which they deem relevant for review accordingly by my Department.

### **GLAS Payments**

369. **Deputy Tom Neville** asked the Minister for Agriculture, Food and the Marine when a GLAS 1 payment will issue to a person (details supplied) in County Kerry following the successful review of their application; and if he will make a statement on the matter. [52622/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** After a review of this case the person named has been approved into GLAS 1 with a contract commencement date of 1 January 2016.

The application has been reactivated on the GLAS system and will be run through validation checks for the 2016 payment in the coming days. This will enable the case to be processed with a view to releasing the 2016 payments. Once the 2016 payments issue the case will move forward for processing of the 2017 advance payment. GLAS payments are issuing on a weekly basis.

### **Basic Payment Scheme Payments**

370. **Deputy Kevin O'Keeffe** asked the Minister for Agriculture, Food and the Marine when payment under a specific scheme will issue to a person (details supplied) in County Cork. [52659/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** An application in respect of the 2017 Basic Payment Scheme was received on 7 May 2017. Processing of this application is now complete and payment has issued to the nominated bank account of the person named.

*Questions Nos. 371 to 374, inclusive, answered with Question No. 367.*

### **Beef Data and Genomics Programme**

375. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the approximate additional annual increase in Exchequer funding needed for the beef data and genomics programme if compensation were to be fixed at rates (details supplied), in tabular form. [52695/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The information sought is currently being compiled and will be forwarded directly to the Deputy as soon as

possible.

### Equine Data

376. **Deputy John Brady** asked the Minister for Agriculture, Food and the Marine the number of horses impounded, euthanised and re-homed in each year since 2010; and the costs involved, by county, in tabular form. [52699/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Details of horse seizures and associated statistics by county are in the tables.

Overall figures for 2017 are not yet fully collated but the indications are that they will continue to reduce in line with the trend over recent years.

#### 2016 Statistics

City/County Co's	DAFM Funding to Support LA 2016	Horses Seized 2016	Total Rehomed 2016	No of Horses Euthanised 2016
Carlow Co. Council	€32,725	76	0	76
Cavan Co. Council	€1,425	4	0	4
Clare Co. Council	€6,375	11	0	10
Cork Co. Council	€29,375	91	20	58
Cork City Council	€16,152	47	7	36
Donegal Co. Council	€5,100	19	9	10
Dublin City Council	€59,825	193	12	176
Sth Dublin Co. Council	€103,625	266	12	250
Dunlaoghaire/Rathdown Co Council	€10,350	29	3	26
Fingal Co. Council	€47,375	161	13	146
Galway City Council	€0	64	0	64
Galway Co. Council	€10,410	40	25	15
Kerry Co. Council	€9,375	28	0	28
Kildare Co. Council	€78,801	155	8	141
Kilkenny Co. Council	€17,575	52	2	46
Laois Co. Council	€30,675	66	2	61
Leitrim Co. Council	€3,430	16	10	6
Limerick City & County	€83,465	209	16	179
Longford Co. Council	€5,300	19	17	2
Louth Co. Council	€5,450	23	11	10
Mayo Co. Council	€5,569	0	0	0
Meath Co. Council	€20,625	80	3	59

City/County Co's	DAFM Funding to Support LA 2016	Horses Seized 2016	Total Rehomed 2016	No of Horses Euthanised 2016
Monaghan Co. Council	€5,850	29	22	2
Offaly Co. Council	€24,000	66	0	63
Roscommon Co. Council	€0	0	0	0
Sligo Co. Council	€1,875	19	19	0
Tipperary County	€47,775	129	4	122
Waterford City & County Council	€8,325	32	3	28
Westmeath Co. Council	€10,644	50	12	26
Wexford Co. Council	€24,800	89	39	45
Wicklow Co. Council	€18,900	65	8	55
Totals	€725,171	2128	277	1744

## 2015 Statistics

City/County Co's	DAFM Funding to Support LA 2015	No. Of Horses seized 2015	No. of Horses rehomed 2015	No. of Horses Euthanised 2015
Carlow Co. Council	€18,600.00	69	4	61
Cavan Co. Council	€2,920.00	25	0	25
Clare Co. Council	€22,437.00	47	0	45
Cork Co. Council	€43,700.00	155	14	118
Cork City Council	€13,209.43	54	4	44
Donegal Co. Council	€2,440.00	10	8	2
Dublin City Council	€58,900.00	145	19	119
Sth Dublin Co. Council	€90,200.00	231	24	198
Dunlaoghaire/Rathdown Co Council	€10,425.00	25	0	25
Fingal Co. Council	€45,400.00	145	15	121
Galway City Council	€0.00	81	0	81
Galway Co. Council	€35,400.00	94	56	37
Kerry Co. Council	€5,325.00	24	6	17
Kildare Co. Council	€79,875.00	273	17	236
Kilkenny Co. Council	€33,750.00	75	5	68
Laois Co. Council	€31,800.00	111	0	105
Leitrim Co. Council	€4,575.00	26	18	8
Limerick City & County	€141,003.11	343	15	318
Longford Co. Council	€7,175.00	41	27	14
Louth Co. Council	€11,900.00	43	2	29



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City/County Co's	DAFM Funding to Support LA 2015	No. Of Horses seized 2015	No. of Horses rehomed 2015	No. of Horses Euthanised 2015
Mayo Co. Council	€0.00	0	0	0
Meath Co. Council	€33,465.00	40	11	27
Monaghan Co. Council	€18,762.42	35	11	23
Offaly Co. Council	€35,700.00	101	0	96
Roscommon Co. Council	€0.00	0	0	0
Sligo Co. Council	€1,050.00	14	13	1
Tipperary (North Riding) Co. Council	€51,200.00	54	1	53
Tipperary (South Riding) Co. Council	€23,425.00	43	2	40
Tipperary County		55	0	53
Waterford City Council	€450.00	19	0	18
Waterford Co. Council	€1,740.38	13	0	11
Waterford City & County Council	€10,087.50	7	0	4
Westmeath Co. Council	€18,785.85	61	6	33
Wexford Co. Council	€29,075.00	86	28	57
Wicklow Co. Council	€70,084.18	138	30	104
Totals	€952,859.87	2683	336	2191

2014 Statistics

City/County Co's	DAFM Funding to Support LA 2014	No. Of Horses seized 2014	No. of Horses rehomed 2014	No. of Horses Euthanised 2014
Carlow Co. Council	€ 44,011	95	9	81
Cavan Co. Council	€ 100	3	0	3
Clare Co. Council	€ 12,243	35	0	35
Cork Co. Council	€ 90,988	176	0	159
Cork City Council	€ 43,271	87	0	69
Donegal Co. Council	€ 12,600	13	0	13
Dublin City Council	€ 158,135	328	21	300
Sth Dublin Co. Council	€ 196,683	469	12	435
Dunlaoghaire/Rathdown Co Council	€ 10,600	19	0	19
Fingal Co. Council	€ 101,725	206	10	192
Galway City Council	€ 92,346	28	0	28

City/County Co's	DAFM Funding to Support LA 2014	No. Of Horses seized 2014	No. of Horses rehomed 2014	No. of Horses Euthanised 2014
Galway Co. Council	€ -	239	37	196
Kerry Co. Council	€ 13,334	19	3	15
Kildare Co. Council	€ 189,945	465	45	392
Kilkenny Co. Council	€ 39,659	89	2	81
Laois Co. Council	€ 106,861	213	9	174
Leitrim Co. Council	€ 27,700	76	32	44
Limerick City & County	€ 202,192	413	1	395
Longford Co. Council	€ 9,400	56	37	10
Louth Co. Council	€ 31,051	91	9	70
Mayo Co. Council	€ 152,253	339	78	261
Meath Co. Council	€ 48,425	107	15	88
Monaghan Co. Council	€ 20,972	66	2	61
Offaly Co. Council	€ 66,848	162	0	159
Roscommon Co. Council	€ 66,888	64	5	59
Sligo Co. Council	€ 28,500	160	44	111
Tipperary (North Riding) Co. Council	€ 68,625	193	0	192
Tipperary (South Riding) Co. Council	€ 64,500	131	3	128
Waterford City Council	€ 19,985	26	0	16
Waterford Co. Council	€ 10,251	34	7	14
Westmeath Co. Council	€ 45,502	81	11	51
Wexford Co. Council	€ 104,244	187	9	164
Wicklow Co. Council	€ 168,402	253	15	216
Totals	€ 2,248,237	4923	416	4231

## 2013 Statistics

City/County Co's	DAFM Funding to Support LA 2013	No. Of Horses seized	No. of Horses rehomed 2013	No. of Horses Euthanised 2013
Carlow Co. Council	€79,076.51	82	10	68
Cavan Co. Council		0	0	0
Clare Co. Council	€68,436.95	47	0	37
Cork Co. Council	€113,992.80	227	2	147
Cork City Council	€75,014.47	173	6	120
Donegal Co. Council	€29,070.27	40	2	29

Questions - Written Answers

City/County Co's	DAFM Funding to Support LA 2013	No. Of Horses seized	No. of Horses rehomed 2013	No. of Horses Euthanised 2013
Dublin City Council	€239,471.43	332	10	320
Sth Dublin Co. Council	€220,582.86	322	16	283
Dunlaoghaire/Rathdown Co Council	€41,467.86	61	5	49
Fingal Co. Council	€65,888.74	117	3	99
Galway City Council				
Galway Co. Council	€282,081.88	327	38	283
Kerry Co. Council	€41,240.50	37	4	32
Kildare Co. Council	€160,256.23	322	1	308
Kilkenny Co. Council	€81,906.92	99	9	87
Laois Co. Council	€184,868.07	215	18	173
Leitrim Co. Council	€8,142.24	20	2	18
Limerick Co. Council	€115,936.57	130	1	125
Limerick City Council	€208,499.56	222	0	208
Longford Co. Council	€8,479.66	25	12	6
Louth Co. Council	€63,216.53	145	12	107
Mayo Co. Council	€92,479.00	202	100	101
Meath Co. Council	€90,448.48	175	6	167
Monaghan Co. Council	€27,946.80	96	3	86
Offaly Co. Council	€35,100.71	60	15	45
Roscommon Co. Council	€106,549.32	235	28	197
Sligo Co. Council	€39,732.50	89	15	70
Tipperary (North Riding) Co. Council	€60,384.58	92	0	83
Tipperary (South Riding) Co. Council	€73,597.63	123	13	103
Waterford City Council	€47,284.16	60	0	45
Waterford Co. Council	€23,315.22	18	0	16
Westmeath Co. Council	€77,723.03	115	37	67
Wexford Co. Council	€76,992.15	162	16	136
Wicklow Co. Council	€186,415.58	357	23	317
Totals	€3,025,599.21	4,727	407	3932

**2012 Statistics**

City/County Co's	DAFM Funding to Support LA 2012	No. Horses Seized 2012	No. Of Horses Re-homed 2012	No. of Horses Euthanised 2012
Carlow Co. Council	€4,922.40	27	2	22
Cavan Co. Council	€0.00	9	7	0
Clare Co. Council	€110,056.30	66	0	60
Cork Co. Council	€149,952.30	161	19	58
Cork City Council	€88,207.04	51	4	20
Donegal Co. Council	€0.00	20	5	15
Dublin City Council	€237,663.45	254	5	239
Sth Dublin Co. Council	€0.00	379	28	287
Dunlaoghaire/Rathdown Co Council	€25,052.22	7	0	7
Fingal Co. Council	€110,648.79	145	13	102
Galway City Council		50	0	50
Galway Co. Council	€11,503.25	84	9	59
Kerry Co. Council	€88,968.22	21	4	12
Kildare Co. Council	€91,100.92	130	13	92
Kilkenny Co. Council	€79,014.17	80	9	58
Laois Co. Council	€132,446.36	243	2	222
Leitrim Co. Council	€20,014.06	18	0	18
Limerick Co. Council	€171,593.85	123	3	108
Limerick City Council	€307,979.69	215	5	193
Longford Co. Council	€250.00	4	2	2
Louth Co. Council	€18,656.22	39	8	25
Mayo Co. Council	€157,617.37	200	163	30
Meath Co. Council	€51,519.61	84	8	53
Monaghan Co. Council	€369.88	7	0	7
Offaly Co. Council		0	0	0
Roscommon Co. Council	€8,442.80	8	0	6
Sligo Co. Council	€30,574.61	34	15	15
Tipperary (North Riding) Co. Council	€68,707.83	91	0	91
Tipperary (South Riding) Co. Council	€67,209.48	51	14	27
Waterford Co. Council	€16,152.34	5	0	4
Waterford City Council		40	1	19

*Questions - Written Answers*

City/County Co's	DAFM Funding to Support LA 2012	No. Horses Seized 2012	No. Of Horses Re-homed 2012	No. of Horses Euthanised 2012
Westmeath Co. Council	€76,689.85	109	18	81
Wexford Co. Council	€37,287.50	63	5	43
Wicklow Co. Council	€36,518.11	151	22	100
Totals	€2,199,118.62	2969	384	2125

### 2011 Statistics

City/County Co's	DAFM Funding to Support LA 2011	No. Horses Seized 2011	No. Of Horses Re-homed 2011	No. of Horses Euthanised 2011
Carlow Co. Council	€12,445.90	18	0	0
Cavan Co. Council	€0.00	10	7	0
Clare Co. Council	€70,637.36	50	1	41
Cork Co. Council	€108,389.58	144	12	45
Cork City Council	€144,427.22	123	17	70
Donegal Co. Council	€0.00	0	0	0
Dublin City Council	€391,616.39	342	71	249
Sth Dublin Co. Council	€187,872.00	304	50	229
Dunlaoghaire/Rathdown Co Council	€61,856.88	38	29	0
Fingal Co. Council	€187,902.70	161	23	105
Galway City Council		0	0	0
Galway Co. Council	€26,479.06	52	0	46
Kerry Co. Council	€99,771.07	28	0	16
Kildare Co. Council	€63,160.95	103	41	32
Kilkenny Co. Council	€92,790.93	91	32	28
Laois Co. Council	€96,582.67	185	95	52
Leitrim Co. Council	€14,706.07	40	3	37
Limerick Co. Council	€152,294.85	113	3	59
Limerick City Council	€361,802.48	259	10	217
Longford Co. Council	€624.25	5	4	1
Louth Co. Council	€27,876.85	8	2	6
Mayo Co. Council	€79,932.08	193	86	95
Meath Co. Council	€35,703.65	83	14	36
Monaghan Co. Council	€109.31	0	0	0
Offaly Co. Council	€48,067.55	59	31	0
Roscommon Co. Council	€6,022.94	8	0	8

City/County Co's	DAFM Funding to Support LA 2011	No. Horses Seized 2011	No. Of Horses Re-homed 2011	No. of Horses Euthanised 2011
Sligo Co. Council	€44,879.96	81	22	56
Tipperary (North Riding) Co. Council	€65,123.86	125	78	37
Tipperary (South Riding) Co. Council	€78,675.41	28	0	21
Waterford Co. Council	€37,790.11	14	1	13
Waterford City Council		7	0	5
Westmeath Co. Council	€53,129.00	96	23	54
Wexford Co. Council	€38,136.00	30	21	0
Wicklow Co. Council	€115,823.80	138	66	34
Totals	€2,704,630.88	2936	742	1592

## 2010 Statistics

City/County Co's	DAFM Funding to Support LA 2010	No. Horses Seized 2010	No. Of Horses Re-homed 2010	No. of Horses Euthanised 2010
Carlow Co. Council		18	0	6
Cavan Co. Council		11	7	0
Clare Co. Council	€90,350.15	24	20	4
Cork Co. Council	€104,569.90	134	37	17
Cork City Council	€95,838.34	152	60	28
Donegal Co. Council		0	0	0
Dublin City Council	€537,563.89	446	228	208
Sth Dublin Co. Council	€221,522.20	133	78	53
Dunlaoghaire/Rathdown Co Council	€71,705.11	23	5	2
Fingal Co. Council	€314,964.82	341	197	70
Galway City Council		0	0	0
Galway Co. Council		45	31	2
Kerry Co. Council	€116,499.14	20	8	3
Kildare Co. Council	€62,405.69	66	0	51
Kilkenny Co. Council	€62,815.84	92	27	14
Laois Co. Council	€59,865.86	61	53	1
Leitrim Co. Council	€13,623.08	26	25	1
Limerick Co. Council	€207,131.65	144	46	19



*Questions - Written Answers*

City/County Co's	DAFM Funding to Support LA 2010	No. Horses Seized 2010	No. Of Horses Re-homed 2010	No. of Horses Euthanised 2010
Limerick City Council	€264,556.90	179	91	73
Longford Co. Council		4	0	2
Louth Co. Council	€21,633.31	16	12	1
Mayo Co. Council	€11,342.07	20	20	0
Meath Co. Council		6	3	3
Monaghan Co. Council	€683.94	1	0	1
Offaly Co. Council		14	0	10
Roscommon Co. Council	€10,189.70	19	18	1
Sligo Co. Council	€2,350.22	22	4	3
Tipperary (North Riding) Co. Council	€25,364.53	103	52	7
Tipperary (South Riding) Co. Council	€81,870.87	45	2	22
Waterford Co. Council	€30,195.89	4	3	0
Waterford City Council		38	1	19
Westmeath Co. Council	€20,636.41	25	4	17
Wexford Co. Council		74	32	10
Wicklow Co. Council	€38,866.66	112	41	11
Totals	€2,466,546.17	2418	1105	659

### **GLAS Payments**

377. **Deputy Michael Fitzmaurice** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 356 of 14 November 2017, if farmers and planners will be paid before Christmas 2017 for the GLAS training courses as previously advised (details supplied); and if he will make a statement on the matter. [52753/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** It is expected that payments in respect of course participants will begin to issue to approved GLAS trainers before the end of this month.

The payment to facilitators will then follow starting the following month subject to them satisfactorily confirming that their course participants have been paid in full.

### **Common Agricultural Policy Review**

378. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on the suggestion following the publication of the CAP communication of the future of food and farming on degressive payments; and his understanding of this proposal and

the principle of degressive payments. [52769/17]

379. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on the suggestion following the publication of the CAP communication of the future of food and farming of a compulsory capping of direct payments taking into account labour to avoid negative effects on jobs. [52770/17]

380. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on the suggestion following the publication of the CAP communication of the future of food and farming of an enhanced focus on a redistributive payment in order to be able to provide support in a targeted manner to small and to medium-sized farms. [52771/17]

381. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on the suggestion following the publication of the CAP communication of the future of food and farming of ensuring support is targeted to genuine farmers, focussing on persons that are actively farming in order to earn their living. [52772/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I propose to take Questions Nos. 378 to 381, inclusive, together.

I welcome the publication by the European Commission on 29 November of the CAP Communication titled “The Future of Food and Farming”.

The document comes against the backdrop of the Commission White Paper on the Future of Europe published on 1 March 2017, and the public consultation on the future of the CAP carried out in the first half of 2017. The Communication proposes a simpler CAP, with a sharper focus on objectives and results, particularly in the environmental area. I welcome the commitment that Direct Payments should remain an essential part of CAP, as they provide an important safety net for family farms and ensure there is agricultural activity in all parts of the EU.

The Communication outlines a number of possibilities that should be explored to improve the targeting of direct payments, including compulsory capping of payments, degressive payments and redistributive payments to small or medium size farms. It also suggests that support is targeted to genuine farmers, focussing on those who are actively farming in order to earn their living.

My Department is currently reviewing the Communication but of course detailed proposals will only emerge in the context of legislative provisions to be presented by Summer 2018.

Degressivity involves the reduction of payments above a certain threshold. Under the current CAP, degressivity was possible for payments exceeding €150,000. Ireland has effectively decided to limit the maximum amount payable to an applicant under the Basic Payment Scheme (excluding the Greening Payment) to €150,000 per annum by applying 100% degressivity after that amount, as provided for under Article 11 of Regulation 1307/2013.

The Deputy will be aware that the 2016 Programme for Government, proposed a lowering of the cap on basic payments from €150,000 to €100,000. An opportunity to address this issue may arise in the context of the proposed CAP Reform.

### **Common Agricultural Policy Reform**

382. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the new measure agreed following the recent agreement at EU level of omnibus CAP

regulations regarding simplification; when the changes will take effect here; and the impact the changes will have on ANC payments in 2018. [52773/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** In September 2016, under its mid-term review of the Multiannual Financial Framework 2014 - 2020, the Commission submitted its so-called Omnibus Proposal, which revised the general financial rules concerning multiannual programmes across 15 sectoral acts, including the CAP regulations.

The Omnibus Regulation has not yet been signed into law, but the agriculture elements are expected to enter into force early in the New Year. While there are many elements within the proposal, the most substantial include a deferral to 2019 of the requirement to review ANC areas, a facility allowing member states to cease applying the administrative checks to determine if applicants for schemes meet the definition of active farmer, a facility to provide Young Farmers Scheme payments to applicants for five years from the date of application, regardless of their establishment date, and a facility to apply a linear cut to BPS payments to fund categories “specific disadvantage.

The proposal also modifies the conditions attaching to rural development schemes supporting insurance contracts and income stabilisation tools, although Ireland’s Rural Development Programme does not include such provisions.

In addition, if the regulation enters into force in early 2018, it allows 2018 ANC payments to be made before 16 October 2018, subject to the requisite checks and controls being undertaken.

### **Departmental Expenditure**

383. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on the fact that the November 2017 Exchequer returns show that his Department was running €129 million behind profile in gross voted expenditure for the first 11 months of 2017. [52774/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** A profile of projected expenditure on a monthly basis is drawn up at the beginning of each year to anticipate the Department’s funding requirements and facilitate financial management over the course of the year. The timing of expenditure is difficult to forecast and may vary significantly during the year for a variety of reasons, such as the level of payments under demand led multi-year schemes, a different level of participation in some schemes than anticipated, the pattern of drawdown of Grants by State bodies, the levels of disease incidences and payment of compensation, etc.

As mentioned by the Deputy, the Department’s expenditure at the end of November was behind profile by €128.5m, of which €87.6m is current and €40.9 is capital. Some of this amount arises in budget lines such as pay, research and the sheep welfare scheme where we are now certain the full allocation will not be required this year. In other cases some of the expenditure profiled for earlier months, though delayed, may arise before the year end.

Earlier this month I sought and received permission from the Dail via the supplementary estimates process to reallocate funds from some areas where savings were certain to provide funding for existing schemes such as GLAS and ANCs and new initiatives particularly in relation to Brexit and the World Food Programme. Most of this extra expenditure has not yet taken place so it is not reflected in the end of November figures.

The Department's staff are fully focussed on ensuring that scheme payments are made to eligible recipients in all schemes and in this regard the submission of Nutrient Management Plans will be an important factor in maximising payments for GLAS in 2018, which is the scheme with the most significant amount of funding yet to be paid.

### **Tillage Sector**

384. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on the recommendations of the report on the tillage sector by the Joint Committee on Agriculture, Food and the Marine; the timeframe for the implementation of the recommendations; and if he will make a statement on the matter. [52775/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Firstly I want to welcome the Report recently published by the Joint Committee on Agriculture, Food and the Marine and will be writing directly to the Committee on foot of their report in due course. The Tillage Sector is a very important sector to the agricultural economy, making a vital contribution to both the food and feedstuffs sector and in this connection I want to highlight the actions my Department has undertaken this year to assist this vital sector.

I introduced the Agriculture Cashflow Support Loan Scheme in January of this year and extended it to cover the tillage and horticulture sectors. The banks have advised that all of the €150m available under the scheme has been committed and is in the process of being drawn down. There has been a very positive reaction by farmers, including tillage farmers, to the Scheme, which has proved that significant demand exists for low cost flexible finance. I met with the Chief Executives of the participating banks to discuss this and other access to finance issues relating to the agri-food sector. I have asked the banks to respond positively to the demand that has been demonstrated by reducing interest rates and providing more flexible terms for cash flow loans in the future. The "Agriculture Cashflow Loan Scheme" has provided a template for access to finance schemes, including the recently announced "Brexid Loan Scheme" for SMEs. I announced in the Budget that I have secured funding of €25 million for my Department to facilitate the development of new Brexit response loan schemes during 2018 for farmers, fishermen and food businesses.

As a further support to tillage farmers the Tillage Capital Investment Scheme under TAMS II opened for online applications on the 8 March 2017. The specific areas of investment include Minimum Disturbance Tillage Equipment, Sprayers, Rain Water Harvesting, Grain Storage and Grain dryers. All applications must be made on-line, either by the farmer or by an adviser authorised to act on his or her behalf. The second tranche of support under this scheme closed on Friday the 6 October 2017. There has been a significant level of interest in investments by the tillage sector with a total number of 687 applications now received (including most recent tranche) and 457 approvals have now issued with payments and approvals continuing on an ongoing basis. This Tillage Scheme is the latest of the Targeted Modernisation Schemes (TAMS II) to be launched under the Rural Development Programme 2014-2020. The Scheme is co-funded by the European Agricultural Fund for Rural Development (EAFRD).

In addition to these measures on the 26 July 2017 in response to the exceptionally challenging harvest conditions of September 2016 I introduced a Weather Related Crop Loss Support measure to assist farmers who experienced significant yield losses in spring cereal crops. This measure provides for a financial contribution of up to €200 per hectare up to a maximum of 35 hectares per eligible applicant towards the cost of uninsured spring cereals crop losses in excess of 30% by yield.

Particularly hard hit growers who experienced cereal crop losses in excess of 50% will benefit from an additional €100 per hectare, on the same area.

### **Fishing Communities**

385. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the recommendations of the 2014 report on promoting sustainable rural coastal and island communities by the Joint Sub-Committee on Fisheries that have been implemented to date; the recommendations of the report that have yet to be implemented; the reason for the delay in that regard; and if he will make a statement on the matter. [52776/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The Sub-Committee report to which the Deputy refers made a number of recommendations which concerned a range of Government policies including natural resources, marine safety and social protection. I intend to address progress on aspects relevant to my remit as Minister for Agriculture, Food and the Marine.

A number of the recommendations have been superseded by initiatives which have taken place.

In relation to representation structures for the industry for instance, the National Inshore Fisheries Forum (NIFF) and Regional Inshore Fisheries Forums (RIFFs) provide arenas for inshore fishermen to develop proposals on inshore fisheries management, including compliance and data gathering. The NIFF is representative of the fishing boats of less than 12 m overall length in the fishing fleet. The focus on the NIFF work programme is on fisheries management in the coastal waters within 6 nautical miles. The NIFF is taking the lead in setting priorities for policy development including ongoing work in developing a dedicated strategy for the inshore sector.

To date, the twelve NIFF meetings have led to very constructive two-way conversations on issues of mutual concern, industry priorities, emerging policies & initiatives. NIFF members are now included on a number of fisheries consultative structures including the Quota Management Advisory Committee, the Industry Science Fisheries Partnership, the SFPA Consultative Committee, the EMFF Operational Programme Monitoring Committee and BIM/Bord Bia Market Advisory Group. This gives the inshore sector a role in making recommendations on range of fisheries policy matters including on allocation of Ireland's quotas, on data collection and scientific research. Perhaps most important of these is that the NIFF now has a say on how funding is utilised including through the Inshore Fisheries Conservation Scheme.

The Sub-Committee's report refers to managing the lobster and shrimp fisheries. Changes came into effect in 2014 regarding the management of these fisheries, following on from an extensive consultation process. In more recent times lobster in particular has been a feature of the agenda of the meetings which I have had with the NIFF and I look forward to a discussion with NIFF on the review of the effectiveness of the current conservation measures in 2018.

With regard to the mackerel quota, there has been a change to the way this is allocated. For 2017 and future years, the 87% to 13% share out of the quota between the Refrigerated Sea Water (RSW) pelagic fleet and polyvalent segment of the fleet will remain unchanged. Where Ireland's quota exceeds 90,000 tonnes, the quota shall be shared on a 80% to 20% basis between the pelagic and polyvalent fleet. A minimum of 2% of the mackerel quota, or 1,000 tonnes, whichever is the greater will be deducted annually for demersal swaps before any share out between segments is undertaken.



There is an open mackerel fishery for vessels under 18 metres in length. An amount of 2.5% of the overall polyvalent Mackerel Quota has been set aside for this fishery and a monthly catch limit is used. This catch limit is recommended each month by the Whitefish Quota Management Advisory Committee which consists of fishing industry representatives. For 2017, under 18 m Boats may fish 5 tonnes per month. In the last number of years much of this quota has remained under-utilised.

The sub-committee made a recommendation with regard to “minor fishing infractions”. In November 2014, my Department published a public consultation document in the form of a Regulatory Impact Assessment (RIA) of a proposal for a Bill to amend the Sea Fisheries and Maritime Jurisdiction Act 2006 to provide for, *inter alia*, a system of fixed penalty notices (“on the spot” fines) for minor fisheries offences. This provided the possibility of creating a subset of minor offences which are legally suitable to be dealt with by way of fixed penalty notices.

In summary, the process suggested in the RIA involved giving a person who was alleged to have committed a minor offence an option to pay a fixed payment which would mean that a prosecution would not be taken in the Courts. If the payment was not received within 28 days, the prosecution would be initiated in the courts and on conviction it was expected that a higher fine would be applied.

A number of industry submissions received under the RIA on the implementation of fixed penalty notices raised concerns that these would be used in place of verbal or written warnings. Other comments raised concerns regarding potential inequalities in the application of the system between different Sea Fisheries Protection Authority Port Officers and Naval Service personnel. There were also comments regarding the constitutionality of applying sanctions in the absence of a Court decision and others seeking a fully administrative system. In light of the comments submitted in respect of the above proposal on a fixed penalty system, it was decided not to proceed with the introduction such a system.

With regard to fishing infrastructure, it is important to say that my Department owns, maintains and directly manages six Fishery Harbour Centres. The network of Harbours, located at Killybegs, Ros an Mhíl, An Daingean, Castletownbere, Dunmore East and Howth, are a valuable and vital resource to the Irish fishing fleet. The Fishery Harbour Centres provide state of the art facilities and infrastructure for the increasingly mobile and large scale Irish and EU fishing industries.

In 2017, I allocated a total of €3.8 million to the Local Authority Programme. This vital funding targeted 67 approved Local Authority projects with a wide geographical spread, 55 of which are harbour development requiring funding of €2.94 million and 12 relate to marine leisure requiring funding of €879,750. The infrastructure supported will be of great benefit to many rural coastal and island communities.

With regard to progress on aquaculture, in May 2017 I published the report of the Independent Review Group on aquaculture licensing which contained 30 key recommendations across a full range of activities. Additional staff have been assigned to the Aquaculture licensing division of the Department so as to facilitate the implementation of the recommendations.

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 including specifically in relation to Fisheries Local Action Groups. Individual schemes are administered by BIM and I will ask BIM to update the Deputy on recommendations relevant to its remit.



In summary, there are a number of recommendations not relevant to the remit of my Department and I have endeavoured to give the Deputy an update on relevant matters, including policy developments, which have occurred since the report was published. I would like to assure the Deputy that this Government is fully committed to the seafood sector and the coastal communities who are dependent on fisheries and aquaculture.

### **Beef Exports**

386. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if the State has applied for beef export access to Iran following the recent EU agrifood trade mission to that country; and the other EU countries that have such access. [52777/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** A bilateral agreement was concluded on a health certificate for the export of beef from Ireland to Iran in March 2013. Ireland now has access to export fresh chilled and frozen boneless beef, derived from animals under 30 months at slaughter, although no exports have taken place as yet.

A Department of Agriculture, Food & the Marine/Bord Bia official-led trade mission to Iran took place in April 2016; this mission was an important step in gaining sheepmeat access to Iran, which was agreed later in 2016.

Commissioner Hogan met last month with the Iranian Minister for Agriculture and Minister for Health as part of his Trade Mission there. The Iranian authorities have announced that Iran will adopt a single health certification system for exports from all EU Member States. This single certification system will be issued at first to those Member States which are currently authorized to export, such as Ireland, and will then be extended to include all EU Member States. The changes are expected to be introduced in the first half of 2018.

I understand that Denmark, Germany and Poland also have beef access to Iran, although like Ireland they would have had this access prior to the Commissioner's visit.

### **Trade Agreements**

387. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if he will be supporting a final agreement with Mercosur countries in which beef is a component of such a deal. [52779/17]

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

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 the October round of negotiations which included a Tariff Rate Quota (TRQ) for beef. I was deeply disappointed that the Commission decided to submit this beef TRQ offer, as I believe that this could not be coming at a worse time for the EU beef sector. 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 24 November and 1 December, and I have 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. I also 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; 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.

### **Pesticide Use**

388. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on the recent reauthorisation of glyphosate; and his further views on the way in which countries that traditionally aligned with Ireland on farm issues did not support reauthorisation in this instance. [52781/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department supported the renewal of the approval of glyphosate as the latest information available from assessments completed by the European Food Safety Authority and the European Chemicals Agency concluded that glyphosate can be used safely without putting consumers or users at risk.

I believe it is important that decisions such as this are made on the basis of the best scientific information available and confidence in the rigours of the EU science based regulatory system.

While some Member States were unable to support the approval of glyphosate, it is not anticipated that it will affect our relationships with these same Member States on issues in which we share a common interest in the future.

### **Departmental Staff Data**

389. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the number of full-time and part-time staff working directly on the environmental sustainability committee in his Department; the yearly running costs including staffing costs; the number of committee meetings held since it was established; and the current committee membership. [52782/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department provides the secretariat to the Environmental Sustainability Committee (ESC) as part of the work of the Climate Change and Bioenergy Policy Division.

The ESC is chaired by an official from my Department at senior management level. In total, eight Department of Agriculture, Food and the Marine (DAFM) staff are represented on the Committee, drawing together expertise from across Department divisional work areas. Additionally, representatives of DAFM agencies ( Bord Bia and Teagasc) and from other Government Departments ( DPHLG/EPA, DCCAE) participate in the Committee alongside an external expert. The committee meets on an ongoing basis and not through a permanent cohort of staffing.

There have been seven meetings since the inception of the ESC. There were also two workshops held under the aegis of the ESC: a grassland workshop entitled The Role of Sustainable Grassland in Food Wise 2025, which was held in September 2017, and a workshop entitled Adaptation to Climate Change in the Agriculture and Forest Sector, which was held in November 2016.

### **Departmental Staff Data**

390. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the number of full-time and part-time staff from his Department that are working directly on the sustainability support and advisory programme; and the annual Exchequer funding that will be allocated to this programme. [52783/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The ‘Sustainability Support and Advisory Programme’ is a new approach to achieving improvement in water quality involving the establishment and joint funding of a resource of 30 Agricultural Sustainability Advisors.

This 4 year Programme supports the goals of the Food Wise 2025 strategy, facilitating increased productivity hand in hand with a more sustainable sector. This sustainability and efficiency will be achieved through improved nutrient management with more targeted use of fertiliser, better farmyard practice, more widespread use of sustainability approaches developed by Teagasc and the development of new approaches to reducing nutrient losses in critical source areas.

Through a commitment from both the Department of Agriculture, Food and the Marine and the Department of Housing, Planning and Local Government and support by industry, the 30 Advisors will work within a unified partnership structure which encompasses Teagasc, the Co-ops and the local authorities Water and Communities Office (LAWCO). The new Sustainability Advisors will proactively advise and work with farmers to protect and improve water quality. The Programme will draw on the experience and resources of key sectoral and industry stakeholders including the two Departments, the local authorities, the Dairy Co-ops, Teagasc, Bord Bia and the farm organisations.

Under the Programme, the new team will promote on-farm sustainability best practice to all farmers. In addition, local authorities - with the technical support of the Environmental Protection Agency - will identify risk areas at local level. Teagasc and the Co-ops will then provide advice and support to farmers in managing on-farm risks, working also with local farm organisations. The Co-ops will support sustainability best practice through their structures, promoting best farm practice and nutrient management processes across all their suppliers.

The Programme has the potential to strengthen delivery of Ireland's obligations under the Water Framework Directive. It is part of a new approach to River Basin Management Planning for the 2018 – 2021 cycle. This new approach includes the development of a much-strengthened evidence base to understand the full range of pressures affecting water quality and the development of the programmes of measures needed to deliver improvements. Over time, the Programme will also address on-farm climate change and biodiversity strategies.

The Programme will be jointly funded by both Departments, Teagasc, local authorities and the Dairy Co-ops on a trial basis for four years to 2021. My staff are incorporating oversight of this programme as part of their existing work programme.

### **EU Funding**

391. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the way in which funds will be used that the European Commission is returning to member states from unused crisis reserve funds; and the amount Ireland will receive. [52784/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** In the context of the annual budgetary procedure of the European Union, the financial discipline mechanism involves a monetary deduction from some direct payments thereby creating a financial Crisis Reserve for the European Union. The crisis reserve is intended to provide additional support for the agriculture sector in the case of major crises affecting agricultural production or distribution. In the event that the Crisis Reserve is not activated in the financial year, or it is not fully utilised, the balance not used is refunded to farmers in the subsequent financial year.

As outlined in Commission Implementing Regulation (EU) 2017/2197 of 27th of November 2017, the crisis reserve fund was not required in the 2017 financial year. As a result of this, a total amount of €13,229,176 is available for reimbursement to Ireland. In accordance with the regulations, this amount must be reimbursed to eligible applicants who were subject to a financial discipline reduction in the previous financial year.

### **GLAS Administration**

392. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the status of a payment to agricultural advisers and consultants (details supplied); and if he will make a statement on the matter. [52802/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** It is expected that payments in respect of course participants will begin to issue to approved GLAS trainers before the end of this month, as indicated in the question.

The payment to facilitators will then follow starting the following month subject to them satisfactorily confirming that their course participants have been paid in full.

### **Animal Welfare**

393. **Deputy Paul Murphy** asked the Minister for Agriculture, Food and the Marine if his officials have carried out inspections at a location (details supplied); if reports of these inspections will be published; and if he will make a statement on the matter. [52822/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Reports of alleged animal welfare concerns at Ashton pound were received by my Department via the dedicated welfare email address on the week beginning Monday 20 November.

My Department maintains a close working relationship with Local Authorities on dog welfare matters. South Dublin County Council and Dublin City Council scheduled two unannounced inspections by veterinary officers on 23rd and 27th of November respectively.

Veterinary inspectors from both Local Authorities have reported that the pound conformed to appropriate animal welfare standards.

### **Control of Horses**

394. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine his plans to implement legislation regulating sulky driving and improve the management of horses and ponies in view of an incident (details supplied). [52928/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The use of sulkies on the public roads is governed by the Road Traffic Acts which impose an obligation on persons engaged in any activity on the public roads, including the driving of sulkies, to drive their vehicles with due care for other road users and not to indulge in dangerous driving of the vehicles.

In addition to the Road Traffic Acts, local authorities also have powers under the Control of Horses Act, 1996 to introduce bye-laws regulating activities involving horses in their respective functional areas.

My Department wishes to raise the awareness of the critical importance of good horse welfare amongst those using sulkies and the owners and keepers of trotting horses. In this regard, my Department recently published a tender seeking to engage a provider of a relevant education programme to assist in this process. A key element of the programme's intent will be to encourage participants to move from the practice of competing on roads and to encourage engagement in regulated Irish Harness Racing Association activities.

### **Greyhound Industry**

395. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine if he has been informed of the fate of greyhounds once they leave the country; when the greyhound industry (amendment) Bill will be published; his plans to include an amendment to prevent the export of greyhounds to countries in which the welfare standards are below those here (details supplied); and if he will make a statement on the matter. [52953/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The draft General Scheme of the Greyhound Industry Bill has progressed through the pre-legislative scrutiny phase. It is hoped that a memorandum will go to Government in January, which will request approval to publish the updated General Scheme and to submit it to the Office of Parliamentary Counsel for drafting.

I fully endorse Bord na gCon's (BnaG) advice to all owners involved in the export of greyhounds to only export to destinations that provide the expected levels of greyhound care and management as defined in its Code of Practice. Bord na gCon is responsible for the regulation of the greyhound industry and the well-being of greyhounds in Ireland.



I am aware of media reports alleging mistreatment of greyhounds. The position is that once animal health and welfare certification requirements, and the provisions of Council Regulation (EC) No 1 of 2005 on the protection of animals during transport, are met, dogs, including greyhounds, may be moved within the EU or exported to a non-EU country. Our records indicate that no greyhounds have been directly exported from Ireland to Asia to date in 2017. The main destination for Irish dogs and greyhounds moved abroad continues to be the UK.

### **Areas of Natural Constraint Scheme Eligibility**

396. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if a person's (details supplied) eligibility for an ANC payment from 2015 will be reviewed; and if he will make a statement on the matter. [52991/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** An application under the 2015 Areas of Natural Constraints (ANC) Scheme was received from the person named on 7 May 2015 and payment issued directly to the person named on 23 September 2015.

In relation to the application for the 2016 Scheme, the Terms and Conditions of the ANC Scheme set out that, under EU Regulation 21/2004, all flock owners and sheep keepers are obliged to count the sheep in their flock, record this number in the flock register and thereafter are legally obliged to return this number to my Department via the annual Sheep/Goat Census return. The closing date for the receipt of census returns for acceptance under the 2016 ANC scheme was 16 May 2016. The Census return of the person named was not received in My Department until 23 May 2016.

Processing of the 2016 ANC application of the person named identified that the holding concerned had not met these eligibility criteria as outlined in the Terms and Conditions. A Department official was in direct contact with the agent representing the person named regarding the late return of the sheep census on 15 June 2017. A formal letter has issued to the person named informing him of the findings and of his right to seek a review of this decision within ninety days to the Agriculture Appeals Office.

### **TAMS Administration**

397. **Deputy Catherine Connolly** asked the Minister for Agriculture, Food and the Marine his plans to raise the limit for investments for TAMS, currently at €80,000, to allow greater scope for farmers to develop their business; and if he will make a statement on the matter. [52997/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** TAMS II has been very successful to date in terms of uptake with the number of approvals that have issued exceeding 11,660. All of these approvals represent committed expenditure under the TAMS II measure of the Rural Development Programme 2014 - 2020. Until such time as these approvals are acted upon or expire the budget for TAMS must include provision for the potential expenditure involved. There are no proposals at present to increase the investment ceilings.

Of the applications approved 2,900 payment claims have been received to date. Payment claims submitted continue to be paid on an ongoing basis. However, until such time as the works applied for and approved have been completed and payment claims submitted, payments cannot issue. All participants who have completed approved works are urged to submit their payment claims immediately to facilitate early payment.



## **Areas of Natural Constraint Scheme Appeals**

398. **Deputy Eamon Scanlon** asked the Minister for Agriculture, Food and the Marine if an appeal process is available to farmers in respect of the minimum of 3 ha of forage land which a person owns and farms to qualify for ANC; if the case of a person (details supplied) will be considered in this regard; and if he will make a statement on the matter. [53006/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Under the terms and conditions of the Areas of Natural Constraint Scheme, applicants are required to occupy and farm in their own right and at their own risk a minimum of 3 hectares of ANC forage land in an eligible area.

As the person named only farms 2.93 hectares of ANC land they are not eligible for payment under the scheme.

Where farmers are unhappy with the outcome of their scheme application they may, in the first instance, seek in writing a review of the decision. Reviews can be sought in the first instance from the manager of the particular payment section involved.

If the internal review does not resolve the position to the satisfaction of the farmer, appeals can be made to the Agriculture Appeals Office (AAO), which is an independent statutory agency, which provides an independent, impartial and free appeals service to farmers who are dissatisfied with decisions of DAFM regarding their entitlements under certain schemes.

Full details of appeals procedures, including details of the Schemes covered, are available on the Agriculture Appeals Office website at [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie) or from the Department's local offices. Appeals should be addressed to the Agriculture Appeals Office.

If at the end of the appeals procedure the farmer feels his/her case has not been dealt with fully they can seek the assistance of the Ombudsman by contacting the Office of the Ombudsman.

## **Agrifood Sector**

399. **Deputy Joan Burton** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 960 of 7 November 2017, his plans to develop satellite food innovation hubs throughout the State to work in conjunction with the National Food Innovation Hub in Fermoy; his plans to consider Naas, County Kildare, as a suitable location for such a satellite food innovation hub; and if he will make a statement on the matter. [53017/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department is providing €8.8m in exchequer funding towards the development of a National Food Innovation Hub at Moorepark with the aim of creating a supportive environment for research and innovation involving food companies and research organisations with a focus on food, health and nutrition.

This is seen as a strategically important project for Ireland's agri-food sector in general, especially in the context of Brexit, which poses enormous challenges for the sector by virtue of its reliance on the UK market, and the associated challenges in developing new markets and value added products.

The National Food Innovation Hub directly addresses one of the challenges identified in the Food Wise 2025 report, namely the current low levels of R&D expenditure by the Irish agri-food sector. The project is part of a broader strategic framework funded by my Department to

encourage research and development in the agri-food sector. The inclusion of a large number of topics relating to food in my Department's recent Call for Research Proposals very much underscores my commitment to this effort. Publicly funded research is now even more necessary to help drive innovation, competitiveness and long-term sustainability in the food sector as we prepare for Brexit.

It's expected that the National Food Innovation Hub will be instrumental in increasing the rate of research and innovation in the dairy sector and wider food industry. Whilst my Department has no plans to fund similar projects at other locations, a major package of measures was announced in Budget 2018 to help the food industry navigate the current challenges arising from Brexit and to advance the growth objectives of Food Wise 2025. For example, in the areas of innovation, research and new product development an investment of €5m is planned to fund research and innovation in the important Prepared Consumer Foods Sector.

### **Agriculture Scheme Penalties**

400. **Deputy Bobby Aylward** asked the Minister for Agriculture, Food and the Marine the value of cross-compliance and non-compliance fines collected by his Department in 2015 and 2016; the value of such fines collected in the period concerned which were refunded to the European Commission; and if he will make a statement on the matter. [53026/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The information requested by the Deputy is currently being complied and it will be forwarded directly to the Deputy as soon as it is available.

### **Greyhound Industry**

401. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine when he plans to appoint the members of the control committee and appeals committee as recommended by a company (details supplied) in 2014. [53091/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** In response to the recommendations made in the Indecon and Morris Reports and also in the report of the Joint Committee on Agriculture, Food and the Marine, I have introduced a draft General Scheme of the Greyhound Industry Bill. The Bill addresses the recommendation referred to by the Deputy as part of the measures being introduced to strengthen regulatory controls and improve integrity in the industry. The Bill also modernises sanctions and addresses governance in Bord na gCon.

The draft General Scheme of the Bill has progressed through the pre-legislative scrutiny phase and a memorandum will go to Government in early 2018 requesting approval to publish the updated General Scheme and to submit it to the Office of Parliamentary Counsel for drafting.

### **Greyhound Industry Data**

402. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine the number of greyhounds in the national racing pool by track; and the years in which they were whelped, in tabular form. [53092/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Bord na gCon

is a commercial State body, established under the Greyhound Industry Act, 1958, chiefly to control greyhound racing and to improve and develop the greyhound industry.

Bord na gCon is a body corporate and a separate legal entity to the Department of Agriculture, Food and the Marine. Accordingly, the information being requested by the Deputy has been forwarded to Bord na gCon for direct reply.

### **Greyhound Industry Data**

403. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine the number of active greyhound owners, by county, in tabular form. [53093/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Bord na gCon is a commercial State body, established under the Greyhound Industry Act, 1958, chiefly to control greyhound racing and to improve and develop the greyhound industry.

Bord na gCon is a body corporate and a separate legal entity to the Department of Agriculture, Food and the Marine. Accordingly, the information being requested by the Deputy has been forwarded to Bord na gCon for direct reply.

### **Greyhound Industry Data**

404. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine the number of greyhounds that coursed in the 2015-16 season; the number of those greyhounds that coursed in the 2016-17 season; and the number of greyhounds that were identified to the club as being deceased in 2016, in tabular form. [53094/17]

**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 of Bord na gCon.

I have been advised by the ICC that the information requested by the Deputy cannot be provided in the short time available and will therefore be forwarded to the Deputy directly in the coming days.

### **Hare Coursing Regulation**

405. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine if a veterinary surgeon is present at official and unofficial trials at Irish Greyhound Board trialing sessions. [53095/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Bord na gCon is a commercial state body, established under the Greyhound Industry Act, 1958, chiefly to control greyhound racing and to improve and develop the greyhound industry.

Bord na gCon has informed me that a veterinary surgeon is in attendance at all race meetings and sales trials at Bord na gCon licenced stadia to ensure that appropriate care is provided to injured greyhounds and to advise the stewards on matters relating to greyhound welfare. A veterinary surgeon is not present at official and unofficial trials; however, contact details for a local veterinary surgeon can be provided by the track hosting the trials if the need arose.

### **Basic Payment Scheme Payments**

406. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if he will address a matter regarding unpaid farm payments in the case of a person (details supplied); and if he will make a statement on the matter. [53117/17]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The 30% balancing payment under the 2017 Basic Payment Scheme is due to issue to the person named very shortly.

The person named had 0.35 unused payment entitlements under the 2015 and 2016 Basic Payment Scheme years which are now due to revert to the National Reserve because they are unused. A letter has issued to the person named in the past week to inform him of this non-usage and to provide him with an opportunity to appeal this decision to the Department within 14 days if he wishes to do so.

### **Broadband Service Provision**

407. **Deputy Fiona O'Loughlin** asked the Minister for Communications, Climate Action and Environment when Carbury, County Kildare, will have access to fibre broadband; and if he will make a statement on the matter. [52604/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The Government's National Broadband Plan (NBP) aims to 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 today over 67% of the 2.3m premises in Ireland have access to high speed broadband. This is set to increase to 77% (1.8m premises) by the end of 2018 and to 90% (2.1m premises) by the end of 2020.

In April I published an updated High Speed Broadband Map which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). This 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 National Broadband Plan (NBP).

The Map is colour coded and searchable by address/eircode:

- The AMBER areas represent the target areas for the proposed State led Intervention under the NBP and are the subject of an ongoing procurement process.

- The BLUE areas represent those areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services.

- The Light BLUE areas represent eir's commercial rural deployment plans to roll out 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 there are no premises in the townland of Carbury which fall within the AMBER area. 90% (54) fall within the BLUE area and 10% (6) are LIGHT BLUE.

Information on eir's planned rural deployment, including estimated rollout times, is available at <http://fibrerollout.ie/eircode-lookup/>. A copy of the Commitment Agreement is available on my Department's website [www.dccae.gov.ie](http://www.dccae.gov.ie) as are quarterly updates on eir's rural

deployment. eir has committed to completing the rollout by the end of 2018.

In the interim, practical initiatives will continue to be addressed through the work of the Mobile Phone and Broadband Taskforce to address obstacles and improve connectivity in respect of existing and future mobile phone and broadband services.

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.

### **Fisheries Protection**

408. **Deputy Dara Calleary** asked the Minister for Communications, Climate Action and Environment the status of his recent discussions with the board of Inland Fisheries Ireland, IFI, regarding the review of pike controls; and if he will make a statement on the matter. [52644/17]

409. **Deputy Dara Calleary** asked the Minister for Communications, Climate Action and Environment if his attention has been drawn to the concerns being expressed in counties Mayo and Galway about proposals to relax pike control; his views on whether these proposals will harm trout fisheries in particular; if his attention has been further drawn to the importance of the wild brown trout fisheries in these counties; and if he will make a statement on the matter. [52645/17]

**Minister of State at the Department of Communications, Climate Action and Environment (Deputy Seán Kyne):** I propose to take Questions Nos. 408 and 409 together.

IFI has been involved in the management of pike in designated Wild Brown Trout Fisheries for a number of years. In August 2014 IFI launched policies on brown trout and pike. These policies, approved by the Board of IFI, were developed by two working groups which included *inter alia* representatives from the main Trout and Pike Angling Federations.

A review of these policies was scheduled to commence in 2017. However, recognising the views of some stakeholders in relation to elements of the policies, the Board of IFI decided to bring forward the review period and commence the process in 2016 with a public consultation process. The public consultation process was held in November 2016 through which more than 300 submissions were received.

One of the most important issues considered in the previous policies relates to the management of pike in designated Wild Brown Trout fisheries. In late 2016, a Review Group, across all disciplines in IFI, was established to specifically consider this issue. The Review Group met with Pike and Trout representative bodies in January 2017 following which representatives from a number of these organisations were invited to join the Group.

In May 2017, the Group, including the pike and trout angling representatives, met for two information gathering meetings at which a number of expert scientists made presentations. The Review Group subsequently reviewed and assimilated the data and information provided during the two information gathering meetings. The Group reconvened in September 2017.

The presentations delivered to the Group, along with minutes of the meetings and the public consultation submissions, are publicly available on the IFI website: [www.fisheriesireland.ie](http://www.fisheriesireland.ie).



IFI have advised that the report of the Review Group is expected to be finalised in 2018. Therefore, no proposals have been made as regards relaxing pike controls or any other matter. Decisions on any change in the management of Pike and Trout will be made as soon as possible after the Group reports.

I want to emphasise that while the policy review is underway, delivery of current IFI pike management practices has continued in line with the existing policy. Therefore, there has been no change to current policy or practice regarding the management of pike in designated wild brown trout fisheries. Stock management operations are normally commenced in February each year and IFI will continue to implement stock management programmes, in line with current policy.

### **Renewable Energy Feed in Tariff Scheme Data**

410. **Deputy Kevin O’Keeffe** asked the Minister for Communications, Climate Action and Environment further to Parliamentary Question No. 756 of 18 October 2016, the final percentage of the 310 MW of renewable energy achieved in relation to the REFIT 3 scheme, in view of the fact that at the time of the previous reply, his Department was still in the process of making final decisions on applications. [52689/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The REFIT 3 (Renewable Energy Feed in Tariff) scheme closed at the end of 2015 and was designed to incentivise the addition of 310 MW of renewable electricity from biomass technologies to the Irish electricity grid.

My officials are continuing to liaise with the remaining non-compliant REFIT 3 applicants for outstanding documentation required in order to be eligible for this Scheme. REFIT 3 applicants have until the 31st December 2017 to submit this documentation. Currently 254 MW (amounting to 82% of the capacity available) of renewable electricity projects are compliant under the REFIT 3 scheme and have received a letter of offer from my Department. However, not all of these projects are fully operational and exporting energy as yet and therefore not all are currently in receipt of payments via the REFIT 3 Scheme. Projects must be operational by September 2019 to be eligible for REFIT 3 support.

### **Broadband Service Provision**

411. **Deputy Fiona O’Loughlin** asked the Minister for Communications, Climate Action and Environment when a location (details supplied) will be supplied with fibre broadband. [52748/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The Government’s National Broadband Plan (NBP) aims to 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 today over 67% of the 2.3m premises in Ireland have access to high speed broadband. This is set to increase to 77% (1.8m premises) by the end of 2018 and to 90% (2.1m premises) by the end of 2020.

In April I published an updated High Speed Broadband Map which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). This 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 un-



der the National Broadband Plan (NBP).

The Map is colour coded and searchable by address/eircode:

- The AMBER areas represent the target areas for the proposed State led Intervention under the NBP and are the subject of an ongoing procurement process.

- The BLUE represent those areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services.

- The 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 premises referred to by the Deputy is in an AMBER area and will be able to access a high speed broadband connection via the planned State led intervention.

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. My Department will engage with the winning bidder(s) to ensure the most efficient deployment as part of the contract.

I recognise the importance of availability of high speed connectivity for all premises in Ireland and the frustration for communities and businesses that do not currently have access to this level of connectivity. Delivering connectivity to the 542,000 premises (including over 13,000 in Kildare) 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.

In the interim, practical initiatives will continue to be addressed through the work of the Mobile Phone and Broadband Taskforce to address obstacles and improve connectivity in respect of existing and future mobile phone and broadband services.

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.

### **Post Office Closures**

412. **Deputy Colm Brophy** asked the Minister for Communications, Climate Action and Environment the post offices which closed in County Clare in each of the years 2002 to 2016 and to date in 2017; and if he will make a statement on the matter. [52843/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The information requested is an operational matter for the Board and management

of An Post and not one in which I, as Minister, have a statutory function.

### **Broadband Service Provision**

413. **Deputy Bernard J. Durkan** asked the Minister for Communications, Climate Action and Environment when fibre optic high-speed broadband will be provided to a person (details supplied) who is 100 m from connection to the services; and if he will make a statement on the matter. [52844/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The Government's National Broadband Plan (NBP) aims to 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 today over 67% of the 2.3m premises in Ireland have access to high speed broadband. This is set to increase to 77% (1.8m premises) by the end of 2018 and to 90% (2.1m premises) by the end of 2020.

In April I published an updated High Speed Broadband Map which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). This 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 National Broadband Plan (NBP).

The Map is colour coded and searchable by address/eircode:

- The AMBER areas represent the target areas for the proposed State led Intervention under the NBP and are the subject of an ongoing procurement process.

- The BLUE represent those areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services.

- The 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 there are 141 premises in the townland of Ticknevin, Co Kildare of which 27 premises fall within the AMBER area and will require State Intervention. The remaining 114 premises fall within the LIGHT BLUE area and are to be covered by eir's planned rural deployment. Individuals can themselves check whether their premises is in an AMBER, BLUE or LIGHT BLUE area by accessing the High Speed Broadband Map and entering their Eircode at [www.broadband.gov.ie](http://www.broadband.gov.ie) Information on eir's planned rural deployment is available from eir at <http://fibrerollout.ie/eircode-lookup/>

Concerning the specific premises referenced by the Deputy, and following contact between the Deputy's office with a view to establishing the eircode of the premise I can confirm that the referenced premises is in the AMBER area and will be part of the State led intervention under the NBP. While I note that the premises is close to eir's ongoing rural deployment of high speed broadband to 300,000 premises it is important to understand that decisions made by private telecommunication operators relating to the rollout and siting of infrastructure to provide high speed broadband services throughout Ireland are undertaken on a commercial basis by competing service providers operating in a liberalised market and are not decisions in which I have a statutory role.

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. The “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 and plans to priority areas, for the network build and rollout.

I recognise the importance of availability of high speed connectivity for all premises in Ireland and the frustration for communities that do not currently have access to this level of connectivity. Delivering connectivity to the 542,000 premises (including the 27 premises in Ticknevin) 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.

As part of this procurement process, the bidder(s) will be required to submit their strategies, including timescales, for the network build and rollout. My Department will engage with the winning bidder(s) to ensure the most efficient deployment as part of the contract.

In the interim, practical initiatives will continue to be addressed through the work of the Mobile Phone and Broadband Taskforce to address obstacles and improve connectivity in respect of existing and future mobile phone and broadband services.

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.

### **National Broadband Plan Implementation**

414. **Deputy Lisa Chambers** asked the Minister for Communications, Climate Action and Environment the status of the procurement process for the national broadband plan; the status and timeframe of the work carried out in the process to date; when the procurement process will be complete; and if he will make a statement on the matter. [52942/17]

415. **Deputy Lisa Chambers** asked the Minister for Communications, Climate Action and Environment the areas in County Mayo and the number of households that will be designated and included in the category of State intervention areas in relation to the implementation of the national broadband plan, in tabular form; when roll-out of the project will commence; when the project will be completed; if the plan and roll-out will include the provision of fibre broadband; and if he will make a statement on the matter. [52943/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** I propose to take Questions Nos. 414 and 415 together.

The Government’s National Broadband Plan (NBP) aims to 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 today over 67% of the 2.3m premises in Ireland have access to high speed broadband. This is set to increase to 77% (1.8m premises) by the end of 2018 and to 90% (2.1m premises) by the end of 2020.

In April I published an updated High Speed Broadband Map which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). This 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 National Broadband Plan (NBP).

The Map is colour coded and searchable by address/eircode:

- The AMBER areas represent the target areas for the proposed State led Intervention under the NBP and are the subject of an on-going procurement process.

- The BLUE represent those areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services.

- The 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 over 36,000 (44%) premises in Mayo fall within the AMBER area. Nearly 32,000 (38%) fall within the BLUE area and approximately 14,500 (18%) are LIGHT BLUE.

Individuals can themselves check whether their premises are in an AMBER, BLUE or LIGHT BLUE area by accessing the High Speed Broadband Map and entering their Eircode at [www.broadband.gov.ie](http://www.broadband.gov.ie).

In December 2015 my Department began a formal procurement process to select a bidder or bidders who will roll-out a new high speed broadband network in the State intervention area. Having moved through the Pre-qualification Questionnaire (PQQ) and Invitation to Participate in Dialogue (ITPD) stages, 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. My Department will engage with the winning bidder(s) to ensure the most efficient deployment as part of the contract. Bidders have indicated to officials in my Department that they intend to use a mostly Fibre to the Home solution for the State intervention network.

### **National Broadband Plan Implementation**

416. **Deputy Lisa Chambers** asked the Minister for Communications, Climate Action and Environment the actions being taken to ensure that commercial operators follow through on their commitments to deliver high-speed broadband services to areas marked in blue and light blue on the high-speed broadband map; the deadline within which such works must be completed by commercial operators; the estimated completion dates for each blue and light blue area in County Mayo, in tabular form; if there is a provision for redesignation of these areas as State intervention areas if the services are not delivered; and if he will make a statement on the matter. [52944/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The Government's National Broadband Plan (NBP) aims to 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 today over 67% of the 2.3m premises in Ireland have access to high speed broadband and this is set to increase to 77% (1.8m premises) by the end of 2018 and to 90% (2.1m premises) by the end of 2020.

In April I published an updated High Speed Broadband Map which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). This 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 National Broadband Plan (NBP).

The Map is colour coded and searchable by address/eircode:

- The AMBER areas represent the target areas for the proposed State led Intervention under the NBP and are the subject of an ongoing procurement process.

- The BLUE represent those areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services.

- The 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.

In April 2017, I signed a Commitment Agreement with eir in relation to its plans to provide High speed broadband to 300,000 premises in rural areas on a commercial basis. Under the terms of this Commitment Agreement, eir has committed to passing these premises by the end of 2018. The number of premises to be passed every quarter is set out in the Commitment Agreement a copy of which is available on my Department's website [www.dccae.gov.ie](http://www.dccae.gov.ie).

Estimated deployment dates are provided for the eir's rural deployment on its website [www.fiberrollout.ie](http://www.fiberrollout.ie). The following table indicates the estimated dates relating to eir's rural deployment in Co. Mayo.

COUNTY	AREA	TIMEFRAME FOR ROLLOUT	PREMISES
MAYO	ACHILL SOUND	Second Half 2018	118
MAYO	ATTYMASS	Second Half 2018	130
MAYO	AYLE	Second Half 2018	203
MAYO	BALLA	Second Half 2018	370
MAYO	BALLINA	First Half 2018	621
MAYO	BALLINDINE	First Half 2018	368
MAYO	BALLINROBE	First Half 2018	436
MAYO	BALLYCROY	Second Half 2018	55
MAYO	BALLYGLASS	Second Half 2018	212
MAYO	BALLYHAUNIS	Second Half 2018	354
MAYO	BALLYHEANE	Second Half 2017	343
MAYO	BALLYVARY	First Half 2018	284
MAYO	BANGOR ERRIS	Second Half 2018	310
MAYO	BARNATRA	Second Half 2017	316
MAYO	BEKAN CROSS	Second Half 2018	206
MAYO	BELCARRA	First Half 2017	337
MAYO	BELMULLET	Second Half 2017	533
MAYO	BINGHAMSTOWN	Second Half 2018	235
MAYO	BLACKSOD	Second Half 2018	298



COUNTY	AREA	TIMEFRAME FOR ROLLOUT	PREMISES
MAYO	BOHOLA	First Half 2018	201
MAYO	BONNICONLON	Second Half 2018	349
MAYO	CARROWMO-RELACKEN	Second Half 2018	153
MAYO	CASTLEBAR	Second Half 2017	1092
MAYO	CHARLESTOWN	Second Half 2018	537
MAYO	CLAREMORRIS	Second Half 2018	436
MAYO	CLOGHANS	Second Half 2018	70
MAYO	CONG	First Half 2018	354
MAYO	CROSS	Second Half 2018	60
MAYO	CROSSMOLINA	First Half 2018	233
MAYO	CURRANE	Second Half 2018	148
MAYO	DOOLEEG	Second Half 2018	17
MAYO	FOXFORD	First Half 2018	311
MAYO	GARRANARD	Second Half 2018	77
MAYO	GEESALA	Second Half 2018	389
MAYO	GLENISLAND	Second Half 2018	46
MAYO	HOLLYMOUNT	Second Half 2018	293
MAYO	KILKELLY	First Half 2018	231

As per the obligations of the Commitment Agreement, officials from my Department meet with eir on a monthly basis to review the company's performance. The purpose of these review meetings is for eir to report progress against each sub-milestone task and also to identify any risks or issues and their associated risk mitigation plans. These sub-milestones cover the tasks that are required to deliver high speed broadband to premises within the Planned Rural Deployment area. A detailed definition of each sub-milestone is provided in the Commitment Agreement.

Following evaluation by officials from my Department of eir's Q3 progress report I can confirm that eir has met its Q3 2017 milestone of 101,000 premises passed.

There is provision within the Commitment Agreement for the re-designation of the LIGHT BLUE areas as State intervention areas. The Commitment Agreement provides the Minister with the right to change the Intervention area and incorporate premises from the LIGHT BLUE area into the AMBER area where eir fail to fulfil their obligations under the Agreement.

There is no commitment agreement in place with commercial operators for the BLUE areas of the High Speed Broadband Map. However, my Department continues to monitor deployment progress and any issues that arise. Where commercial plans to provide access to high speed broadband to premises within a BLUE area do not materialise, it is my intention that the implementation of the NBP will ultimately overcome these issues and that all premises will be able to access high-speed broadband services.

Through the work of the Mobile Phone and Broadband Taskforce practical initiatives will continue to address obstacles and improve connectivity in respect of existing and future mobile phone and broadband services.

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 consis-



tency 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.

### **Better Energy Homes Scheme**

417. **Deputy Fergus O'Dowd** asked the Minister for Communications, Climate Action and Environment his plans to include the replacement of windows under SEAI grants; if the replacement of windows to improve BER rating and reduce carbon footprints is in his Department's future plans; if so, the details of same; and if he will make a statement on the matter. [53009/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The Better Energy programme is funded by my Department and operated by the Sustainable Energy Authority of Ireland (SEAI). The measures currently offered under the Better Energy Homes (BEH) and Warmer Homes Schemes (WHS) were selected as the best balance that could be achieved between the limited resources available to the schemes, the number of homes that can receive support and the energy savings that can be delivered. In short, the measures supported under the BEH and WHS are those that can deliver the most energy savings at the lowest cost to the highest number of people. While upgrading windows and doors does improve the energy efficiency of a home, the cost of these measures is high in relation to the energy efficiency gains made.

In the case of deep renovation of homes, window upgrades are eligible for funding under the Deep retrofit programme, which funds 50% of the cost of getting a home to a Building Energy Rating of A3 or higher. The same level of funding is available for window and door upgrades under the Better Energy Communities scheme, when carried out as part of deep retrofit.

Earlier this year I also announced that homes with particularly low thermal efficiency, that qualify for the Warmer Homes Scheme, will also now be eligible for a deeper retrofit package in addition to the currently funded measures; this could include windows and doors if deemed necessary at point of survey. Additionally, under the Warmth & Wellbeing pilot scheme, which is led by my Department in collaboration with the Department of Health, energy efficient windows and doors are installed wherever a surveyor deems them necessary.

The Deputy may also note that the Department of Housing, Planning and Local Government funds the Housing Aid for Older People scheme. This scheme is administered by Local Authorities and provides grants to older people living in poor housing conditions to have necessary repairs or improvements carried out. Eligible works include repairs to (or replacement of) windows and doors.

### **Broadband Service Provision**

418. **Deputy Tom Neville** asked the Minister for Communications, Climate Action and Environment his views on a matter (details supplied) regarding the provision of fibre broadband; and if he will make a statement on the matter. [53052/17]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The Government's National Broadband Plan (NBP) aims to 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 today over 67% of the 2.3m premises in Ireland have access to high speed broadband and this

is set to increase to 77% (1.8m premises) by the end of 2018 and to 90% (2.1m premises) by the end of 2020.

In April I published an updated High Speed Broadband Map which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). This 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 National Broadband Plan (NBP).

The Map is colour coded and searchable by address/eircode:

- The AMBER areas represent the target areas for the proposed State led Intervention under the NBP and are the subject of an ongoing procurement process.

- The BLUE represent those areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services.

- The 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 eircode referenced by the Deputy is located in an AMBER area and will receive access to high speed broadband under the NBP State Intervention. Individuals can themselves check whether their premises is in an AMBER, BLUE or LIGHT BLUE area by accessing the High Speed Broadband Map and entering their Eircode at [www.broadband.gov.ie](http://www.broadband.gov.ie).

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. The "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 or the network build and rollout. My Department will engage with the winning bidder(s) to ensure the most efficient deployment as part of the contract.

I recognise the importance of availability of high speed connectivity for all premises in Ireland and the frustration for communities, schools and businesses that do not currently have access to this level of connectivity. 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.

In the interim, practical initiatives will continue to be addressed through the work of the Mobile Phone and Broadband Taskforce to address obstacles and improve connectivity in respect of existing and future mobile phone and broadband services.

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.

### **Road Projects Status**

419. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport if repair works will be carried out at a bridge (details supplied). [53202/17]

**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. In cases where a piece of bridge infrastructure is owned by a party other than the Road Authority (for example by Irish Rail or Waterways Ireland) then it is a matter for the Road Authority to liaise with the appropriate party regarding maintenance responsibilities.

It is expected that regional and local road allocations for 2018 will be notified to local authorities in January 2018.

### **Rail Services Provision**

420. **Deputy Jack Chambers** asked the Minister for Transport, Tourism and Sport his plans to address the problem of overcrowding of rail carriages on the Dublin Connolly to Maynooth line; if this issue will be considered as part of the timetable revision by Irish Rail due in early 2018; if consideration will be given to an additional peak-time service starting from Clonsilla train station at which there is a third platform; and if he will make a statement on the matter. [52593/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The issues raised are matters for the National Transport Authority (NTA), in conjunction with Iarnród Éireann, and I have referred the Deputy's question to the NTA for direct reply. Please advise my office if you do not receive a reply within 10 working days.

### **Appointments to State Boards Data**

421. **Deputy James Lawless** asked the Minister for Transport, Tourism and Sport the boards and agencies within his Department's remit; the current number of vacancies on these boards or agencies; the duration of each of these vacancies; the number of vacancies that have been filled since 8 May 2016; the timeframe for filling these vacancies; and if he will make a statement on the matter. [52595/17]

**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 [www.dttas.ie/corporate/english/state-board-membership-and-approved-fees](http://www.dttas.ie/corporate/english/state-board-membership-and-approved-fees).

Subject to legislative requirements, it is at the Minister's discretion that vacancies arising are filled or left vacant. When a vacancy occurs or is due to occur, the justification for filling the vacancy is reviewed and a decision made by me. In so far as possible, arrangements, such as time for the PAS selection process (details of their processes are available on their website [www.stateboards.ie/stateboards/](http://www.stateboards.ie/stateboards/)), are put in place to allow an approved vacancy to be filled as close as possible to the date that the vacancy arises.

## Public Transport Provision

422. **Deputy Tom Neville** asked the Minister for Transport, Tourism and Sport his views on a matter (details supplied); and if he will make a statement on the matter. [52601/17]

**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 10 working days.

## Driver Test Regulations

423. **Deputy Fiona O'Loughlin** asked the Minister for Transport, Tourism and Sport the assistance available for persons with learning difficulties who are sitting their driving theory test; and if he will make a statement on the matter. [52603/17]

**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.

## Driver Test Waiting Lists

424. **Deputy Peter Burke** asked the Minister for Transport, Tourism and Sport if a driving test application by a person (details supplied) will be expedited; and if he will make a statement on the matter. [52677/17]

**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.

## Road Projects Status

425. **Deputy James Browne** asked the Minister for Transport, Tourism and Sport his plans for an inner orbit road from Whitemill, Clonard to Coolcotts in County Wexford; and if he will make a statement on the matter. [52718/17]

**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. The Department has not received any proposal for such an inner orbit road from Wexford County Council.

## Bus Services

426. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport the number of bus stops on the Dublin Bus network; the number of bus stops that have a shelter

facility; his plans to provide shelter at all Dublin bus stops; the provisions made at Dublin bus stops for persons with mobility issues and-or access issues; his plans to improve same; and if he will make a statement on the matter. [52738/17]

427. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport the number of bus stops on the Bus Éireann network; the number of bus stops that have a shelter facility; his plans to provide shelter at all Bus Éireann stops; the provisions made at Bus Éireann stops for persons with mobility issues and-or access issues; his plans to improve same; and if he will make a statement on the matter. [52739/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take Questions Nos. 426 and 427 together.

The National Transport Authority (NTA) has statutory responsibility for the development of bus stops, bus shelters, bus stations etc in the State.

As the Deputy is aware, accessibility features are built into all new public transport infrastructure projects and vehicles from the design stage and new systems are fully accessible. In addition, 100% of the Dublin Bus and Bus Éireann city fleets are wheelchair accessible, as well as approximately 80% of the Bus Éireann coach fleet.

With regard to existing infrastructure, there is an ongoing programme to upgrade public transport infrastructure and facilities to help improve transport accessibility across the country, including the installation of wheelchair accessible bus stops. The programme is managed by the NTA on behalf of my Department.

In light of the NTA's responsibility in this area, I have referred the Deputy's question to the Authority for a more detailed reply. Please advise my private office if you do not receive a reply within 10 working days.

### **Sports Capital Programme Eligibility**

428. **Deputy Declan Breathnach** asked the Minister for Transport, Tourism and Sport the appeal mechanism available under the sports capital grant scheme to clubs that were not allocated funding due to minor errors in their application; if further funding will be available to deal with such appeals; and if he will make a statement on the matter. [52760/17]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin):** When the 2017 Sports Capital Programme was advertised, my Department issued a guide to filling out the application form which set out the Department's minimum requirements that applicants had to meet to be considered for funding.

Applications were deemed invalid primarily for one or more of the following reasons:

- Title/Access requirements of the Sports Capital Programme not satisfied
- Evidence of own funding not provided in prescribed format
- Insufficient own funding

All applicants have now been contacted with details of the outcome of the assessment of their application, including details of why applications were deemed invalid.

Organisations may appeal these decisions if they believe that an error has been made by the

Department in deeming their application invalid and the details of how to make the appeal have been communicated to the clubs in question.

Separately, my Department is undertaking a general review of all invalid applications including those where incorrect or incomplete documentation was submitted. Decisions in relation to how to redress any successful appeals including funding for same and future improvements to further reduce the level of invalid applications will be taken once these reviews are complete.

### **Sports Capital Programme Eligibility**

429. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the reason a club (details supplied) was deemed ineligible for a sports capital grant. [52761/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I can confirm that the organisation referred to by the Deputy applied for a grant under the 2017 Sports Capital Programme.

When the 2017 Programme was advertised my Department issued a guide to filling out the application form which set out the Department's minimum requirements that applicants had to meet to be considered for funding.

While I do not think that it is appropriate to publish the specific reasons why individual applications were deemed invalid at this stage, applications were deemed invalid primarily for one or more of the following reasons:

- Title/Access requirements of the Sports Capital Programme not satisfied
- Evidence of own funding not provided in prescribed format
- Insufficient own funding

All applicants have now been contacted with details of the outcome of the assessment of their application, including details of why applications were deemed invalid. Relevant organisations have also been informed that they may appeal these decisions if they believe that an error has been made in deeming their application invalid.

### **Road Safety**

430. **Deputy Danny Healy-Rae** asked the Minister for Transport, Tourism and Sport if he will request Transport Infrastructure Ireland, TII, and the Road Safety Authority, RSA, to prioritise the need for a safer speed limit going through Glenflesk village and to improve the street lights also (details supplied). [52792/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** While the Road Traffic Act 2004 sets default speed limits for various categories of roads, elected members of local authorities have statutory responsibility for deciding on and making appropriate Special Speed Limit bye-laws for roads within their administrative area, and in the case of national roads, such as the N22 in this case, subject to the consent of Transport Infrastructure Ireland (TII).

To assist local authorities in the application of Special Speed Limits, my Department's updated Guidelines for Setting and Managing Speed Limits in Ireland, which is available to all local authorities, reiterates the statutory responsibilities of elected members in relation to the



making of such Special Speed Limit bye-laws, subject to following Department Guidelines.

Therefore, any decision as to whether to reduce the speed limit on the N22 in Glenflesk village and from Lisivigeen Roundabout to the bottom of Pike Hill in Killarney is a matter for Kerry County Council with the prior written consent of TII.

The provision of street lighting also comes under the remit of the local authority in the first instance.

Noting the foregoing position, I have therefore referred the Deputy's question to TII for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

### Fishing Vessel Safety

431. **Deputy Pat Casey** asked the Minister for Transport, Tourism and Sport if a fishing vessel other than a vessel (detail supplied) has been required to be lengthened due to stability failings; and if he will make a statement on the matter. [52803/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Marine Survey Office (MSO) of my Department does not require Irish Fishing Vessel owners to lengthen their vessels. However they do carry out surveys on the Irish Fishing Vessels to ensure they are complying with the relevant regulations. Any decision to lengthen fishing vessels is a matter for each owner.

### Fishing Vessel Safety

432. **Deputy Pat Casey** asked the Minister for Transport, Tourism and Sport the number of times fishing vessels over 15 m have been stability tested or witnessed for same by the Marine Survey Office in each of the years 2009 to 2016 and to date in 2017; and if he will make a statement on the matter. [52804/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Marine Survey Office (MSO) of my Department does not collate data on fishing vessel surveys based on stability testing so unfortunately the data requested is not available. The table below however provides a breakdown of fishing vessel surveys carried out from 2009 – 2017 based on general headings to cover all Fishing Vessel survey and certification activities which may help.

Dates	Fishing Vessels >24m	Fishing Vessels 15-24m
2009	11	38
2010	23	102
2011	6	107
2012	21	64
2013	12	129
2014	36	149
2015	33	96
2016	38	81
2017	28	69

### Public Service Vehicles

433. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport his plans to introduce a new class of public service vehicle which would cater for the specific needs of ceremonial cars and limousines that do not run up high mileage or engage in every day usage (details supplied). [52827/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The regulation of the small public service vehicle (SPSV) industry, including the making of licensing regulations for SPSVs, is a matter for the National Transport Authority (NTA) under the provisions of the Taxi Regulation Act 2013.

Under current legislation, there are three categories of SPSV licence available to those applying for a first-time licence, namely wheelchair accessible taxi, wheelchair accessible hackney, and limousine. I have no plans at present to change policy relating to categories of licence for SPSVs.

However, in order to be of assistance, I have referred your question to the NTA for their consideration and direct reply to you. Please advise my private office if you do not receive a response within 10 working days.

### **Road Projects**

434. **Deputy Michael Fitzmaurice** asked the Minister for Transport, Tourism and Sport the reason for the decision to opt for the green option on the route selection for the Foynes to Adare road project; and if he will make a statement on the matter. [52828/17]

435. **Deputy Michael Fitzmaurice** asked the Minister for Transport, Tourism and Sport the methodology and assessments carried out when choosing the green option for the route selection for the Foynes to Adare road project; if copies of these assessments are available; and if he will make a statement on the matter. [52829/17]

436. **Deputy Michael Fitzmaurice** asked the Minister for Transport, Tourism and Sport the level of community consultation that was involved when choosing the green option for the route selection for the Foynes to Adare road project in view of the fact that many farms will be split should this green option go ahead; and if he will make a statement on the matter. [52830/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take Questions Nos. 434 to 436, inclusive, together.

As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for Transport Infrastructure Ireland under the Roads Acts 1993-2015 in conjunction with the local authorities concerned.

Noting the above position, I have referred the Deputy's question to TII for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

### **National Car Test**

437. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the reason National Car Testing, NCT services are not open to the tendering process as is the case other in European countries; and the reason no competition is allowed in this regard. [52832/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The operation and oversight of the National Car Test (NCT) , including the tendering process involved with the NCT, is the statutory responsibility of the Road Safety Authority.

I have therefore referred the question to the Authority for direct reply. I would ask the Deputy to contact my office if a response has not been received within ten days.

### **Rail Network Expansion**

438. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport if design plans for the electrification of the Maynooth rail line in 2018 will be completed in order to have the project in a state of readiness ahead of 2020; and if he will make a statement on the matter. [52854/17]

439. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport if the progress made to date regarding the design work that has been carried out on the proposed electrification of the Maynooth train line will be published; his plans to extend this project to Kilcock; if consideration has been given to extending the project further in view of the fact that these areas are part of the suburban rail network price and or fare structures; and if he will make a statement on the matter. [52856/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take Questions Nos. 438 and 439 together.

I wish to advise the Deputy that 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 also allow further progress to be made on the electrification of both the Northern rail line to Balbriggan and the Maynooth line.

Limited design work has been carried out on the electrification of the Northern Line to Maynooth to date. Following the additional funding announced as a result of the capital plan review, it is intended to reactivate the design and planning work for this project during 2018.

At this stage it is not possible to be prescriptive on the construction commencement date as this can only be finalised following the completion of initial design work. However, it is likely to be 2021 before building work starts, subject to receipt of the necessary statutory planning approval. Planning consent is likely to be sought during 2020.

The NTA's Transport Strategy for the Greater Dublin Area 2016-2035 which provides a framework for the planning and delivery of transport infrastructure and services in the GDA over the next two decades does not envisage an extension of the line beyond Maynooth.

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.

## **Rural Transport Programme Funding**

440. **Deputy Peter Burke** asked the Minister for Transport, Tourism and Sport if grants are offered by his Department that pay for a taxi service for elderly and immobile persons who live alone and cannot avail of public transport; and if he will make a statement on the matter. [52867/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism and Sport, I have responsibility for policy and overall funding in relation to public transport. There is no grant available from my Department to fund the type of taxi service outlined by the Deputy.

My Department's high-level policy goal for accessible public transport is embodied in the concept of Transport Access for All. This policy is based on the provisions of the Disability Act 2005 and related Government strategies, in particular the National Disability Inclusion Strategy (NDIS) 2017-2021 launched in July last. The NDIS includes a number of transport-related actions, for which the Department, the National Transport Authority (NTA) and-or passenger transport operators have lead responsibility for implementing.

Funding is provided to the NTA by my Department for the Rural Transport Programme, which now operates under the "Local Link" brand. Its mission statement is to provide a quality nationwide community based public transport system in rural Ireland which responds to local needs. Core objectives include addressing social exclusion arising from unmet transport needs and greater integration of its services with other public transport services.

## **Cycling Facilities Provision**

441. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Transport, Tourism and Sport his plans to support by way of funding, the plans for a cycle path and a footbridge over the N40 in Cork which will link the Grange area to the Tramore Valley Park. [52891/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for Transport Infrastructure Ireland under the Roads Acts 1993-2015 in conjunction with the local authorities concerned. Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for TII in accordance with Section 19 of the Roads Act.

Noting the above position, I have referred the Deputy's question to TII for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

## **Sports Capital Programme**

442. **Deputy Sean Sherlock** asked the Minister for Transport, Tourism and Sport his plans to implement and administer a 2018 sports capital grant fund; and when applications will be open. [52892/17]

**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 mil-

lion 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, significant extra resources were secured to allocate under the round.

The allocations in respect of all local applications were announced on Thursday 30th November and full details of these allocations are available on my Department's website. The priority in the medium term will be on advancing these projects. A decision on the timing of the next round of the programme will be taken next year and all clubs and sports organisations registered with my Department will be informed at the time.

### **Traffic Management**

443. **Deputy Róisín Shortall** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question No. 207 of 23 November 2017, the programmes he plans to implement to address congestion in the greater Dublin area; and if he will make a statement on the matter. [52937/17]

444. **Deputy Róisín Shortall** asked the Minister for Transport, Tourism and Sport the steps he is taking to ensure short and medium-term relief for severe congestion on the Swords Road and the Drumcondra Road corridor; and if he will make a statement on the matter. [52938/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take Questions Nos. 443 and 444 together.

I wish to advise the Deputy that following the mid-term review of the Capital Plan, Budget 2018 provided 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. The increased funding will allow rollout of a number of key programmes to address congestion and emerging capacity constraints on our public transport system to address congestion in the greater Dublin area and I would like to set these out as follows.

The four-year capital envelope for public transport includes investment of over €770 million for the BusConnects programme to address growing congestion in the Dublin region in the short to medium term. This programme, which was launched earlier this year by the National Transport Authority (NTA), is a plan to fundamentally transform Dublin's bus system, so that journeys for passengers by bus will be fast, reliable, punctual, convenient and affordable. It represents a reimagining of bus transport for the Dublin region. At the heart of this proposal to develop continuous bus lanes as far as is practicable along the busiest bus corridors along with a network of park and ride facilities at key locations. Work is ongoing on the redesign of the bus services network and also on infrastructure proposals for Core Bus Corridors which will be an integral part of the programme. When this work is completed the proposals will be launched for public consultation in the first half of next year. The results of the public consultation will inform the final decisions to be made on the network redesign and the Core Bus Corridors including specific routes and corridors.

The four-year capital envelope for public transport will also enable increased investment in the order of €130 for sustainable transport projects in our main cities including Dublin. This investment is aimed at traffic management measures, bus priority and other smarter travel projects in order to allow transport infrastructure to function more effectively and to ease traffic congestion.



Over €110 million will also be invested in new urban cycling and walking routes in our main cities, including Dublin, which will provide additional sustainable travel options to complement increased capacity and faster, higher quality public transport.

Around €230 million is being provided to progress DART Expansion and associated main-line rail enhancements. This will enable acceleration of the initial stages of the overall DART Expansion Programme, focusing on providing additional fleet to enhance capacity, and extending the electrified DART system. Specifically, it will allow substantial progress on electrification of both the Northern rail line as far as Balbriggan and the Maynooth line. Notwithstanding the funding constraints over the last few years, a major upgrading of the City Centre Re-signalling programme was progressed and is already well advanced to completion. Furthermore, limited design work has been carried out on electrification of the Northern Line to Balbriggan to date. Following the additional funding announced as a result of the capital plan review, it is intended to reactivate the design and planning work for this project during 2018.

I wish to also advise the Deputy that in the interim, the NTA, in conjunction with Irish Rail, continues to examine short and medium term options for meeting increased commuter demand on the Northern commuter line. This includes reconfiguring existing maintenance practices and refurbishment of existing rolling stock that can be put into service in 2019 coupled with the commencement of a procurement process to invest in a new fleet to meet longer terms demands.

As a follow-on project from Luas Cross City, I was delighted to recently announce plans for the Luas Green Line Capacity Enhancement Project which will commence in 2018. The purpose of the project is to address current capacity limits at peak hours on the Luas Green Line and to cater for future demands. This will include lengthening of the existing Green Line tram fleet and the purchase of additional trams to meet future passenger demand. In advance of this Luas capacity enhancement project, a complementary project to lengthen the platforms at Green Line stations has already been successfully carried out.

While a longer term solution to address congestion in the greater Dublin area, the 4-year capital envelope progresses preparation of the Metro North project. Construction work on this project will start in 2021, with passenger services starting in 2027. The 10-year capital plan to be published in the coming months will include the funding for the period to complete this significant addition to public transport.

### **Traffic Management**

445. **Deputy Imelda Munster** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to reports that the National Transport Authority, NTA and Dublin City Council intend to ban taxis east west and west east through College Green in Dublin; the future plans for College Green; when the plan will be implemented; and if he will make a statement on the matter. [52981/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy will be aware, the much anticipated new Luas cross city line opened on Saturday 9th December. It will not only serve to reduce traffic congestion in the run up to Christmas but should also result in a reduced need for cars to travel into and through the city centre into the future.

As Minister for Transport, I have responsibility for transport policy matters generally. However, in relation to the specifics of traffic planning and management in particular areas, such as the possibilities referenced in the Deputy's question, responsibility for these issues rests with Dublin City Council working closely with the National Transport Authority.



I have referred your question to the NTA for their consideration and direct reply to you. Please advise my private office if you do not receive a response within 10 working days.

### **Rail Network Expansion**

446. **Deputy Joan Burton** asked the Minister for Transport, Tourism and Sport if there will be progress on the expansion of the DART to the Kildare line in view of the mid-term capital review 2018 to 2021; if not, the other improvements planned between now and 2021 to improve capacity and frequency of services on the Kildare line; and if he will make a statement on the matter. [53014/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy is aware, the National Transport Authority's (NTA) Transport Strategy for the GDA 2016-2035 proposes implementation of the DART Expansion Programme. The overall DART Expansion Programme has a key role to play in delivering an efficient transport system. When fully implemented the enhancements to the heavy rail system provided for in the NTA's Transport Strategy will create a full metropolitan area DART network for Dublin with all of the lines linked and connected. This integrated rail network will provide the core high capacity transit system for the region and will deliver a very substantial increase in peak-hour capacity on all lines from Drogheda, Maynooth, Hazelhatch and Greystones. The original cost of the overall DART Expansion Programme (including the DART Underground Tunnel element) was estimated at €4 billion, of which €3 billion was in respect of the tunnel as originally designed. The Government decided in September 2015 that the original proposal for the tunnel should be redesigned to provide a lower cost solution. I understand that the NTA's work on this is expected to be completed soon.

The Government's budgetary framework for capital investment, as set out in Building on Recovery: Infrastructure and Capital Investment 2016-2021, was reviewed earlier this year in the context of the Mid-Term Review of capital priorities, delivery and funding. Following this work, Budget 2018 increased the multi-annual capital investment funding envelopes for the coming four-year period, including providing an enhanced capital envelope of €2.7 billion for public transport investment between 2018 and 2021. This includes funding in the order of €230 million for mainline rail and DART capacity enhancement. As announced, this will allow acceleration of the initial stages of the overall DART Expansion Programme, focussing particularly at this stage on providing additional fleet to enhance capacity, and extending the electrified DART system. Specifically, it will allow substantial progress on electrification of the Northern rail line as far as Balbriggan - now expected to be delivered in 2022 - and commencing work on the Maynooth line. The remaining elements of the DART Expansion programme are being considered in the context of the 10 year investment plan that is expected to be published in the near future.

In light of the NTA's responsibility in this area, I have forwarded the Deputy's question to the Authority for further information on the issue raised. Please advise my private office if you do not receive a response within ten working days.

### **Transport Policy**

447. **Deputy Imelda Munster** asked the Minister for Transport, Tourism and Sport his plans to change the public transport system away from fossil fuels; the funding allocated for the provision of converting public transport from fossil fuels for 2017 to 2021; and if he will make

a statement on the matter. [53060/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** In Ireland, public transport accounts for less than 5% of total emissions from the land transport sector. As part of Ireland's effort to contain emissions and mitigate climate change, I am strongly committed both to increasing the capacity of our public transport system and to facilitating the uptake of low-emission vehicles and technologies within the public transport sector. Clean and energy efficient vehicles have an important role to play in achieving Ireland's policy objectives of reducing energy consumption and lessening our levels of greenhouse gas emissions.

As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport. Decisions on the acquisition of fleet rest with the relevant bodies: the National Transport Authority (NTA) has statutory responsibility for the procurement of the bus fleet for PSO services; building additional capacity and the procurement of rolling stock for light rail and metro is a matter for Transport Infrastructure Ireland (TII); and the procurement of buses for Dublin Bus' and Bus Éireann's commercial services, rolling stock for the rail system as well as purchases for private bus fleets are all matters for the various individual companies.

Decarbonising transport requires a transformation across all the transport sectors. The recently launched Bus Connects proposal includes a commitment to transition the PSO bus fleet in Dublin towards new low-emission vehicle technologies. It is expected that by 2023 approximately 500 buses will be converted to low-emission vehicles, with plans for full conversion by 2030.

Commuter rail and light rail have been steadily building on the already widespread use of electricity as fuel. Funding of almost €460 million to 2021 will be invested in light rail projects including the Green Line Capacity Enhancement Project which, in addition to the recently completed Luas Cross City project, will add capacity to the light rail network in Dublin through additional and longer trams. Funding is also being allocated to progress new Metro North and the funding required to complete this major project will be provided by the 10 year capital plan due to be published by the end of this year.

€225 million will be invested in heavy rail projects over the next 4 years including the City Centre Resignalling Project in Dublin which will improve speeds through the city centre and the new Central Traffic Control Centre which will help progress the DART Expansion Programme and also generally improve rail movements nationally. Additional funding will also increase the rail fleet and allow further progress to be made on the electrification of both the Northern rail line to Balbriggan and the Maynooth line.

€5.5m is allocated in 2018 and €29m from 2019-2021 for the Carbon Reduction Programme which funds measures to support decarbonising the transport sector. A "Green Public Transport Fund" will support the uptake of low carbon technologies within the public transport sector. This Fund will assist the transition of the national bus fleet to low emission technology by, inter alia, supporting pilots, covering the price differential between the cost of a conventional diesel bus and the cost of an alternatively fuelled vehicle, as well as refuelling infrastructure. Furthermore, the National Policy Framework for Alternative Fuels Infrastructure for Transport in Ireland was published in May to support the deployment of alternative fuels for transport in Ireland and assist in removing any barriers that exist towards greater uptake of low emissions vehicles.

### **Private Bus Operators**

448. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the correct action a private bus company must take to operate a public service; and the considerations taken when a decision is being made with regard to same. [53064/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The issue raised is a matter for the National Transport Authority (NTA) and I have forwarded the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a response within ten working days.

### **Road Traffic Legislation**

449. **Deputy Imelda Munster** asked the Minister for Transport, Tourism and Sport the status of the matter of regulating rickshaws, in view of the fact that he has refused to implement section 31 of the Road Traffic Act 2016 and in further view of the fact that he made a subsequent commitment to produce legislation on the matter; and if he will make a statement on the matter. [53100/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy will be aware, following the legal advice received, the prudent decision was not to commence section 31 in the Road Traffic Act 2016. The legal risk associated with this provision was considered unacceptably high with a strong likelihood that the regulations under the provisions could be challenged and ultimately struck down. Understandably, given this information, I decided not to commence section 31.

In relation to the drafting of legislation, the Deputy will know that I tasked the National Transport Authority (NTA) with conducting a public consultation on this issue in August this year. That consultation concluded on 25 September and the NTA have submitted their report on the consultation and their related recommendations. These inputs are currently being examined and form part of the consideration as my Department prepares a Regulatory Impact Assessment regarding options for the regulation of Rickshaws.

I share the many concerns that have been raised in relation to rickshaws. It is my intention, following completion of the Regulatory Impact Assessment, to progress without delay any legislative provisions deemed necessary to address those concerns.

### **Driver Test**

450. **Deputy Niamh Smyth** asked the Minister for Transport, Tourism and Sport if he will review a matter relating to a driving test for a person (details supplied); and if he will make a statement on the matter. [53103/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I appreciate the difficult position this person is in. However, 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.

### **Road Safety**

451. **Deputy Jack Chambers** asked the Minister for Transport, Tourism and Sport his plans to switch the designated cycling lane and pedestrian lanes in the Phoenix Park following recom-

mendations by the Coroner's Court (details supplied); and if he will make a statement on the matter. [53104/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy is aware, the Phoenix Park is under the management of the Office of Public Works. Accordingly, I am forwarding the Deputy's question to the OPW for direct response to you. If you have not received a further reply within 10 working days please contact my office.

### **Dublin Bus Services**

452. **Deputy Imelda Munster** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the fact that the 67 Dublin Bus service has capacity issues and is failing to meet demand for Celbridge (details supplied); his plans to address this issue; and if he will make a statement on the matter. [53112/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The issue raised is a matter for the National Transport Authority (NTA) and I have forwarded the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a response within ten working days.

### **Bus Services**

453. **Deputy Catherine Martin** asked the Minister for Transport, Tourism and Sport the status of the bus connect network review report; when the report will be published; and when it will be open to public consultation. [53126/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Following the mid-term review of the Capital Plan, Budget 2018 provided 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. The increased funding will allow rollout of a number of key programmes to address congestion and emerging capacity constraints on our public transport system across our cities.

This includes investment of over €770 million for the BusConnects programme to address growing congestion in the Dublin region in the short to medium term.

In June, the NTA launched the Dublin Area Bus Network Redesign Choices Report for on-line public consultation. The report reviewed the pattern of transport demand across the Dublin region and the structure of the existing bus network. It identified certain issues with the current bus system and proposed possible strategies that could address those deficiencies. The NTA sought the public's view on the issues raised in the Choices Report and, in particular, on the possible strategies that could be implemented in the redesign of the bus network. The responses to the Choices Report survey will be used to inform the network redesign process.

Work is ongoing on the redesign of the bus services network and also on infrastructure proposals for core bus corridors which will be an integral part of the programme. When this work is completed the proposals will be launched for public consultation in the first half of next year. The results of the public consultation will inform the final decisions to be made on the network redesign and the core bus corridors.

## **Sports Capital Programme Eligibility**

454. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the reason a club's application (details supplied) was deemed ineligible for sports capital funding. [53179/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I can confirm that the organisation referred to applied for a grant under the 2017 Sports Capital Programme.

When the 2017 Programme was advertised my Department issued a guide to filling out the application form which set out the Department's minimum requirements that applicants had to meet to be considered for funding.

While I do not think that it is appropriate to publish the specific reasons why individual applications were deemed invalid at this stage, applications were deemed invalid primarily for one or more of the following reasons:

- Title/Access requirements of the Sports Capital Programme not satisfied;
- Evidence of own funding not provided in prescribed format;
- Insufficient own funding.

All applicants have now been contacted with details of the outcome of the assessment of their application, including details of why applications were deemed invalid. Relevant organisations have also been informed that they may appeal these decisions if they believe that an error has been made in deeming their application invalid.

## **Road Safety**

455. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport if he was consulted by the NTA before a decision was taken not to insert rubber inserts on tram lines on new Luas city cross over to accommodate cyclists and to make it safer. [53213/17]

457. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport his plans to make funding available to provide rubber inserts at designated stretches of Luas tram lines to improve safety of cyclists. [53215/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take Questions Nos. 455 and 457 together.

I wish to advise the Deputy that cycling arrangements have been put in place along many sections of the Luas Cross City route however along certain sections there is the potential for cyclists to interact in relatively restricted space with trams, buses and taxis. This arrangement has given rise to safety concerns at these specific locations, with the possibility of bicycle wheels becoming caught in the grooves of the tram tracks.

Because of these concerns the NTA, as sanctioning authority, is requesting TII to erect signs advising cyclists not to cycle along the relevant sections. In the city centre, this includes Grafton Street (between College Green and Nassau Street), Nassau Street (between Grafton Street and Dawson Street) and the north end of Dawson Street.

I am informed that, trials abroad for installing a rubber insert, or similar, into rail grooves have not been successful, with the material becoming ripped and dislodged by the tram wheels



during operation. Therefore, the NTA does not propose to use that approach. An alternative approach which would provide a satisfactory long-term solution has not yet been identified to the NTA that would provide a hazard-free surface along tram lines, while accommodating significant tram, bus, taxi and cyclist movements. Collaboration is ongoing between NTA, TII and the City Council and will guide the future approach to this matter.

Noting the NTA's responsibility in the matter, I have referred your question to the NTA for a more detailed reply with regard to the issues raised. Please advise my private office if you do not receive a reply within 10 working days.

### **Cycling Facilities Data**

456. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the number of cyclists in the past ten years in tabular form; and if he will make a statement on the matter. [53214/17]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I wish to advise the Deputy that the numbers cycling have increased year on year, with the recent 2016 Census showing a 43% increase in the numbers cycling to work on the 2011 figures. I have attached a table showing the numbers cycling to and from work or school, according to the latest figures from the CSO.

In relation to cycling and walking, as the Deputy is aware, I have secured funding of €116 million in Budget 2018 for the development of cycling and walking infrastructure in the Greater Dublin Area and Regional Cities over the next four years to 2021. This programme will enhance the network of urban walking and cycling routes that provided viable alternatives and connectivity with existing public transport infrastructure. This programme will also address safety considerations in relation to cycling by providing enhanced infrastructure with a focus on high quality corridors, complemented by behavioural change, awareness and education programmes for cyclists and pedestrians.

Furthermore, a considerable upgrade of cycling infrastructure in the Dublin region will also be delivered under BusConnects through the provision of segregated cycling facilities alongside key routes into the city centre and reorganised radial routes.

**Persons Usually Resident and Present in the State 1986 to 2016 (Number) by at work school or college, Means of Travel, Sex and Census Year, Population aged 15 years and over at work**

		2006	2011	2016
Bicycle	All/both sexes	36,306	39,803	56,837

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

458. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the reason the over age exemption to the ECCE scheme has been abolished in view of the potentially harmful effects of this abolition, in particular on children with special needs such as in the case of a person (details supplied). [52654/17]

459. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs if her department has concluded its review of the over age exemption; if she will publish this report upon its completion; and if she will make a statement on the matter. [52688/17]



467. **Deputy Noel Rock** asked the Minister for Children and Youth Affairs if she has given consideration to reversing the decision to no longer accept applications for over age exemptions for the ECCE programme from 2018/2019 programme year; if not, the reason this decision was made; and if she will make a statement on the matter. [52765/17]

468. **Deputy Pat Deering** asked the Minister for Children and Youth Affairs the reason for removing the over age exemption from the early childhood care and education scheme from September 2018; the reason for the assessment that was made in advance of this decision with respect to the impact this decision will have on children with special needs (details supplied); if consideration will be given to reversing the decision; and if she will make a statement on the matter. [52860/17]

470. **Deputy Denise Mitchell** asked the Minister for Children and Youth Affairs the rationale as to the reason the ECCE over age exemption is not being kept in place alongside the additional ECCE year for the small number of children that may need to avail of it. [52993/17]

472. **Deputy Denise Mitchell** asked the Minister for Children and Youth Affairs the assessments that have been carried out in respect of the impact the removal of the ECCE over age exemption will have on children with special needs. [52995/17]

477. **Deputy Joe Carey** asked the Minister for Children and Youth Affairs the reason for the removal of the over age exemption from the early childhood care and education scheme from September 2018; the assessment made in advance of this decision with respect to the impact this decision will have on children with special needs; and if she will make a statement on the matter. [53047/17]

478. **Deputy Brendan Smith** asked the Minister for Children and Youth Affairs if she will reverse the decision to remove the over age exemption from the early childhood care and education scheme from September 2018; if her attention has been drawn to the fact that the removal of this exemption will adversely impact on many children in their preparation to enter primary school and is a cause of serious concern to many parents; and if she will make a statement on the matter. [53055/17]

479. **Deputy Kathleen Funchion** asked the Minister for Children and Youth Affairs the assessment that was made in advance of the decision to remove the over age exemption for the ECCE scheme with respect to the impact this decision will have on children with special needs, their classmates and teachers; and if she will make a statement on the matter. [53067/17]

484. **Deputy Niamh Smyth** asked the Minister for Children and Youth Affairs her views on the abolition of the over age exemption in the free pre school programme for children with disabilities; if the concerns of parents will be given consideration; if certainty and reassurance will be provided that this programme will remain in its current format and not be subjected to cuts; and if she will make a statement on the matter. [53136/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I propose to take Questions Nos. 458, 459, 467, 468, 470, 472, 477 to 479, inclusive, and 484 together.

It is important to be clear that there has been no withdrawal, or proposal to withdraw, any ECCE provision for children with disabilities. All children will be eligible to 76 weeks or 2 academic years of ECCE from September 2018. On Wednesday 6 December I announced that I have paused a decision on the upper age limit exemption for ECCE so that further consultation with parents can occur. This means that for the 2018/2019 ECCE year the overage exemption will continue to be available. Since ECCE was introduced in 2010, approximately 500 children availed of the exemption each year, although for reasons set out below, it is expected that much

fewer than this would have applied in 2018. I hope that my decision of last Wednesday will bring the parents who planned to apply for this overage exemption from September 2018 some relief and I encourage them to make sure their views are represented in the consultation that will occur over the coming months, the details of which I will publish shortly.

It is important that I set out the rationale for the original decision. The recent announcement of changes was designed to support the achievement of better outcomes for children with disabilities. No child would have lost out as a result of the overage exemption being removed.

Overage exemptions were introduced at the onset of the ECCE programme in 2010. At that time, the ECCE Programme only operated for a 38 week period, or one programme year. For some children with special/additional needs, attending preschool five days a week was not feasible and so an allowance was made to enable them split ECCE over 2 years, for example, a child may have availed of 3 days ECCE provision in year one and 2 days in year two. Their total ECCE provision remained at 38 weeks.

In order to facilitate this, in the cases where the child would have been over the age limit for ECCE (5 years and 6 months when finishing ECCE) an overage exemption was approved. This flexibility was never intended to conflict with the legislative requirement to start school by age six. The law and policy on school start-age is clearly established in Ireland. Children should be in school by the time they are six and the primary school system has a variety of resources to support children with disabilities. If children are not in school by the age of six, under the Educational Welfare Act, the Educational Welfare service of Tusla must be satisfied that the child is receiving a minimum standard of education in a place other than a recognised school. Tusla does this by sending Educational Welfare Inspectors out to the place of the child's education. Should this be required, this would be in addition to the Early Years Inspectorates funded by my Department.

Since ECCE was first introduced, DCYA has worked, with some success, to improve the pre-school experience for children with disabilities and to optimise their early development. The two main enhancements are:

- ECCE provision currently averages at 61 weeks, up from 38 weeks, and it will expand further to 76 weeks from September 2018. This is in keeping with good international practice.
- The Access and Inclusion Model (AIM) has been introduced with 7 different levels of support for children with disabilities. Over 4,000 children have so far benefited from targeted supports and many multiples of this from universal supports available under AIM.

Purely in the best interests of children, and for no other reason, a proposal was considered to remove the overage exemption to the upper age limit to the programme. This was signalled last year, but in order to give longer notice to parents and providers, the planned introduction was delayed until September 2018. The motivation underpinning this development is entirely evidence based. Children with a disability benefit from early intervention, high quality early childhood care and education and high quality primary school education. In this regard my Department is complementing the work of the HSE's role in early intervention and the Department of Education and Skills's role in high quality primary school education by:

- expanding the ECCE programme so that all children have access to a full 76 weeks, double what was available in 2010.
- providing access to the comprehensive suite of resources under the Access and Inclusion model (AIM), introduced in September 2016.

The evidence is that children with a disability should start school with their peers once they

have access to high quality and inclusive primary school education. The evidence is also that they should become teenagers with their peers and transition to secondary school with their peers.

The original decision to remove the overage exemption was made with the Department of Education and Skills (DES) and in close collaboration with members of the AIM Cross-Sectoral Implementation Group, which includes representatives from the National Council for Special Education, the National Disability Authority, the HSE, a representative of parents of children with special needs and a representative of early years providers. There was broad agreement that, in light of the very significant developments and improvements to free pre-school education, both in terms of the two year duration of ECCE and the range of supports available, and the very significant supports that are in place for children in primary schools, the overage exemption would no longer support the overarching policy aim that children should transition to primary school with their peers. The decision acknowledged the supports provided by the relevant primary school, the National Council for Special Education and other bodies as required.

Notwithstanding the strong evidence base underpinning this proposal as being in the best interests of the children concerned, and the significant enhancements to the ECCE scheme in terms of two years duration and access to AIM supports; measures which effectively address the reasons for introducing the overage exemptions in the first place, I am also conscious of the need to listen further to those with concerns. To this end, as stated above, I have paused the proposed change and committed to consulting more widely with parents of children with disabilities. I have also committed to having this consultation completed by mid 2018.

### **Child Safety**

460. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs if allegations of inappropriate behaviour with the children of a person (details supplied) have been investigated; if a related agreement has been reached including a confidentiality clause in respect the complaint or in parallel with the complaint; and if she will make a statement on the matter. [52697/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** While it is not appropriate for me to comment on an individual case, Tusla have advised me that the person named made a complaint in 2009 and a report on the findings in relation to this complaint was issued to him in 2010. Tusla have also advised me that no agreement, as referred to by the Deputy, has been made.

I can confirm that Officials in my Department have also written to the complainant to offer advice and assistance in relation to this matter.

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

461. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs the number of applications that were made under the over age exemption in each year since 2016. [52701/17]

462. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs the number of successful applications that were made under the over age exemption in each year since 2016. [52702/17]

463. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs the additional cost incurred to her department as a result of over age exemptions being approved in each year since 2016. [52703/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I propose to take Questions Nos. 461 to 463, inclusive, together.

The ECCE scheme, when introduced in 2010, allowed for exemptions from the upper age limit in exceptional circumstances where a child had special needs. Applications for such exemptions must be submitted in writing to the DCYA, and must include a letter of recommendation from a medical specialist (not a GP) supporting the application for the child to avail of the overage exemption.

The figures below set out:

- Total applied for 2016/2017
- The number of approved applications for 2016/2017,
- The numbers of unsuccessful applications due to lack of medical recommendation paperwork for 2016/2017. On occasion parents or service providers have made an application for an overage exemption but neglected to supply the required letter from a qualified medical specialist. In these cases officials from my Department have made contact with the parents requesting the submission of this letter. However, if no letter of recommendation is forthcoming, my Department has been unable to proceed with the application process.
- Total approved for 2017/2018
- The number of approved applications for 2017/2018, and,
- The number of applications awaiting the medical recommendation paperwork for 2017/2018 programme year. (Please note that we keep those applications pending until we hear back from the applicant or until the programme year is closed).

2016/2017 - Approved	2016/2017 - No medical recommendation supplied	2017/2018 - Approved	2017/2018 - In Process (Incomplete applications- No Medical Paperwork) (Applications are still open for this programme year)	2018/2019 - (Pre-approved)
447	25	434	58	6
	Total Applications: 472		Total Applications: 492	Total Applications: 6

Traditionally under the ECCE scheme, an overage exemption was made available in cases where a child had special needs and required the ECCE year (then 38 weeks only) to be split over two years. Children approved for this measure merely split their entitlement over 2 years, attending for 2 days per week for the first year and 3 days per week for the second year for example.

An overage exemption did not change the entitlement to the number of ECCE weeks therefore it was intended to be a cost neutral measure'. My officials are currently examining whether any additional expenditure was incurred.

464. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs the position regarding the independent review of the cost of delivering quality childcare; the date by which she anticipates this review being published; and if she will publish this review upon its completion. [52705/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Independent Review of the Cost of Providing Quality Childcare is a critical input to the on-going reform of childcare in Ireland and is commitment in the Programme for Government.

This review seeks to:

- Analyse the current costs of providing childcare in Ireland and factors that impact on those costs;

- Develop a model of the unit cost/costs of providing childcare that allows analysis of policy changes and variation in cost-drivers, including the potential impact of increased professionalisation; and

- Provide an objective, high level market analysis of the childcare sector in Ireland, including analysis of fee levels charged to parents.

The contract to undertake this Review was awarded to Crowe Horwath in September 2017. A literature review is currently underway and preliminary stakeholder engagement has already commenced.

These initial steps will inform subsequent steps of the review, including a survey of childcare providers in early 2018 and the development of a cost model and cost calculator.

This review is expected to take approximately 10 months to complete with the final report expected in June 2018. This report will be published.

### **Child Care Services Staff**

465. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs the progress made on the sectoral employment order for the early years sector; and if she will make a statement on the matter. [52706/17]

466. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs the measures she is undertaking to improve the pay and conditions for those working in the early years sector; and if she will make a statement on the matter. [52707/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I propose to take Questions Nos. 465 and 466 together.

Childcare workers play a critical role in delivering high quality childcare services and they deserve to be recognised, valued and respected for this. My Department acknowledges that pay and conditions are major issues facing the sector and can lead to difficulties in recruiting and retaining staff.

My Department is somewhat constrained in what it can do in this regard as it is not an employer of childcare workers. However it is of course a major funder of the childcare sector. It is important to note that the most important stakeholders in putting agreed pay structures in place in any sector are recognised employers and employee groups.



My Department is aware that trade unions are active in seeking to achieve a critical mass of representation on the employee side and, I welcome this move. My Department would also be supportive of any move on the employer side to establish a recognised representative body.

In terms of improving pay and conditions I have suggested to the sector that it might apply to the Labour Court for a Sectoral Employment Order (SEO), asking the Court to make a recommendation in relation to pay for the whole early years sector.

Under an SEO process, organisations substantially representative of employers and employees come together to agree a way forward and submissions are sought from key stakeholders. While my Department would have no direct role in relation to the SEO process, as a significant funder, and with policy responsibility for quality, it would be well placed to make a submission to the Court once it publishes its notice in relation to the application for a SEO for the sector.

In the interim, the last three Budgets have increased investment in Early Years by some 87%. This has helped us to address affordability, access and quality, although I recognise that there is more to be done. This year's announcement of a 7% increase in ECCE capitation is intended to support the workforce. The €18m in 2017 to support 'non-contact time' or the administration burden associated with the scheme, is also intended to support providers and their employees.

I will be very supportive of any reasonable measures aimed at improving pay and conditions of the Early Years sector. While I don't have a direct control over the matter, I will continue, with my Department, to support any appropriate initiatives in this area.

*Questions Nos. 467 and 468 answered with Question No. 458.*

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

469. **Deputy Joan Burton** asked the Minister for Children and Youth Affairs if the extra year of ECCE for children with special needs will be reinstated; if her attention has been drawn to the fact that until now, children with special needs could apply for an extra year of ECCE to ensure that they were fully prepared to enter primary education (details supplied); and if she will make a statement on the matter. [52977/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** It is important to be clear that there has been no withdrawal, or proposal to withdraw, any ECCE entitlement from children with disabilities. All children will be entitled to 76 weeks or 2 academic years of ECCE from September 2018. On Wednesday 6 December I announced that I have paused a decision on the upper age limit exemption for ECCE so that further consultation with parents can occur. This means that for the 2018/2019 ECCE year the overage exemption will continue to be available. Since ECCE was introduced in 2010, approximately 500 children availed of the exemption each year, although for reasons set out below, it is expected that much fewer than this would have applied in 2018. I hope that my decision of last Wednesday will bring the parents who planned to apply for this overage exemption from September 2018 some relief and I encourage them to make sure their views are represented in the consultation that will occur over the coming months, the details of which I will publish shortly.

It is important that I set out the rationale for the original decision. The recent announcement of changes was designed to support the achievement of better outcomes for children with disabilities. No child would have lost out as a result of the overage exemption being removed.

Overage exemptions were introduced at the onset of the ECCE programme in 2010. At that time, the ECCE Programme only operated for a 38 week period, or one programme year.



For some children with special/additional needs, attending preschool five days a week was not feasible and so an allowance was made to enable them split ECCE over 2 years, for example, a child may have availed of 3 days ECCE provision in year one and 2 days in year two. Their total ECCE provision remained at 38 weeks.

In order to facilitate this, in the cases where the child would have been over the age limit for ECCE (5 years and 6 months when finishing ECCE) an overage exemption was approved. This flexibility was never intended to conflict with the legislative requirement to start school by age six. The law and policy on school start-age is clearly established in Ireland. Children should be in school by the time they are six and the primary school system has a variety of resources to support children with disabilities. If children are not in school by the age of six, under the Educational Welfare Act, the Educational Welfare service of Tusla must be satisfied that the child is receiving a minimum standard of education in a place other than a recognised school. Tusla does this by sending Educational Welfare Inspectors out to the place of the child's education. Should this be required, this would be in addition to the Early Years Inspectorates funded by my Department.

Since ECCE was first introduced, DCYA has worked, with some success, to improve the pre-school experience for children with disabilities and to optimise their early development. The two main enhancements are:

- ECCE entitlement currently averages at 61 weeks, up from 38 weeks, and it will expand further to 76 weeks from September 2018. This is in keeping with good international practice.

- The Access and Inclusion Model (AIM) has been introduced with 7 different levels of support for children with disabilities. Over 4,000 children have so far benefitted from targeted supports and many multiples of this from universal supports available under AIM.

Purely in the best interests of children, and for no other reason, a proposal was considered to remove the overage exemption to the upper age limit to the Programme. This was signalled last year, but in order to give longer notice to parents and providers, the planned introduction was delayed until September 2018. The motivation underpinning this development is entirely evidence based. Children with a disability benefit from early intervention, high quality early childhood care and education and high quality primary school education. In this regard my Department is complementing the work of the HSE's role in early intervention and the Department of Education and Skills's role in high quality primary school education by:

- expanding the ECCE programme so that all children have access to a full 76 weeks, double what was available in 2010.

- providing access to the comprehensive suite of resources under the Access and Inclusion model (AIM), introduced in September 2016.

The evidence is that children with a disability should start school with their peers once they have access to high quality and inclusive primary school education. The evidence is also that they should become teenagers with their peers and transition to secondary school with their peers.

The original decision to remove the overage exemption was made with the Department of Education and Skills (DES) and in close collaboration with members of the AIM Cross-Sectoral Implementation Group, which includes representatives from the National Council for Special Education, the National Disability Authority, the HSE, a representative of parents of children with special needs and a representative of early years providers. There was broad agreement that, in light of the very significant developments and improvements to free pre-school educa-

tion, both in terms of the two year duration of ECCE and the range of supports available, and the very significant supports that are in place for children in primary schools, the overage exemption would no longer support the overarching policy aim that children should transition to primary school with their peers. The decision acknowledged the supports provided by the relevant primary school, the National Council for Special Education and other bodies as required.

Notwithstanding the strong evidence base underpinning this proposal as being in the best interests of the children concerned, and the significant enhancements to the ECCE scheme in terms of two years duration and access to AIM supports; measures which effectively address the reasons for introducing the overage exemptions in the first place, I am also conscious of the need to listen further to those with concerns. To this end, as stated above, I have paused the proposed change and committed to consulting more widely with parents of children with disabilities. I have also committed to having this consultation completed by mid 2018.

*Question No. 470 answered with Question No. 458.*

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

471. **Deputy Denise Mitchell** asked the Minister for Children and Youth Affairs the consultations that were undertaken with parents, teachers, early years providers and representative groups in advance of the announcement of the removal of the ECCE over age exemption. [52994/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** On Wednesday 6th December I announced that I have paused a decision on this matter so that further consultation with parents will occur. Since ECCE was introduced in 2010, approximately 500 children availed of the exemption each year, although for reasons set out below, it was expected that much fewer than this would have applied in 2018.

This original decision to remove the overage exemption was made with the Department of Education and Skills (DES) and in close collaboration with members of the AIM Cross-Sectoral Implementation Group, which includes representatives from the Department of Education and Skills, the National Council for Special Education (NCSE), the National Disability Authority, the HSE, City and County Childcare Committees, a representative of parents of children with special needs and a representative of early years providers.

There was broad agreement from the DES, NCSE and other stakeholders that, in light of the very significant developments and improvements to free pre-school education, both in terms of the two year duration of ECCE and the range of supports available, and the very significant supports that are in place for children in primary schools, the overage exemption would no longer support the overarching policy aim that children should transition to primary school with their peers. The decision acknowledged the supports provided by the relevant primary school, the National Council for Special Education and other bodies as required.

It is important that I set out the rationale for the original decision. The recent announcement of changes was designed to support the achievement of better outcomes for children with disabilities. No child would have lost out as a result of the overage exemption being removed.

Overage exemptions were introduced at the onset of the ECCE programme in 2010. At that time, the ECCE Programme only operated for a 38 week period, or one programme year. For some children with special/additional needs, attending preschool five days a week was not feasible and so an allowance was made to enable them split ECCE over 2 years, for example,

a child may have availed of 3 days ECCE provision in year one and 2 days in year two. Their total ECCE provision remained at 38 weeks.

In order to facilitate this, in the cases where the child would have been over the age limit for ECCE (5 years and 6 months when finishing ECCE) an overage exemption was approved. This flexibility was never intended to conflict with the legislative requirement to start school by age six. The law and policy on school start-age is clearly established in Ireland. Children should be in school by the time they are six years of age and the primary school system has a variety of resources to support children with disabilities. If children are not in school by six, under the Educational Welfare Act, the Educational Welfare service of Tusla must be satisfied that the child is receiving a minimum standard of education in a place other than a recognised school. Tusla does this by sending Educational Welfare Inspectors out to the place of the child's education. Should this be required, this would be in addition to the Early Years Inspectorates funded by my Department.

Since ECCE was first introduced, DCYA has worked, with some success, to improve the pre-school experience for children with disabilities and to optimise their early development. The two main enhancements are:

- ECCE entitlement currently averages at 61 weeks, up from 38 weeks, and it will expand further to 76 weeks from September 2018. This is in keeping with good international practice.
- The Access and Inclusion Model (AIM) has been introduced with 7 different levels of support for children with disabilities. Over 4,000 children have so far benefited from targeted supports and many multiples of this from universal supports available under AIM.

Purely in the best interests of children, and for no other reason, a proposal was considered to remove the overage exemption to the upper age limit to the Programme. This was signalled last year, but in order to give longer notice to parents and providers, the planned introduction was delayed until September 2018. The motivation underpinning this development is entirely evidence based. Children with a disability benefit from early intervention, high quality early childhood care and education and high quality primary school education. In this regard my Department is complementing the work of the HSE's role in early intervention and the Department of Education and Skills' role in high quality primary school education by:

- expanding the ECCE programme so that all children have access to a full 76 weeks, double what was available in 2010.
- providing access to the comprehensive suite of resources under the Access and Inclusion model (AIM), introduced in September 2016.

The evidence is that children with a disability should start school with their peers once they have access to high quality and inclusive primary school education. The evidence is also that they should become teenagers with their peers and transition to secondary school with their peers.

Notwithstanding the strong evidence base underpinning this proposal as being in the best interests of the children concerned, and the significant enhancements to the ECCE scheme in terms of two years duration and access to AIM supports; measures which effectively address the reasons for introducing the overage exemptions in the first place, I am also conscious of the need to listen further to those with concerns. To this end, as stated above, I have paused the proposed change and committed to consulting more widely with parents of children with disabilities. I have also committed to having this consultation completed by mid 2018.

## Child Care Services

473. **Deputy Tony McLoughlin** asked the Minister for Children and Youth Affairs the number of staff within the county child care committees who have been trained to deliver the diversity equality and inclusion training; the costs of providing this training; the number of staff that have then been trained by the county child care committee in this course; the way in which the outputs are evaluated; and if she will make a statement on the matter. [53003/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Access and Inclusion Model (AIM) supports children with disabilities to reap the full benefits of free pre-school education. Its goal is to empower pre-school providers to deliver an inclusive pre-school experience. AIM is a child-centred and evidence-based model, involving seven levels of progressive support, moving from the universal to the targeted, based on the needs of the child and the pre-school setting.

Level 1 of AIM is the critical foundation for the model and sets out to foster and embed a strong culture of inclusion to support all children's maximum participation in the ECCE programme. Under this level, a new Inclusion Charter has been developed. Updated Diversity, Equality and Inclusion Guidelines have been published and a nationwide training programme on these Guidelines is currently being rolled out.

There are more than 100 trainers delivering this training programme nationally, of which 88 are City and County Childcare Committee (CCC) staff. The total cost of providing training to these trainers was €61,780.92. This includes the costs of developing the training, tutors, materials, room hire and refreshments for 6 train the trainer programmes. A further amount of €16,085.21 was spent on monitoring the quality of the delivery of the Diversity, Equality and Inclusion training programme.

€620,000 was provided to CCCs in 2017 to roll-out the Diversity, Equality and Inclusion training programme to pre-school practitioners nationwide.

By end November, a total of 2,749 pre-school practitioners completed this training from over 1,500 pre-school settings. A further 26 courses are expected to be completed by end 2017.

Early Childhood Ireland lead on quality assurance for the Diversity, Equality and Inclusion training programme and have carried out a number of monitoring and supporting visits to observe training being delivered. The CCCs also complete evaluations at the end of every course they deliver.

Work on an End of Year One Review of AIM has commenced and is expected to be completed by mid-2018. The scope of the Review includes consideration of the Diversity, Equality and Inclusion training programme.

## Early Childhood Care and Education

474. **Deputy Tony McLoughlin** asked the Minister for Children and Youth Affairs the payroll costs, overhead costs, travel and subsistence costs and management costs for the better start aim programme; the outputs from this model of delivery to date; and if she will make a statement on the matter. [53004/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** AIM supports children with disabilities to reap the full benefits of free pre-school education. Its goal is to empower pre-school providers to deliver an inclusive pre-school experience. AIM is a child-

centred and evidence-based model, involving seven levels of progressive support, moving from the universal to the targeted, based on the needs of the child and the pre-school setting. AIM was launched in June 2016 and is administered by Pobal on behalf of my Department.

The oversight and delivery of all seven levels of AIM supports require input from staff across the Departments of Children and Youth Affairs, Education and Skills and Health and from a range of agencies/organisations (including City/County Childcare Committees (CCCs), Early Years Specialist Services, Health Services Executive, Mary Immaculate College Consortium, National Council for Special Education, National Disability Authority and Pobal). Many of these staff perform this role as part of their core work. Therefore, it is not possible to separate the AIM-related payroll, overhead, travel and subsistence and management costs from the core costs for many of these staff.

- €1.065m has been allocated to CCCs in 2017 for operational costs associated with AIM Levels 1 and 3 (An Inclusive Culture and Information for Parents and Providers). This allocation includes provision for payroll costs, overhead costs, travel and subsistence and management costs. The bulk of the allocation is to cover the cost of the national roll-out of the Equality, Diversity and Inclusion Training Programme, the roll-out of AIM information sessions and the provision of AIM-related supports (information or otherwise) to parents and providers.

- €5.890m has been allocated to Pobal in 2017 for operational costs associated with AIM Level 4 (Provision of Expert Early Years Educational Advice and Support). This allocation includes provision for payroll costs, overhead costs, travel and subsistence and management costs. The bulk of the allocation is to cover the cost of employing 60 (WTE) Early Years Specialists, 7 coordinators as well as providing management and administrative support.

- €1.736m has been allocated to Pobal in 2017 for operational costs associated with AIM Levels 1 (An Inclusive Culture), 5 (Equipment, Appliances and Minor Alteration Grants) and 7 (Additional Assistance in the Pre-School Room). The bulk of the allocation is to cover the cost of employing 17.1 (WTE) staff: 1 team leader, 5 coordinators, 7.1 (WTE) administrators and 4 support officers.

Some of the key AIM outputs to date across all seven levels of support include:

### **Level 1 (An Inclusive Culture)**

- A new Inclusion Charter for the Early Years Sector has been developed and updated. Diversity, Equality and Inclusion Guidelines have been published. A nationwide training programme on these Guidelines is currently being rolled out. By end November, a total of 203 courses on the Equality, Diversity and Inclusion Training Programme have been completed by 2,554 pre-school practitioners from 1,500 pre-school settings. A further 26 courses will be completed by end 2017.

- A new higher education programme, Leadership for Inclusion for Early Years (LINC). 847 pre-school practitioners have graduated from the LINC Programme 2016/17 and 857 pre-school practitioners are participating on the LINC Programme 2017/2018.

- Graduates from the LINC Programme go on to work as Inclusion Coordinators in their pre-school setting. Pre-school settings employing an Inclusion Co-ordinator (who has graduated from LINC Programme and has agreed to take on the role and responsibilities of an Inclusion Coordinator) will receive an increase of €2 per child per week in the rate of ECCE capitation payable to that setting. By 12th December, 755 pre-school settings were approved for additional capitation under Level 1 (i.e. these settings have nominated Inclusions Coordinators in place).

### **Level 2 (Information for Parents and Providers)**



- A dedicated AIM website has been developed (*www.aim.gov.ie*).

### **Level 3 (A Qualified and Confident Workforce)**

- A baseline survey of existing qualifications and training supports has been completed to identify training needs and skills gaps among pre-school practitioners and a national programme of training supports has been agreed. The roll-out of the national programme of training supports will commence in 2018.

### **Level 4 (Provision of Expert Early Years Educational Advice and Support)**

- For the 2016/2017 ECCE programme year, 2,530 applications were received for Level 4 support, of which 2,462 were approved. The Early Years Specialists made 7,900 visits to pre-school settings.

- For the 2017/2018 ECCE programme year (to date), 1,844 applications were received for Level 4 supports, of which 1,586 were approved. The Early Years Specialist have made 3,474 visits to date with a further 238 scheduled.

### **Level 5 (Equipment, Appliances and Minor Alteration Grants)**

- For 2016/2017 ECCE Programme, 299 applications for equipment were received of which 221 were approved. A further 48 applications for minor alterations were received of which 32 were approved.

- For the 2017/2018 ECCE Programme (to date), 197 applications for equipment were received with 147 approved. A further 35 applications for minor alterations were received of which 22 were approved.

### **Level 6 (Therapeutic Intervention)**

- For 2016/2017 ECCE Programme, 75 referrals were made to the HSE by the Early Years Specialist Service.

- For 2017/2018 ECCE Programme (to date), 17 referrals have been made to the HSE by the Early Years Specialist Service.

- HSE therapists also supported applications for AIM Levels 5 and 7.

### **Level 7 (Additional Assistance in the Pre-School Room)**

- For 2016/2017 ECCE Programme, 2,555 applications for Level 7 support were received, of which 2,045 were approved.

- For 2017/2018 ECCE Programme (to date), 1,836 applications for Level 7 supports were received, of which 1,317 were approved. A further 738 applications rolled over from the 2016/2017 ECCE Programme Year, of which 652 were approved.

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

475. **Deputy Tony McLoughlin** asked the Minister for Children and Youth Affairs the number of access and inclusion staff in place within Pobal's better start; the structure of same within Pobal; and if she will make a statement on the matter. [53005/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** AIM supports



children with disabilities to reap the full benefits of free pre-school education. Its goal is to empower pre-school providers to deliver an inclusive pre-school experience. AIM is a child-centred and evidence-based model, involving seven levels of progressive support, moving from the universal to the targeted, based on the needs of the child and the pre-school setting. AIM was launched in June 2016 and is administered by Pobal on behalf of my Department.

AIM Level 4 provides access to mentoring and support for pre-school practitioners from a team of dedicated AIM Early Years Specialists to ensure that all children with disabilities can access and fully participate in preschool.

The team of the AIM Early Years Specialist Service, which are located in Pobal consists, of the following staff:

Posts in Better Start	Whole Time Equivalent (WTE)
National Manager	0.64
Team Leader	0.64
Support Officer	1
ICT Administrator	0.64
Admin Co-ordinator	0.64
Early Years Specialists	60
EYS Co-ordinators	7
	70.56

The Early Years Specialists work in 7 teams in 9 locations nationally.

In addition to the AIM Early Years Specialist team, Pobal also has responsibilities at other levels of AIM, most notably AIM Levels 1 (An Inclusive Culture), 5 (Equipment, Appliances and Minor Alterations Grants) and 7 (Additional Assistance in the Pre-School Room). The Pobal AIM team consists of 17.1 WTE staff: 1 team leader, 5 coordinators, 7.1 (WTE) administrators and 4 support officers.

### Early Childhood Care and Education

476. **Deputy Michael McGrath** asked the Minister for Children and Youth Affairs if she will address a matter raised in correspondence (details supplied) regarding the ECCE; and if she will make a statement on the matter. [53022/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** It is important to be clear that there has been no withdrawal, or proposal to withdraw, any ECCE entitlement from children with disabilities. All children will be entitled to 76 weeks or 2 academic years of ECCE from September 2018. On Wednesday 6 December I announced that I have paused a decision on the upper age limit exemption for ECCE so that further consultation with parents can occur. This means that for the 2018/2019 ECCE year the overage exemption will continue to be available. Since ECCE was introduced in 2010, approximately 500 children availed of the exemption each year, although for reasons set out below, it is expected that much fewer than this would have applied in 2018. I hope that my decision of last Wednesday will bring the parents who planned to apply for this overage exemption from September 2018 some relief and I encourage them to make sure their views are represented in the consultation that will occur over the coming months, the details of which I will publish shortly.

It is important that I set out the rationale for the original decision. The recent announcement of changes was designed to support the achievement of better outcomes for children with

disabilities. No child would have lost out as a result of the overage exemption being removed.

Overage exemptions were introduced at the onset of the ECCE programme in 2010. At that time, the ECCE Programme only operated for a 38 week period, or one programme year. For some children with special/additional needs, attending preschool five days a week was not feasible and so an allowance was made to enable them split ECCE over 2 years, for example, a child may have availed of 3 days ECCE provision in year one and 2 days in year two. Their total ECCE provision remained at 38 weeks.

In order to facilitate this, in the cases where the child would have been over the age limit for ECCE (5 years and 6 months when finishing ECCE) an overage exemption was approved. This flexibility was never intended to conflict with the legislative requirement to start school by age six. The law and policy on school start-age is clearly established in Ireland. Children should be in school by the time they are six and the primary school system has a variety of resources to support children with disabilities. If children are not in school by the age of six, under the Educational Welfare Act, the Educational Welfare service of Tusla must be satisfied that the child is receiving a minimum standard of education in a place other than a recognised school. Tusla does this by sending Educational Welfare Inspectors out to the place of the child's education. Should this be required, this would be in addition to the Early Years Inspectorates funded by my Department.

Since ECCE was first introduced, DCYA has worked, with some success, to improve the pre-school experience for children with disabilities and to optimise their early development. The two main enhancements are:

- ECCE entitlement currently averages at 61 weeks, up from 38 weeks, and it will expand further to 76 weeks from September 2018. This is in keeping with good international practice.
- The Access and Inclusion Model (AIM) has been introduced with 7 different levels of support for children with disabilities. Over 4,000 children have so far benefited from targeted supports and many multiples of this from universal supports available under AIM.

Purely in the best interests of children, and for no other reason, a proposal was considered to remove the overage exemption to the upper age limit to the Programme. This was signalled last year, but in order to give longer notice to parents and providers, the planned introduction was delayed until September 2018. The motivation underpinning this development is entirely evidence based. Children with a disability benefit from early intervention, high quality early childhood care and education and high quality primary school education. In this regard my Department is complementing the work of the HSE's role in early intervention and the Department of Education and Skills's role in high quality primary school education by:

- expanding the ECCE programme so that all children have access to a full 76 weeks, double what was available in 2010.
- providing access to the comprehensive suite of resources under the Access and Inclusion model (AIM), introduced in September 2016.

The evidence is that children with a disability should start school with their peers once they have access to high quality and inclusive primary school education. The evidence is also that they should become teenagers with their peers and transition to secondary school with their peers.

The original decision to remove the overage exemption was made with the Department of Education and Skills (DES) and in close collaboration with members of the AIM Cross-Sectoral Implementation Group, which includes representatives from the National Council for Special

Education, the National Disability Authority, the HSE, a representative of parents of children with special needs and a representative of early years providers. There was broad agreement that, in light of the very significant developments and improvements to free pre-school education, both in terms of the two year duration of ECCE and the range of supports available, and the very significant supports that are in place for children in primary schools, the overage exemption would no longer support the overarching policy aim that children should transition to primary school with their peers. The decision acknowledged the supports provided by the relevant primary school, the National Council for Special Education and other bodies as required.

Notwithstanding the strong evidence base underpinning this proposal as being in the best interests of the children concerned, and the significant enhancements to the ECCE scheme in terms of two years duration and access to AIM supports; measures which effectively address the reasons for introducing the overage exemptions in the first place, I am also conscious of the need to listen further to those with concerns. To this end, as stated above, I have paused the proposed change and committed to consulting more widely with parents of children with disabilities. I have also committed to having this consultation completed by mid 2018.

*Questions Nos. 477 to 479, inclusive, answered with Question No. 458.*

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

480. **Deputy Seán Haughey** asked the Minister for Children and Youth Affairs if her Department has adjudicated on the case of a person (details supplied) in relation to their qualifications; if this person can continue working in this sector while her Department's decision is awaited and while the person makes the necessary arrangements to upskill to the required qualification in order that this child care facility can continue to operate; and if she will make a statement on the matter. [53124/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** My Department received a qualifications assessment application from the person named and a response issued to her on the 20th of October. DCYA officials indicated in the response that the individual should provide additional information if she is in a position to do so; to date DCYA has had no further contact from the person concerned.

New regulations were introduced for the Early Years sector in June of 2016. Part 3.9.4 of these regulations established a minimum qualification standard for those working directly with pre-school children. This qualification standard was introduced following extensive consultation with the Early Years sector, and the intention to introduce a minimum qualification standard was announced as far back as 2013. It was broadly welcomed as being in the best interests of children.

Extensive funding was made available over a period of four years to allow sector workers to undertake, upgrade or update their qualifications. To facilitate those who had many years experience in the sector but were unwilling or unable to pursue new training, a 'grandfathering' clause was included in the Regulations. Those wishing to avail of the option of signing a 'grandfathering' declaration were able to do so through their local County/City Childcare Committee (CCC), but as is standard with such derogations, the option was available only up to a certain point in time. 'Grandfathering' declarations must have been signed by the 30th June 2016, at which point the regulations commenced. This is itemised in Part 3.9.6 of the regulations.

The qualifications minimum standard as provided in the Regulations commenced on the

1st of January 2017; again, the interval between the commencement of the regulations and the commencement of the section pertaining to qualification standards was allowed following consultation with the Early Years sector.

After the 1st of January 2017, anyone working directly with pre-school children in an Early Years service must meet the minimum regulatory standard. DCYA cannot issue permission for anyone to continue working with pre-school children if they do not meet the minimum regulatory standard, even if it is the case that further training is now been undertaken; such an action would see DCYA being in breach of its own regulations.

The Tusla Early Years Inspectorate is responsible for inspecting Early Years services for the purposes of compliance with the minimum regulatory standards and any instance of non-compliance should be raised with this Inspectorate.

The Deputy should note that the current regulations apply only to pre-school services. The regulations do not apply to after-school services.

### Child and Family Agency Data

481. **Deputy Catherine Martin** asked the Minister for Children and Youth Affairs the number of senior practitioner social workers employed by Tusla; the number planned to be appointed in 2018; the estimated extra cost to Tusla per senior practitioner appointed; the contractual obligations of senior practitioners in comparison to both social work team leaders and professionally qualified social workers; and if she will make a statement on the matter. [53125/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Tusla has advised that it currently employs 67 Senior Practitioner Social Workers and by the end of 2018 Tusla expects to appoint 130 Senior Social Work Practitioners in 2018.

Information in relation to the estimated cost to Tusla per senior practitioner appointed is set out in the table below:

Cost for a SW Senior Practitioner	
Basic	€56,781
PRSI	€6,104
Total Pay	€62,885
Overhead	€4,195
Total Cost	€77,080

Tusla is working to ensure that its existing social workers operate in a supportive structure. Tusla recruitment is informed by its evaluation of management and staff skills mix with a view to service enhancement. Part of this evaluation includes looking at enhanced job roles, multi-disciplinary team-working, re-designing tasks and promoting greater efficiency to alleviate pressure. The introduction of Senior Social Worker Practitioner posts designated to Social Work teams around the country is an example of this and will further assist with retention by providing enhanced professional support to social work staff.

With regard to the contractual obligations of senior practitioners in comparison to social work team leaders and to professionally qualified social workers, Tusla has kindly provided job specifications for the three grades for the information of the Deputy.

482. **Deputy Catherine Martin** asked the Minister for Children and Youth Affairs the number of persons engaging with aftercare services from either Tusla or a voluntary agency, by age and area. [53127/17]

483. **Deputy Catherine Martin** asked the Minister for Children and Youth Affairs the number of persons engaged with aftercare services that are registered with homeless services. [53128/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I propose to take Questions Nos. 482 and 483 together.

1,914 young adults aged 18-22 were in receipt of aftercare services at the end of the third quarter 2017. An additional 75 persons aged 23-25 and upwards also received aftercare services.

See the table below for a breakdown of this figure by area.

Tusla, the Child and Family Agency, has informed me that it does not collate data centrally regarding the number of young persons engaged with aftercare services who are registered with homeless services.

Area	The number of young adults aged 18-22 in receipt of an aftercare service *	The number of young adults aged 18 years and up, incld. those 25 or older in receipt of an aftercare service*
Dublin South Central	109	109
Dublin South East Wicklow	109	111
Dublin South West Kildare West Wicklow	162	169
The Midlands	117	123
Dublin City North	159	162
Dublin North	86	89
Louth Meath	155	155
Cavan Monaghan	70	70
Cork	239	249
Kerry	38	40
Carlow Kilkenny South Tipperary	124	127
Waterford Wexford	137	137
The Midwest	162	169
Galway Roscommon	136	151
Mayo	31	40
Donegal	48	54
Sligo Leitrim West Cavan	32	34
Total	1,914	1,989

\*Data on the last day of the reporting period, Quarter 3 2017

*Question No. 484 answered with Question No. 458.*



485. **Deputy Niamh Smyth** asked the Minister for Children and Youth Affairs the consultation process which she plans to hold with parents of children with disabilities ahead of the proposed changes to the over age exemption in the free preschool programme; and if she will make a statement on the matter. [53137/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I have committed to consulting further with parents of children with disabilities before a decision is made on the future of the over-age exemption for the ECCE scheme.

Approximately 500 children have availed of the exemption every year since ECCE was introduced in 2010.

My officials are working closely with the Department of Education and Skills in designing the consultation and also taking advice from the Cross Sectoral Implementation Group (CSIG) of the Access and Inclusion Model (AIM). CSIG includes senior officials from the Department of Education and Skills, National Council for Special Education, National Disability Authority, City/Community Childcare Committees, Pobal and representatives of parents of children with disabilities and Early Years providers.

I will publish details of the consultation when available and am committed to having it completed by mid 2018.

### **School Completion Programme**

486. **Deputy Jan O'Sullivan** asked the Minister for Children and Youth Affairs her plans for changes to the management of school completion programmes, particularly those that relate to voluntary secondary schools; if consideration is being given to transferring the management to ETBs to ensure effective governance and the continuing working of the programmes which have proved very beneficial to the students that participate in them; and if she will make a statement on the matter. [53171/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I believe that the School Completion Programme is critical to ensuring that children who are most at risk of early school leaving are supported to stay in education. However, I believe that it needs to be reformed to ensure that it delivers the best possible outcomes for children. To this end, I am examining carefully how best to strengthen it.

Any reforms will be informed by the ESRI review of the Programme, which acknowledged its great contribution to vulnerable children, but which pointed to the need for an improved governance structure and revised model of employment.

In particular, I want to ensure that services under the Programme are compliant with financial and governance rules, and that we have a good model of service delivery throughout the country. I also want to ensure that those employed under the Programme have clear contracts of employment and that their work is properly coordinated.

I am deeply committed to an effective reform of this programme, not only in relation to the governance and employment issues, but also the programmes, supports and processes that are in place to ensure that young people complete school. I am reviewing the extensive consultation process that has been carried out. I am considering recommendations from the expert panel that Tusla has established to consider possible options for reform. I also plan to consult with experts across the educational welfare sector before making any decisions.



In my view the reform will incorporate universal supports as well as targeted supports to ensure that those most in need are reached by the programme. It is critical that we have a whole school approach to this, as well as ensuring that other child and family supports, delivered by statutory or voluntary agencies, are integrated so that the child or young person has the best chance of staying in school. I am also committed to incorporating recognition of the strengths and capabilities of the child or young person into these reforms. I believe that the emotional stability young person is critical in enabling their engagement in learning, and contributes to their desire to finish school.

In the meantime, Tusla's Educational Welfare Service has taken important steps to support the current service, including arranging independent Human Resources and Industrial Relations advice, and contracting with other parties to support governance, training and continued professional development of staff.

I believe that the School Completion Programme deserves careful reflection and analysis so that we achieve the best possible reformed services for children.

### **Departmental Contracts**

487. **Deputy Mick Barry** asked the Minister for Children and Youth Affairs if she will raise with a company (details supplied) that are engaged by the HSE on State contracts the reason they do not recognise a union which represents its staff in view of the fact that they recognise a union in Northern Ireland; and if she will make a statement on the matter. [53236/17]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Department of Children and Youth Affairs have a contract with the organisation concerned to provide the pilot Bail Supervision Scheme for a 2 year period following a public tender. This Department has no role in the operation of this organisation or in Human Resources within their organisation.

### **Seniors Alert Scheme**

488. **Deputy Michael Healy-Rae** asked the Minister for Rural and Community Development his views on funding safety items, such as alarms, censor lights, carbon monoxide alarms and so on (details supplied); and if he will make a statement on the matter. [53237/17]

**Minister for Rural and Community Development (Deputy Michael Ring):** My Department is responsible for the Seniors Alert Scheme which encourages community support for vulnerable older people in our communities through the provision of personal monitored alarms to enable them to live securely in their homes with confidence, independence and peace of mind. Funding is available under the scheme towards the purchase by a registered community-based organisation of a personal alarm or pendant.

Following a review, a new version of the scheme came into effect on 1 November 2017. A number of changes were introduced under the new scheme including the provision of free monitoring for the first year and a revision of the living alone requirements.

There are no proposals, at this stage, to include sensor lights, smoke or carbon monoxide alarms within the ambit of this scheme. However, the matter will be kept under review. The issue of the installation of house alarms is a matter for my colleague, the Minister for Justice and Equality under his remit of community crime prevention.

## CLÁR Programme

489. **Deputy Patrick O'Donovan** asked the Minister for Rural and Community Development if funding will be made available under the CLÁR capital investment programme in 2018; if so, when it will be announced; and if he will make a statement on the matter. [52758/17]

**Minister for Rural and Community Development (Deputy Michael Ring):** The 2017 CLÁR programme provided total funding of just under €7 million this year for 230 projects across four Measures as follows:

Measure 1: Support for School and Community Safety Measures

Measure 2: Play Areas

Measure 3: Targeted Community Infrastructure

Measure 4: First Responder Supports

Details of the approved projects are available on my Department's website at <http://drcd.gov.ie/subheader1/clar>.

Decisions regarding the National Rural Development Schemes (including Clár) and the resources that might be funded will be made in the New Year.

## Child Benefit Data

490. **Deputy Paul Murphy** asked the Minister for Employment Affairs and Social Protection the cost of expanding the child benefit payment to include 18 year olds that are still in full time secondary education; and if she will make a statement on the matter. [52871/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Child Benefit is a monthly payment made to families with children in respect of all qualified children up to the age of 16 years. The payment continues to be paid in respect of children up to their 18th birthday who are in full-time education, or who have a disability. Child Benefit is currently paid to 627,318 families in respect of some 1.2 million children, with an estimated expenditure of more than €2 billion in 2017. Budget 2009 reduced the age for eligibility for Child Benefit from 19 years to less than 18 years. A value for money review of child income supports, published by the Department of Social Protection in 2010, found that the participation pattern of children in education supports the current age limit for Child Benefit.

The current estimated annual cost of extending the upper age limit for payment for those persons who are 18 years and under 19 years of age and in secondary school, based on figures from the Department of Education and Skills, is over €62 million.

Extending Child Benefit entitlement to parents of full time students in second level education to include 18 year olds would not be a targeted approach given the universality of Child Benefit. The adoption of such a proposal would have to be considered in an overall budgetary context.

Families on low incomes can avail of a number of social welfare schemes that support children in full-time education until the age of 22, including:

- qualified child increases (IQCs) with primary social welfare payments;

- the working family payment (formerly Family Income Supplement) for low-paid employees with children;

- the back to school clothing and footwear allowance for low income families (paid at the full-time second-level education rate).

As part of the measures under Budget 2018, the qualified child payment which is paid each week to families with children will increase from €29.80 to €31.80 for each child. This is an increase of 6.7%, and will benefit over 400,000 children.

The Working Family Payment earnings thresholds were increased by €10 per week for families with up to three children. This will particularly benefit low-income working families.

These schemes provide targeted assistance that is directly linked to household income and thereby support low-income families with older children participating in full-time education.

### **School Meals Programme**

491. **Deputy Niamh Smyth** asked the Minister for Employment Affairs and Social Protection further to Parliamentary Question No. 230 of 22 November 2017, if she will review correspondence received in response to same; if this area's classification has changed in view of the latest Pobal HP deprivation index statistics; if this company will be recategorised as eligible for funding under this scheme as a result of same; and if she will make a statement on the matter. [52955/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The school meals programme provides funding towards the provision of food to schools and organisations at a total cost of some €47.5 million in 2017. This Department does not use the Pobal HP Deprivation Index to determine eligibility for the school meals scheme. As I have already advised the Deputy, in recent years priority for new applications for funding had been given to schools which are part of the DEIS programme, designed to give tailored support to schools who have high concentration of disadvantage. For the first time in many years, breakfasts are also now available to some schools outside DEIS that have been identified in consultation with the Department of Education and Skills which has developed a more robust and responsive framework for assessing individual schools levels of concentrated disadvantage.

While there have been expansions to the school meals scheme, any further changes to increase the funding to allow an extension to crèches would have to be considered in a budgetary context.

I trust this clarifies the matter at this time.

### **Direct Provision System**

492. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Employment Affairs and Social Protection the cost of providing living allowance to adults and children in direct provision by category, in tabular form. [52961/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The direct provision allowance (DPA) is a non-statutory payment paid by my Department on behalf of the Department of Justice and Equality to protection applicants living in the Direct Provision system. The weekly rate of DPA for children and adults is €21.60. There are currently some

3,430 adults and 1,420 children residing in the system of direct provision in respect of whom the direct provision allowance is being paid. The Government has provided €3.7 million for the allowance, covering adult and children payments, in the Revised Estimates for 2017 with an additional €250,000 made available through the recent Supplementary Estimate giving a total allocation of €3.95 million in 2017.

I trust this clarifies the matter for the Deputy.

### **Disability Allowance Applications**

493. **Deputy James Lawless** asked the Minister for Employment Affairs and Social Protection the status of an application by a person (details supplied) for a disability allowance .

[52592/17]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** An application for disability allowance (DA) from this gentleman was received on 2 November 2017.

Further medical evidence was received from this gentleman's mother on 20 November 2017 and on 7 December 2017. This is currently being reviewed by a deciding officer. On completion of the necessary investigations on all aspects of the claim a decision will be made and the person concerned will be notified directly of the outcome.

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

I trust this clarifies the matter for the Deputy.

### **Community Employment Schemes Eligibility**

494. **Deputy Tom Neville** asked the Minister for Employment Affairs and Social Protection if she will address a matter (details supplied); and if she will make a statement on the matter. [52602/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The person in question has participated on CE since 2011 and reached his six year lifetime limit in November 2017. He was then referred to JobPath for activation support and he is currently engaging with his JobPath provider who will support and assist him to look for a full time sustainable job. Participants with JobPath, who are all long-term unemployed jobseekers, receive intensive individual support to help them overcome barriers to employment and to find jobs. Each person is assigned a personal advisor who assesses their skills, experience, challenges and work goals, including those skills gained with CE and other schemes for the purpose of agreeing a personal progression plan (PPP). The PPP contains a schedule of activities to assist the person to find employment, this may relevant training and educational programmes and there are no barriers to any participants pursuing employment focussed training.

In the event that the person concerned does not find sustainable employment, he may be eligible to again participate on CE under the pilot initiative which enables those aged 62 or over to extend their participation beyond the 6 year participation limit. This initiative enables participants over 62 years to participate up to the state pension age, subject to satisfying the conditions

of satisfactory performance on the scheme and to annual approval by the Department.

I am confident the person concerned will benefit from participation with JobPath and would encourage him to continue to engage with the service.

### **Maternity Benefit Applications**

495. **Deputy Tom Neville** asked the Minister for Employment Affairs and Social Protection if a decision has been made on the further review of a maternity benefit appeal in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [52623/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, decided to disallow the appeal of the person concerned by way of a summary decision on 15 May 2017. Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts, or where there has been a change of circumstances which has come to notice since the date of the Appeals Officer's original decision. I am advised that the person concerned has submitted additional evidence and that the Appeals Officer has agreed to review the case. The person concerned will be contacted when the review of his/her appeal has been finalised.

The Social Welfare Appeals Office functions independently of the Minister for Employment Affairs and 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.

### **Domiciliary Care Allowance Applications**

496. **Deputy John McGuinness** asked the Minister for Employment Affairs and Social Protection if the decision taken by her Department relative to an application for DCA by a person (details supplied) will be reviewed; and if the decision will be overturned based on the evidence and professional opinion submitted (details supplied). [52635/17]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** An application for domiciliary care allowance (DCA) was received in respect of this child on 28 August 2017. The application was not allowed as it was considered that the child did not meet the eligibility criteria for the allowance. A letter issued on 23 November 2017 outlining the decision in this case. In the case of an application which is refused, the applicant may submit additional information and ask to have the decision reviewed, and/or they may appeal the decision directly to the Social Welfare Appeals Office. The options available have been advised in the decision letter.

I hope this clarifies the matter for the Deputy.

### **Community Employment Schemes Supervisors**

497. **Deputy James Browne** asked the Minister for Employment Affairs and Social Protec-



tion her plans to provide a pension for community employment scheme supervisors in line with a Labour Court recommendation; and if she will make a statement on the matter. [52715/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Community Employment (CE) scheme supervisors are employees of private companies in the community and voluntary sector. The State is not responsible for funding pension arrangements for such employees even where the companies in question are reliant on State funding. It is open to individuals to make provision for a pension by way of PRSA which all employers are obliged to facilitate. Nevertheless, it should be noted that the issue of CE supervisors' pension provision is currently being examined by a Community Sector High Level Forum, chaired by the Department of Public Expenditure and Reform. My Department is represented on this group, as are IMPACT, SIPTU, Pobal and other relevant Government Departments.

The Forum last met on 23 November 2017 and I understand that a paper outlining the costs involved was presented. The unions have agreed to review and revert as soon as possible. Following on from this, a meeting is to be arranged between the trade unions and my colleague, the Minister for Finance and Public Expenditure and Reform, Deputy Paschal Donohoe.

I trust this clarifies the matter for the Deputy.

### **State Pension (Contributory)**

498. **Deputy James Browne** asked the Minister for Employment Affairs and Social Protection the way in which she plans to address the inequality within differing levels of pension payments between persons retiring before and after 2012; and if she will make a statement on the matter. [52716/17]

499. **Deputy James Browne** asked the Minister for Employment Affairs and Social Protection the date on which the report investigating the effects of the 2012 changes to contributory pensions will be published; and if she will make a statement on the matter. [52717/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 498 and 499 together.

The changes made to State Pension (contributory) rate bands in Budget 2012, affected those pensioners who had a yearly average of less than 39 social insurance contributions over the course of their working life.

The current rate bands were introduced from September 2012, replacing previous rates introduced in 2000. The rate bands in place between 2000 and 2012 were more generous than those in place before and after that period, and were a feature of the economic and political environment at that time. The economic crash changed the focus and while other payments were reduced as a result, the core rates of the pension were maintained. Instead of reducing those payments, which many vulnerable pensioners were solely reliant upon, the rates paid to new pensioners who both have additional means and lesser PRSI contribution records were reduced.

It should be noted that, for a person with a yearly average of 20 contributions, the new rate of payment introduced in 2012 was still higher than the maximum rate that was in place at the start of 2006. Also, it should be noted that in all European countries and beyond, pension reforms have been introduced to make them more sustainable, and these will generally result in people having different payments depending upon when they reach pension age. The only way to avoid this would be to introduce the reforms for existing pensioners, and decrease the incomes pensioners have become dependent upon.



The 2012 rate bands more closely reflect the social insurance contributions history of a person than those in place between 2000 and 2012. The current rate bands still provide pensions to people which are better than proportionate with their level of contribution. A person with only 20 years of contributions over nearly 50 years will still get an 85% pension, which compares favourably with contributory pensions in other EU countries.

It is estimated that to revert to the previous bands from January 2018 would result in an annual cost of well over €70 million in 2018, and this annual cost would increase by an estimated €10 to €12 million extra each following year.

The Department is examining in depth various options that would provide some relief to those who would have a higher contributory pension, had the rate bands not been amended in 2012.

As soon as the report is finished I intend to bring it to a cabinet committee meeting and subsequently to Government for consideration early in the New Year.

If there are equitable changes that target relief to those who were particularly affected by anomalies under the yearly average system, especially if they had home-making periods prior to the introduction of the Homemakers scheme, I will ask Government to consider if and how these might be financed.

The National Pensions Framework proposed that a total contribution approach should replace the yearly average approach to the calculation of the State Pension (contributory). Under this approach, the rate of pension paid would more closely reflect the total number of Social Insurance contributions made by a person throughout her or his working life and the incongruities of the Yearly Averaging method of calculating entitlement would be removed. It is expected that this approach to pension qualification will replace the current one from 2020.

A discussion paper is being drafted by my Department and it is hoped to start the consultation process with relevant stakeholders including interest groups, representative bodies and the Oireachtas shortly. Following the consultation period, a proposal to Government will be submitted seeking approval of the new approach.

The main aim of Government policy on pensions is to make sure that pensions are affordable, sustainable and keep their value in the coming years. The reforms that are planned will result in a more inclusive and fairer pension system for all citizens.

I hope this clarifies the matter for the Deputy.

### **Community Employment Schemes Eligibility**

500. **Deputy James Browne** asked the Minister for Employment Affairs and Social Protection her plans to extend the allowable period for persons to work under the community employment scheme; and if she will make a statement on the matter. [52720/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** My Department provides a range of activation supports catering for long-term unemployed job-seekers and those most distant from the labour market. These supports include employment programmes such as Community Employment (CE). The purpose of CE is to help a person re-enter the active workforce by breaking their experience of unemployment through a return to work routine. Participation on CE is intended to be for a temporary fixed-term. Participation limits are in place to ensure that as many unemployed people as possible are able to benefit

from the scheme and to meet the scheme's objectives of breaking the cycle of unemployment and maintain work readiness, thereby improving a person's opportunities of returning to the labour market.

International evidence does not advocate a long-term dependency on work programmes. While it is accepted that these schemes serve a role in times of high unemployment, the evidence points to longer duration participation being prone to 'locking' unemployed people into programmes, rather than engaging them to actively search for jobs.

Following the publication of my Department's Report - An Analysis of the Community Employment (CE) Programme – earlier in the year, the Government approved a number of changes to the terms and conditions around participation on CE. The main purpose of these changes is to broaden the availability of CE to a greater number of people on the live register, to standardise eligibility and other conditions regarding the length of time a person can participate on the programme and to promote progression outcomes.

The changes, which are effective since early July 2017, have seen the general qualifying age for CE, for those on the live register, reduced from 25 to 21 years. It is also now easier for previous participants, who have exhausted their CE entitlement, to requalify as participation prior to the year 2007 will be disregarded. While participants between 21 and 55 years can avail of one year on the programme, this can be extended on approval by my Department by up to 2 more years if they are working towards a major award/industry recognised equivalent to support their progression to employment. CE participants aged 55 and over can now avail of up to 3 consecutive years on a scheme. An overall lifetime limit of 6 years will apply to CE participants (7 years if on a disability payment). A person may re-qualify for CE after 12 months of being in receipt of a qualifying social welfare payment, provided they have not reached their 6 year overall lifetime limit.

This Government is also very conscious of the valuable contribution that programmes such as CE are making in the provision of services to individuals and communities across Ireland.

I trust this clarifies the matter for the Deputy.

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

501. **Deputy Pat Breen** asked the Minister for Employment Affairs and Social Protection when a carer's allowance application by a person (details supplied) will be processed; and if she will make a statement on the matter. [52722/17]

**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 the 1 September 2017. Carer's allowance is a means-tested social assistance payment made to a person who is habitually resident in the State and who is providing full-time care and attention to a person who has such a disability that they require that level of care.

The application is currently being processed and once completed, the person concerned will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

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

502. **Deputy Pat Breen** asked the Minister for Employment Affairs and Social Protection when a carer's allowance application by person (details supplied) will be processed; and if she will make a statement on the matter. [52742/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I confirm that my Department received a carer's allowance (CA) application on the 23 August 2017 from the person concerned in respect of two care recipients. It is a condition for receipt of a CA that the level of care and attention being provided by the carer must be full-time.

The evidence submitted in support of this application was examined and the deciding officer decided that this evidence indicated that this condition was not satisfied.

The person concerned was notified on 7 December 2017 of this decision, the reason for it and of her right of review and appeal.

I hope this clarifies the matter for the Deputy.

### **Carer's Benefit Eligibility**

503. **Deputy Jack Chambers** asked the Minister for Employment Affairs and Social Protection if a carer's benefit for a person (details supplied) may be applied for; and if she will make a statement on the matter. [52752/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The spouse of the person for whom details have been supplied has been in receipt of carer's benefit since July 2016. On the basis of current legislative provisions that provide for a maximum payment period of 104 weeks, the payment is due to end in July 2018. Carer's benefit is an income support payment for people who have made social insurance contributions and who have recently left the workforce, or have reduced their hours of work to 15 hours per week or less, and are looking after somebody in need of full-time care and attention. A person applying for carers benefit must meet the conditions for receipt of the payment. Only one carer's benefit payment is paid in respect of an individual recipient of care. The suggestion that "entitlement" may be transferred between persons for the purposes of qualifying for carers benefit is contrary to the general principle of the social insurance system where entitlement to a payment is generally linked with a person's own social insurance contributions and whether they themselves meet the conditions for the payment. The issue of joint assessment is a matter for the tax code and is not relevant to the question of entitlement for social insurance payments.

The Department does provide support to carers through a number of other payments. Carer's Allowance is a means-tested payment for carers who look after certain people in need of full-time care and attention on a full time basis. The Carer's Support Grant is an annual payment made to carers by the Department. Domiciliary Care Allowance is a monthly payment for a severely disabled child who is under age 16 and needs full-time care and attention far beyond what is normally required by a child of the same age.

Further details of these payments and the qualifying conditions are available from the Department.

### **Social Welfare Schemes**

504. **Deputy Catherine Murphy** asked the Minister for Employment Affairs and Social Protection the payments that are excluded from benefitting from the Christmas bonus; the way

in which her Department advises persons that may expect the payment but are not due to receive it; and if she will make a statement on the matter. [52754/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I was pleased to announce on Budget Day that an 85% Christmas bonus would be paid this year to over 1.2 million long-term social welfare recipients, such as pensioners, people with disabilities, carers, lone parents and long-term jobseekers at a cost of €219 million. All recipients of the following schemes were eligible to receive the Bonus, which was paid as an 85% increase to the relevant weekly payment.

**Social Assistance Schemes**

- State Pension Non-Contributory
- One Parent Family Payment
- Widow(er)s' and Surviving Civil Partner's Pension (Non-Contributory)
- Deserted Wife's Allowance
- Farm Assist
- Pre-Retirement Allowance
- Community Employment
- Rural Social Scheme
- Tús
- Job Initiative
- Back to Work Enterprise Allowance
- Gateway
- Back to Work Family Dividend
- Disability Allowance
- Blind Pension
- Carer's Allowance
- Domiciliary Care Allowance
- Guardian's Payment (non-con)
- Magdalen Commission Scheme

**Social Insurance schemes**

- State Pension (Contributory)
- Widow(er)s' Surviving Civil Partners Pension (Contributory)
- Occupational Injuries Death Benefit Pension
- Deserted Wife's Benefit

- Partial Capacity Benefit
- Invalidity Pension
- Disablement Benefit
- Carer's Benefit
- Guardian's Payment (Contributory)

In the case of recipients of Jobseeker's Allowance, Supplementary Welfare Allowance, Direct Provision Allowance and jobseekers on the Back to Education Allowance scheme, the person must have been in receipt of an eligible payment for a minimum of 15 months in order to qualify for the Bonus.

There were no changes this year to the eligibility criteria for the Bonus. In line with previous years, social welfare schemes not listed above were not eligible payments for the Bonus this year.

The Department's network of Intreo and branch offices and the Citizens Information Centres are available to respond to any queries by persons who may be unsure as to whether they qualified for a Bonus payment. Information on the schemes eligible for the Bonus is listed on the Department's website and also on the Citizens Information website.

### **Social Welfare Appeals Status**

505. **Deputy Pat Breen** asked the Minister for Employment Affairs and Social Protection when an application by a person (details supplied) will be processed; and if she will make a statement on the matter. [52789/17]

**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 registered in that office on 19 October 2017. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When these papers have been received from the Department, the case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal hearing. The Social Welfare Appeals Office functions independently of the Minister for Employment Affairs and 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.

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

506. **Deputy Pat Breen** asked the Minister for Employment Affairs and Social Protection when an application by a person (details supplied) will be processed; and if she will make a statement on the matter. [52790/17]

**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 29 September 2017. Carer's allowance is a means-tested social assistance payment

made to a person who is habitually resident in the State and who is providing full-time care and attention to a person who has such a disability that they require that level of care.

The application is currently being processed and once completed, the person concerned will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

### **Social Welfare Schemes**

507. **Deputy Catherine Murphy** asked the Minister for Employment Affairs and Social Protection if the criteria of the yearly bonus payment for those on a long term payment is classed at 15 months or 455 days as opposed to 12 months; the date on which it changed; the rationale for same; and if she will make a statement on the matter. [52807/17]

508. **Deputy Seán Haughey** asked the Minister for Employment Affairs and Social Protection the reason persons that only became unemployed within the past 15 months are not eligible for the Christmas bonus whereas persons that are unemployed for more than 15 months are eligible for it; her views on whether this is unfair on persons that have been successful in their efforts to secure employment during or prior to this 15 months time frame but that become redundant; and if she will make a statement on the matter. [52820/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 507 and 508 together.

I was pleased to announce on Budget Day that an 85% Christmas bonus was to be paid this year to over 1.2 million long-term social welfare recipients, such as pensioners, people with disabilities, carers, lone parents and long-term jobseekers at a cost of €219 million.

The Christmas bonus was introduced in 1980 for certain social welfare schemes and was extended to long-term jobseekers in 1985. The duration requirement of 15 months (or 390 days for jobseeker's allowance, as the cumulative total of days is based on a six day week) has been in place since then. There has been no change to the duration criteria.

The bonus is paid to long-term recipients of jobseeker's allowance in recognition of their long-term financial dependence on the social welfare payment for all or most of their income.

It should be noted that time spent on jobseeker's benefit prior to receipt of jobseeker's allowance is taken into account in calculating the duration of unemployment. In addition, in cases where a person ceases their jobseeker's payment to take up work but the work ends and the person signs on to a jobseeker's payment again within one year, there is no break in the cumulative total days of unemployment. In this regard, taking up temporary employment does not have a negative impact on the person's eligibility for the Bonus.

### **Invalidity Pension Payments**

509. **Deputy Michael Healy-Rae** asked the Minister for Employment Affairs and Social Protection if the case of an overpayment to a person (details supplied) will be examined; and if she will make a statement on the matter. [52833/17]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** Invalidity Pension (IP) was awarded to the person in question



with effect from 28 May 2015. Her IP was stopped with effect from 28 September 2017 on the grounds that she had commenced employment in February 2016 without prior permission from the Department. Your representation has been treated as a review request from the lady in question.

Following a review of all the information available, the Deciding Officer in this case has decided that the person in question was genuinely not aware of the requirement to disclose to the Department the fact that she was working for three hours a week. It has been therefore decided that an overpayment will not be assessed against the lady in question for the period she was employed from 11 February 2016 to 27 September 2017.

Partial Capacity Benefit (PCB) is a social welfare scheme which allows a person to return to work or self-employment (if they have reduced capacity to work) and continue to receive a payment from the Department. Participation on the PCB scheme is voluntary and a person may return to Illness Benefit or Invalidity Pension if, for example, their employment ceases or if they find they cannot continue to work.

Notification of the revised decision and an application for PCB issued to the lady in question on 08 December 2017.

I hope this clarifies the matter for the Deputy.

### **Social Welfare Code**

510. **Deputy Mattie McGrath** asked the Minister for Employment Affairs and Social Protection the social welfare supports and options that are in place for self-employed persons; and if she will make a statement on the matter. [52859/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Government is committed to encouraging self-employment and entrepreneurship. This includes enhancing the position of the self-employed through a supportive tax regime and, very importantly, improving the level of PRSI based benefits available to self-employed people.

Self-employed people who earn €5,000 or more in a contribution year, are liable for PRSI at the class S rate of 4%, subject to a minimum annual payment of €500. This provides them with access to the following benefits: State pension (contributory), widow's, widower's or surviving civil partner's pension (contributory), guardian's payment (contributory), maternity benefit, adoptive benefit and paternity benefit.

Since March 2017, the self-employed have access to the treatment benefit scheme which includes free eye and dental examinations, and contributions towards the cost of hearing aids. Treatment benefit entitlements were also extended from October 2017 so as to provide further dental and optical benefits.

Even more significantly, self-employed contributors are now eligible for the invalidity pension from December 2017. For the first time, this gives the self-employed access to the safety-net of State income supports if they become permanently incapable of work as a result of an illness or disability without having to go through a means test. This is a real advance in the level of cover available to the self-employed.

There are also a range of other supports available to the self-employed.

Self-employed workers with insufficient means can access means tested payments such as

jobseeker's allowance or disability allowance, in respect of periods when they cannot work because of a downturn in their business or ill health. Self-employed workers who are parenting alone can claim the One Parent Family Payment in the same manner as employees who are parenting alone.

The back to work family dividend (BTWFD) scheme aims to help families, including self-employed families, to move from social welfare into employment. It gives financial support to people with qualified children who are in or take up employment or self-employment and as a result stop claiming a jobseeker's payment or a one-parent family payment.

The back to work enterprise allowance (BTWEA) is designed to provide a monetary incentive for people who are dependent on certain social welfare payments to develop a business, while allowing them to retain a reducing proportion of their qualifying social welfare payment over two years (100% in year one and 75% in year two). In the case of jobseekers, the qualifying period required for access to the BTWEA is 12 months in receipt of a jobseekers payment, provided a person has an underlying entitlement to jobseeker's allowance (JA). Jobseekers who were previously self-employed, similar to PAYE workers, may access social welfare supports, including BTWEA, by establishing eligibility to JA.

The short term enterprise allowance provides immediate access to those who have lost their jobs and qualify for jobseeker's benefit and wish to set up a business. Payment under the scheme is at the same rate and for the same duration as their entitlement to jobseeker's benefit.

### **Fuel Allowance Eligibility**

511. **Deputy Mick Wallace** asked the Minister for Employment Affairs and Social Protection if a person (details supplied) is entitled to fuel allowance. [52913/17]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** This gentleman is in receipt of Disability Allowance (DA) since 23 April 2014. An application for Free Fuel Allowance (FFA) was received from this gentleman on 20 October 2017. FFA is a payment under the National Fuel Scheme to help with the cost of heating your home during the winter months. It is paid to people who are dependent on long-term social welfare payments and who are unable to provide for their own heating needs.

A person may qualify for FFA if they are getting DA and they live alone or only with other people getting one of the qualifying payments who would also be eligible for FFA in their own right. Based on the information provided to the department, this gentleman does not qualify for FFA as his household consists of people who are not in a qualifying category. Notification of his refusal for FFA issued on 2 December 2017.

I hope this clarifies the matter for the Deputy.

### **Social Welfare Payments Administration**

512. **Deputy Peadar Tóibín** asked the Minister for Employment Affairs and Social Protection if she will make an additional Christmas payment to persons in emergency accommodation in view of the increase in numbers in this regard in order to make Christmas a little more bearable in terms of meals and clothing. [52917/17]

517. **Deputy Richard Boyd Barrett** asked the Minister for Employment Affairs and Social Protection if a person in emergency accommodation has an entitlement to supplementary wel-

fare allowance to facilitate a special diet for diagnosed Crohn's disease; and if she will make a statement on the matter. [52978/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 512 and 517 together.

I was pleased to announce on Budget Day that an 85% Christmas Bonus was to be paid this year to over 1.2 million long-term social welfare recipients, such as pensioners, people with disabilities, carers, lone parents and long-term jobseekers at a cost of €219 million, in recognition of their long-term financial dependence on their social welfare payments for all or most of their income.

Customers who have been in receipt of basic supplementary welfare allowance (basic SWA) continuously for more than 15 months are eligible for a Christmas Bonus and this issued in the last week of November 2017. Customers that have spent time on another qualifying scheme immediately prior to the award of a basic SWA payment and thereby meet the 15 months eligibility criteria are also eligible for the bonus.

Diet supplement, administered under the supplementary welfare allowance (SWA) scheme, is payable to qualifying persons, in receipt of the supplement prior to February 2014, who have been prescribed a special diet as a result of a specified medical condition. Following the outcome of a review of the costs of healthy eating and specialised diets by the Irish Nutrition and Dietetic Institute commissioned by the Department during 2013, the scheme has been closed to new applicants from 1 February 2014. However, in cases of particular hardship, officials continue to have the legislative power to award a SWA payment in cases of exceptional need.

Any person in emergency accommodation, who considers that they may have an entitlement to the Christmas Bonus, but have not yet received the payment, or to financial support under the SWA scheme, including that available under the Exceptional Needs Payments, should contact the Department for assistance.

I trust this clarifies the matter for the Deputies.

### **Disability Allowance Payments**

513. **Deputy John McGuinness** asked the Minister for Employment Affairs and Social Protection the reason disability allowance being paid to a person (details supplied) was cut to €160.50 per week. [52931/17]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** In April 2016 this lady was awarded full rate Disability Allowance (DA) with effect from 21 October 2015.

Following a review of the entitlement of this lady's DA on 19 September 2017, it was found that she had an increase in her means from her previous assessment due to her spouse receiving a private pension from Zurich Life.

As this lady's spouse is in receipt of a Social Welfare payment in his own right half the weekly means were assessed against the person in question. This resulted in a reduced weekly payment of €160.50 payable to this lady from 4 October 2017. She was notified in writing of this decision and of her right to review and appeal.

I trust this clarifies the matter for the Deputy.

## **Citizen Information Services**

514. **Deputy John McGuinness** asked the Minister for Employment Affairs and Social Protection the changes being put in place by CIBs relative to the structure of MABS; the details of these changes to date and projected costs for the future; the benefits of these changes for the persons using the services; if all of the stakeholders were consulted regarding the changes being introduced; and if she will make a statement on the matter. [52933/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Citizens Information Board (CIB), which has statutory responsibility for the Citizens Information Services (CIS) and the Money Advice and Budgeting Service (MABS), decided in February 2017 to restructure the governance arrangements of these services to an 8 region model. The Board's decision will change the structure from 93 individual local CIS and MABS company boards to sixteen regional company boards, 8 CIS and 8 MABS.

The changes are being made at local company board level only. The valuable work carried out by those employed by CIS and MABS services and those who volunteer in CIS services will continue as heretofore. There will be no job losses for those working in the services, no diminution of existing services, no closures of service delivery points, and crucially, no disruption to services for those who use them.

CIB has taken this decision following years of analysis of options and a detailed consultation period with all stakeholders on the need for a more streamlined governance model.

The first phase of CIB's implementation of its new governance arrangements is underway in South Dublin, North Leinster (Kildare, Longford, Louth, Meath and Westmeath) and South Munster (Cork & Kerry). It is the intention of CIB to provide information and support through the transitional period. Information sessions are being organised for Chairpersons of local services, providing an opportunity for Chairpersons to seek clarifications on the process of transfer to the new regional companies and wind up of the existing companies.

Implementation of the new governance arrangements is expected to take up to two years to complete, with an estimated net cost to the Exchequer of €4.1 million in present values, over 8 years. Initial set up costs are estimated to be €1.94 million.

The aim of the change is to improve the effectiveness of the control environment, financial management and governance of CIS and MABS networks, which are 100% State-funded. It is also about consolidating managerial and administrative efforts, focussing on front line service delivery to citizens, improving the consistency and quality of service delivery and, where possible, extending services for those who rely on them.

I hope this clarifies the matter for the Deputy.

## **Disability Allowance Applications**

515. **Deputy John McGuinness** asked the Minister for Employment Affairs and Social Protection the status of an application by a person (details supplied) for disability allowance; the reason the previous application was unsuccessful; and if she will make a statement on the matter. [52935/17]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** This lady submitted an application for disability allowance (DA) on 21 July 2017.

The application, based upon the evidence submitted, was refused on medical grounds and the person in question was notified in writing of this decision on 01 September 2017 and of her rights of review and appeal.

On 14 September 2017 the person in question appealed to the independent Social Welfare Appeals Office (SWAO) a decision by a deciding officer to disallow her application for disability allowance.

Following due consideration, the appeal was disallowed by an appeals officer (AO) and she was notified of this decision in writing. An AO's decision is final and conclusive in absence of any fresh facts or evidence.

I confirm my department received a new application for DA on 20 November 2017. This application is being processed and the person in question will be notified in writing when a decision has been made.

I trust this clarifies the matter for the Deputy.

### **Community Employment Schemes Administration**

516. **Deputy Barry Cowen** asked the Minister for Employment Affairs and Social Protection if funding will be provided to a company (details supplied) for the provision of a community employment scheme or an alternative employment scheme that will support the needs of the surrounding areas. [52970/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The organisation referred to by the Deputy has contacted my Department regarding Community Employment (CE) scheme places. Local divisional staff from my Department will be in contact with them regarding their CE request with a view to meeting them in the near future where the options, including the process of making an application for a new CE scheme, will be discussed.

In addition, the organisation has submitted an expression of interest in funding under the Community Services Programme (CSP) to my Department. From time to time, as resources allow, my Department processes new applications received from organisations that have expressed an interest in and are considered eligible under the CSP. When resources next allow, their expression of interest will be assessed and, if it is found to be suitable, it will be forwarded to Pobal to begin work on the business planning phase. In this context, it should be noted that, subject to Government approval, responsibility for the operation of the CSP will transfer to my colleague Michael Ring T.D., Minister for Rural & Community Affairs, from 1 January 2018.

I trust this clarifies the matter for the Deputy.

*Question No. 517 answered with Question No. 512.*

### **Social Welfare Payments Administration**

518. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the reason the Christmas bonus is not being paid in the case of a person (details supplied) who is in receipt of jobseeker's allowance; and if she will make a statement on the matter. [52979/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The



person concerned has been in receipt of jobseeker's benefit since 1/9/17. Jobseeker's benefit is a short term payment. Only customers in receipt of long term payments qualify for the Christmas bonus.

I trust this clarifies the matter for the Deputy.

### Social Welfare Overpayments

519. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the reason for an alleged overpayment in the case of a person (details supplied); and if she will make a statement on the matter. [52980/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The person concerned was assessed with an overpayment of €1,890.00 on her one parent family payment claim for the period 5 January 2017 to 12 July 2017 by a Deciding Officer of the Department. The overpayment resulted due to an undeclared increase in means from employment.

The Social Welfare Appeals Office has advised me that an appeal by the person concerned has been registered in that office. In accordance with the statutory requirement of the appeals process the relevant papers and comments by or on behalf of the Deciding Officer on the grounds of appeal were sought from the Department of Employment Affairs and Social Protection. These papers have been received in the Social Welfare Appeals Office and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Employment Affairs and 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.

*Question No. 520 withdrawn.*

### Domiciliary Care Allowance Data

521. **Deputy Pearse Doherty** asked the Minister for Employment Affairs and Social Protection the refusal rates for applications for domiciliary care allowance; and if she will make a statement on the matter. [53012/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The refusal rates for Domiciliary Care Allowance claims for the last 3 complete years, 2014 to end August 2017 are outlined as follows:

Year	Applications Received	Approved	Not approved	Percentage refused
2014	5743	3104	2062	36%
2015	6422	4186	2102	33%
2016	7434	4996	1683	23%
2017* *To end of August	5772	3801	970	17%



### **Rent Supplement Scheme Payments**

522. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the reason rent supplement has been suspended in the case of a person (details supplied) who has not received payment for October and November 2017; if their case can be reviewed as a matter of urgency with a view to reinstatement of their payment; and if she will make a statement on the matter. [53053/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The person concerned was requested to provide the Department with relevant documentation regarding her Rent Supplement claim on 6/9/17. This documentation has not, to date, been received by the Department.

On receipt of same, the rent claim for the person concerned will be re-assessed.

I trust this clarifies the matter for the Deputy.

*Question No. 523 withdrawn.*

### **Domiciliary Care Allowance Applications**

524. **Deputy Bobby Aylward** asked the Minister for Employment Affairs and Social Protection the status of an application for a domiciliary care allowance by a person (details supplied); if she will request that every effort is made by the disability allowance section to process this application before Christmas 2017 to provide financial assistance to the family; and if she will make a statement on the matter. [53082/17]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** An application for domiciliary care allowance was received from this lady in respect of her two children on 26 September 2017. She was notified on 7 December 2017 that her domiciliary care allowance claim has been awarded for her son.

Further additional information in relation to her daughter's care needs has been received and will now be considered before a decision is made in her case. She will be notified in writing when a decision is made on this claim.

I hope this clarifies the matter for the Deputy.

### **Humanitarian Assistance Scheme**

525. **Deputy Tom Neville** asked the Minister for Employment Affairs and Social Protection the amount provided under the humanitarian assistance scheme; and the amount that has been administered to date in 2017 under the humanitarian assistance scheme. [53106/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Department of Housing, Planning and Local Government is the lead Department for severe weather emergencies and the Office of Public Works has responsibility for capital flood relief activities. However, my Department has an important role to play in assisting households in the immediate aftermath of emergency events such as flooding.

The purpose of the humanitarian assistance scheme is to prevent hardship by providing income-tested financial support to people whose homes are damaged from flooding and severe

weather events and who are not in a position to meet costs for essential needs, household items and in some instances structural repair. In 2017, the scheme was recently activated to provide support to householders affected following the flooding in County Donegal in August and in County Laois in November where payments are continuing to be made. There is a time-lag between the flooding event and claims for financial support as the full extent of the damage to homes only becomes known when the flood water abates and the properties dry out.

The scheme is demand-led and by its nature is difficult to predict the expected outturn. Some €500,000 was provided for the scheme in the Revised Estimates for 2017 with an additional €1.34 million made available through the recent Supplementary Estimate process giving a total allocation for 2017 of €1.84 million. Expenditure data shows that to the end of November some €732,000 had been spent under the scheme, which also includes an amount paid for household relocation expenses arising from 2009 flooding events.

I trust this clarifies the matter for the Deputy.

### **Social Insurance**

526. **Deputy Jan O’Sullivan** asked the Minister for Employment Affairs and Social Protection the benefits that accrue from the contribution of K stamp PRSI payments; if they are counted for pension purposes; and if she will make a statement on the matter. [53170/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** All workers pay PRSI on their earnings from employment or self-employment. In the case of individuals who have more than one income source, PRSI is generally paid on all forms of income.

Prior to 2013, exemptions from PRSI applied to the self-employed income of specific groups. These exemptions have since been abolished.

Since 2013, modified rate employees contributors (i.e. civil and public servants recruited prior to 1995) who also have earned self-employed income or unearned income over €5,000 per annum are liable to pay PRSI on that income which was previously exempt. This income is liable at the class K rate of 4%. Entitlement to social insurance benefits does not accrue from the payment of this charge.

Since 2014, all employees (in the public and private sector) and occupational pensioners under 66 years, with unearned income only, are liable to pay Class K PRSI on that annual unearned income where it exceeds €5,000. Class K PRSI is charged at 4% and does not give access to social insurance entitlements based on the payment of the charge. Prior to 2014 these employees were exempt from PRSI on such unearned income, which includes rental and investment income, dividends and interest on deposits. This provision applies to all employees, regardless of the PRSI class they pay on their employment income.

All workers pay PRSI on their earnings from employment. If an employee has income from self-employment e.g. taxi driver, farmer etc. he or she also pays PRSI as a self-employed contributor on the profits from, say, the taxi driving plus any other unearned income he or she might have e.g. rental income. The measure to charge class K PRSI on employees who were previously exempt was introduced to ensure equity by ensuring that PRSI is chargeable, regardless of the source of the employee’s additional income.

Employees paying class K PRSI on unearned income can generate entitlement to social insurance benefits based on PRSI they pay on their employment income. Class A employees with unearned income already have access to the full range of social insurance benefits, because

of their PRSI class A status. Modified rate employees have access to a limited range of social insurance benefits but have entitlement to generous Exchequer-funded occupational pensions.

### Community Employment Schemes Administration

527. **Deputy Jackie Cahill** asked the Minister for Employment Affairs and Social Protection the reason the audits have not been done for a number of community employment schemes in County Tipperary (details supplied); and if she will make a statement on the matter. [53180/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Community Employment (CE) projects operate on annual rolling contracts. The CE project year is divided into 13 four-week pay cycles. As part of the contract, the CE project is given an advance payment at the project commencement (called the Initial Grant) equivalent to 8 weeks estimated wages to cover the initial wages for the Supervisor and participants (who are paid on a current week basis) and other set-up costs (insurance costs, start-up materials, training etc.). The CE project Sponsor can claim the actual wages paid out in each 4-week cycle at the end of that cycle. The advance payment/Initial Grant is clawed back in tranches over the last 4 cycles. At the end of each CE project contract, the Sponsor must have a record of all financial transactions of the project presented in a coherent manner. These records must be supported by the submission of an independent, professionally certified, audited Statement of Income and Expenditure known as the CE project's audit. Under the CE procedures the CE project audit is required to be submitted to the Department within four weeks after the finish date of the CE project contract. As the CE project audit is submitted to the Department after the finish date of a CE project contract it does not impact upon the renewal of a CE project contract.

The requirement under the CE Procedures for an annual audit reflects the fact that funding for CE comes from the Exchequer and the Department is answerable to the Government, the Comptroller & Auditor General and the Public Accounts Committee for the administration of this funding. The Cycle 13 payment is withheld pending review of the CE projects submitted audit following which a final balancing payment is issued by the Department.

### Departmental Reports

528. **Deputy Eoin Ó Broin** asked the Minister for Employment Affairs and Social Protection the date on which Ireland's 15th report on the implementation of the European Social Charter for the period 2013 to 2016 was submitted to the European Committee of Social Rights; and if she will publish that report on her Department's website. [53203/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Ireland's fifteenth report on the implementation of the European Social Charter was submitted to the European Committee of Social Rights on 31 October 2017.

National reports under the European Social Charter, including those from Ireland, are published on the Council of Europe's website and are available to view and download at the following link: <https://www.coe.int/en/web/turin-european-social-charter/national-reports>

It is planned to make Ireland's fifteenth report available on my Department's website in line with the publication, on the Council of Europe's website, of the latest round of national reports submitted under the European Social Charter which is expected in January 2018.

## Social Insurance Payments

529. **Deputy Jan O’Sullivan** asked the Minister for Employment Affairs and Social Protection if persons who were previously self-employed and who moved to carer’s allowance can acquire credited contributions for pension purposes similar to PRSI workers who become carers; if not, her plans to amend this in the interests of fairness to those self-employed persons who have to give up work to care for a family member; and if she will make a statement on the matter. [53204/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The purpose of credited contributions (credits) is to protect social insurance entitlements by bridging gaps in an employee’s social insurance record, where they are not in a position to pay PRSI, such as for period of unemployment, illness or in receipt of certain payments, including carer’s allowance.

In isolation, credits do not give entitlement to social insurance benefits. In combination with paid PRSI contributions, credits can assist employees qualifying for short-term schemes such as jobseeker’s benefit. Credits may also enhance the level of benefit for long-term schemes such as the level of payment of State pension contributory (SPC), but only where the individual has already met the condition relating to the minimum number of paid contributions.

To qualify for credits an individual must satisfy entitlement to the credits scheme. While there are no self-employed credits, individuals who were previously employed can access the scheme in the same manner as other workers, subject to meeting the conditions of the scheme. In general credits can only be awarded where an individual has had a recent attachment to the workforce as an employee i.e. within the last 2 years. Therefore credits are not automatically awarded to all recipients of carer’s allowance.

Individuals who are caring on a full-time basis, including those in receipt of carer’s allowance may, however, qualify for the homemaker’s scheme. The homemaker’s scheme is designed to help homemakers and carers to protect their SPC entitlement, and applies to home-making periods since 6 April 1994. It applies to the self-employed on the same basis as it does to other workers.

The homemaker’s scheme provides that years spent working in the home while caring on a full-time basis for a child up to 12 years of age or an incapacitated person age 12 or over will be disregarded in calculating a person’s yearly average number of contributions for the purposes of determining the rate of their entitlement to SPC. In this way the homemaker’s scheme ensures that an individual’s entitlement to SPC is protected during periods spent caring.

As credits impact on social insurance entitlements, extending credits would have financial implications for the cost of paying social insurance benefits. Such an extension would have to be considered in the Budgetary context of what additional costs would arise and how such costs could be met.

## State Pension (Contributory)

530. **Deputy Jan O’Sullivan** asked the Minister for Employment Affairs and Social Protection when the overhaul of the PRSI contribution assessment for pension entitlement, including averaging of contributions, will be carried out; when it is likely to be completed; and if she will make a statement on the matter. [53205/17]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The National Pensions Framework proposed that a total contribution approach should replace the yearly average approach to the calculation of the State Pension (contributory). Under this approach, the rate of pension paid would more closely reflect the total number of Social Insurance contributions made by a person throughout her or his working life and the incongruities of the Yearly Averaging method of calculating entitlement would be removed.

It is expected that this approach to pension qualification will replace the current one from 2020. I intend that its design will include significant homemaker's provisions to assist those pensioners who spent considerable periods caring for their children, or caring for adults with a caring need.

A proposal for the precise method of how the Total Contributions Approach will be implemented is currently being finalised by officials in my Department, having recently received the Actuarial Review of the Social Insurance Fund. When this has been completed, I intend to consult with relevant stakeholders before a decision is made on the final proposal by Government. That proposal will then be subject to the legislative process, and which may result in further changes.

The main aim of Government policy on pensions is to make sure that pensions are affordable, sustainable and keep their value in the coming years. The reforms that are planned will result in a more inclusive and fairer pension system for all citizens.

I hope this clarifies the matter for the Deputy.

### **Nitrates Action Programme Review**

531. **Deputy Charlie McConalogue** asked the Minister for Housing, Planning and Local Government the nitrates derogation for farmers and the revised nitrates action programme post-2021. [52778/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014, as amended, give legal effect in Ireland to the Nitrates Directive and to our Nitrates Action Programme (NAP).

In accordance with the Nitrates Directive, Ireland's Nitrates Action Programme is due for review this year. Negotiations with the European Commission with a view to having a revised Nitrates Action Programme for 2018-2021 in place by the end of 2017 are at an advanced stage.

It would be inappropriate to anticipate any outcomes of the current review process of the Nitrates Action Programme for 2018-2021 in advance of its conclusion. It is not possible to comment on any possible Regulations post 2021 as the review process that would lead to a post-2021 Nitrates Action Plan would not commence until 2020 at the earliest.

### **Local Authority Funding**

532. **Deputy Marc MacSharry** asked the Minister for Housing, Planning and Local Government if an assistants Secretary in his Department gave a commitment later in the first quarter of 2015 when they met with the chief executive and management team of the council that they would find a way of getting the allocation back to Sligo once the financial plan for the council had been approved (details supplied). [53391/17]



533. **Deputy Marc MacSharry** asked the Minister for Housing, Planning and Local Government if a meeting with the chief executive of the council on 7 September 2016 when the issue of repayment was again raised, an Assistant Secretary of his Department referred to their recollection of the matter being that on approval of the financial plan and adherence by the council to the terms of the plan over a two or three-year period, the money would be refunded. [53392/17]

534. **Deputy Marc MacSharry** asked the Minister for Housing, Planning and Local Government if the change to the criteria was never communicated to Sligo County Council in view of the fact it is now two years since the signing of the plan and the agreed adjusted targets have been achieved; and if the €750,000 will be remitted to Sligo County Council immediately. [53393/17]

548. **Deputy Clare Daly** asked the Minister for Housing, Planning and Local Government if the Secretary General and Assistant Secretary of his Department attended a meeting with a person (details supplied); if Secretary General or the assistant secretary of his department gave a commitment at the meeting to remit the previously withdrawn €750,000 local government fund allocation to Sligo County Council; and if he will make a statement on the matter. [53175/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 532 to 534, inclusive, and 548 together.

It is a matter for each local authority, including Sligo County Council, to determine its own spending priorities in the context of the annual budgetary process having regard to both locally identified needs and available resources. The elected members of a local authority have direct responsibility in law for all reserved functions of the authority, which includes adopting the annual budget, and are democratically accountable for all expenditure by the local authority.

During 2014, my Department engaged with Sligo County Council on the need to address the unsustainable revenue deficit in that local authority. In this regard, an engagement began between my Department and Sligo County Council in relation to putting in place a financial plan to improve the finances of the Council. As part of this process, my Department agreed to the payment of €1m to Sligo County Council, subject to the preparation of a financial plan, which charted a path to long-term financial sustainability, being agreed between my Department and the Council prior to the end of 2014. Following a meeting with my Department on 27 March 2014, wherein a draft financial plan was submitted, it was decided to provide Sligo County Council with €250,000 of this €1m. In the absence of a detailed plan being finally agreed before the end of 2014 no further payment was made to Sligo in respect of 2014. This withdrawal of the remaining €750,000 was formally confirmed to Sligo County Council by the then Minister in a meeting with officials and elected members of Sligo County Council on 3rd February 2015. No commitment to remit this €750,000 was subsequently given either at the meeting of 7 September 2016 or in the intervening period or at any time since.

A similar amount of €1m was included in the 2015 Local Property Tax allocation to Sligo County Council. Payment of this again remained conditional on a plan being agreed and discussions with the Council, in this context, continued. A financial plan was subsequently agreed and an additional €1m was paid in December 2015.

On 7 July 2016, eight months after the plan was agreed, Sligo County Council advised my Department that its surplus target for 2016 would not be met, and that the surplus would fall short of the €2.3 million target agreed the previous November by €1.092 million. My Department accommodated this change, with the target for 2016 revised down from €2.3m to €1.598m. Sligo County Council confirmed, in its letter of 13 October 2016, that it had the ability to meet the revised target for 2016 but would not be able to meet the target of €3.41 million planned for



2017. On 4 November 2016 it confirmed that it was budgeting for a surplus for 2017 of €1.6m. On 20 December 2016 it further reduced the surplus envisaged for future years to a maximum of €1.6m per annum, and requested that timescales be reviewed. In its letter of 12 April 2017 it advised that the maximum annual sustainable surplus was €600k, and outlined three options for adjustments to timescales. My Department accepted a timescale to 2027 which would see surpluses of €600k generated each year between 2018 and 2027, notwithstanding the fact that this represents a considerable reduction on the original targets proposed of €3.11 million for 2018 and €2.81 million for 2019.

An additional €1m was paid by my Department in both December 2016 and December 2017 when revised targets were met. My Department has provided for further payment of €200k per annum additional funding to Sligo County Council each year over a 10 year period from 2018 subject to Ministerial approval and any possible changes in Government policy over the intervening period. Overall, this amounts to a total of €5.25m additional funding to Sligo County Council.

### **Electoral Register**

535. **Deputy Charlie McConalogue** asked the Minister for Housing, Planning and Local Government if a reply will issue to a query (details supplied); and if he will make a statement on the matter. [52596/17]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan):** Irish citizens are entitled to vote at Presidential, Dáil, European Parliament and local elections as well as in referendums. In general, to exercise their right to vote, all such persons must be ordinarily resident in the State, have reached the age of 18 years and be registered on the register of electors for the constituency or local electoral area in which they ordinarily reside.

In relation to the residency requirement, a person shall be deemed not to have given up their ordinary residence if they intend to resume residence within eighteen months after giving it up, under section 11(3) of the Electoral Act 1992. However, section 149 of the Electoral Act 1992 provides that a person who is included in a register of electors that is currently in force but who is not entitled to be so included in the register shall be guilty of an offence if they vote. There is a responsibility on each individual who votes to ensure that they are entitled to do so.

In response to the evolving needs of Irish society and its relationship with the wider Irish diaspora, the Government agreed in March of this year to accept in principle the main recommendation in the Fifth Report of the Convention on the Constitution that Irish citizens resident outside the State, including citizens resident in Northern Ireland, should have the right to vote at Presidential elections and that a referendum would be held to amend the Constitution to give effect to this.

In order to inform public discourse on this significant policy change, an Options Paper was published on 22 March 2017 by my Department and the Department of Foreign Affairs and Trade. The Options Paper sets out a range of options as well as many of the legal, policy and logistical challenges associated with extending voting rights to Irish citizens resident outside the State. The Options Paper also provided a basis for the discussion on voting rights which took place at the Global Irish Civic Forum in Dublin on 5 May 2017. These discussions will inform the Government's decision on a preferred option to be put to the people in a referendum.

Even if a referendum was held immediately and passed, it would not be feasible to have

comprehensive arrangements in place for an extension of the franchise to have effect for any presidential election to be held before 2025 as this will require modernisation of the voter registration process and the introduction of arrangements to facilitate those eligible to vote to exercise their franchise from outside the State. In this regard, my Department has commenced work to effect improvements in, and to modernise, the process for the registration of voters. All aspects of voter registration will be reviewed as part of this project.

The Government announced on 26 September 2017 that it has agreed indicative dates for the holding of referendums in 2018 and 2019, subject to the timely passage of Constitution Amendment Bills by each House of the Oireachtas. Included in the list is the proposed referendum on extending the franchise at presidential elections to Irish citizens resident outside the State which it is intended will be held on the date of the local and European elections in June 2019. My Department will bring forward an appropriate Constitution Amendment Bill on extending the franchise at Presidential elections to Irish citizens resident outside the State in good time for the holding of the referendum.

### **Housing Assistance Payment**

536. **Deputy Michael McGrath** asked the Minister for Housing, Planning and Local Government if a landlord is obliged at the request of an existing tenant to sign up to the housing assistance payment scheme in respect of a tenancy which is already in place; if that obligation changes over time; and if he will make a statement on the matter. [52642/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The Housing Assistance Payment (HAP) is a form of social housing support provided by all local authorities. HAP addresses many long standing issues raised by landlord groups in relation to the operation of Rent Supplement. The HAP payment is made directly to landlords on the tenant's behalf and all payments are made electronically - the landlord does not have to collect the rent. There are minimal barriers to setting up HAP, and tax compliance and private rental inspections can follow the setting up of a HAP tenancy. In 2016, the scheme had a 99% differential rent collection rate, with minimal arrears arising for tenants and local authorities, and a 99% rent payment rate with virtually no difficulties arising for landlords. Furthermore, any household assessed for social housing support is immediately eligible for housing support through the HAP scheme. HAP recipients can avail of full-time work and retain their housing support, with an adjustment in their differential rent; under Rent Supplement, these households would lose their housing support payment.

A landlord or an agent acting on behalf of a landlord is not legally obliged to enter into a tenancy agreement with a HAP recipient. However, since 1 January 2016, a person cannot be discriminated against when renting because they are in receipt of certain housing related payments, including HAP. If a person feels that they have been discriminated against by a landlord or their agent, they can make a complaint under the Equal Status Acts to the Workplace Relations Commission. Further information is available on the Commission's website, <https://www.workplacerelations.ie>.

A number of cases have been taken under the 'housing assistance' ground of the Equality Act against landlords. I believe that the body of case law that the Workplace Relations Commission is building in this regard complements the clarity that my Department is working to provide to landlords and agents in relation to the operation of the HAP scheme. It is clear that such cases are rare and the vast majority of landlords are happy to engage in the scheme, and adhere to the terms and conditions. In fact, the average number of new additional tenancies being supported by HAP per week over the last number of months is close to 350.

Misunderstanding of the scheme can arise and this highlights the need for the State to continue to explain and outline the many benefits of HAP to landlords. My Department and local authorities have been involved in a range of national and local actions to clarify the operational benefits of HAP to landlords and agents.

HAP is working for both recipients and landlords. Over 30,700 eligible households are currently being supported across the State with over 20,000 individual landlords and agents providing accommodation via the scheme and receiving housing assistance payments. HAP will continue to be a flexible support available to assist people with their long term housing needs immediately their need arises. My Department continues to keep the operation of the HAP scheme under review. In general, I am satisfied with the operation of HAP and I consider it to be a key vehicle for meeting housing need and fulfilling the ambitious programme outlined under the Rebuilding Ireland Action Plan for Housing and Homelessness.

### **Local Government Reform**

537. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government if he plans to conduct a review or plans revisions to the local government boundaries or distribution of seats within existing boundaries in advance of the 2019 local government elections. [52704/17]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan):** The Programme for a Partnership Government sets out a number of commitments in relation to local government reform to ensure that local government funding, structures and responsibilities strengthen local democracy into the future. In particular, the Programme includes a commitment to consider reducing the size of local electoral areas (LEAs).

The preparatory work in support of a review of local electoral area boundaries is being advanced in my Department. It is anticipated that the independent committees to be established to complete the review of LEAs will invite submissions from the public to consider as part of their deliberations. I expect that the review will be completed in good time before the 2019 local elections.

### **Local Infrastructure Housing Activation Fund**

538. **Deputy James Browne** asked the Minister for Housing, Planning and Local Government the amount allocated from the local infrastructure housing activation fund to County Wexford; and if he will make a statement on the matter. [52719/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The first call for proposals under the Local Infrastructure Housing Activation Fund (LIHAF) was issued to all local authorities in August 2016 and 34 projects received preliminary approval in March 2017.

Wexford County Council submitted one project under the call in October 2016, for the construction of the Whitemill/Clonard to Coolcotts inner orbital road in Wexford town. However, the project did not receive funding as it was assessed as low priority, given the LIHAF objectives and the range of other projects submitted for funding.

As part of Budget 2018, I announced an additional €50 million funding which will be avail-

able for a second LIHAF call and which will again be subject to matching funding of 25% by local authorities. This capital funding will facilitate the provision of more public infrastructure to unlock further sites and activate more housing supply.

A further call for proposals under LIHAF is likely early in 2018 and it will be open to all local authorities to submit new projects or resubmit previous unsuccessful projects for consideration at that time.

### **Housing Estates**

539. **Deputy Declan Breathnach** asked the Minister for Housing, Planning and Local Government the status of the taking in charge of an estate (details supplied); and if he will make a statement on the matter. [52741/17]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** In December 2015, my Department made a call for local authorities to supply details of relevant estates that required to be taken in charge in order to draw up a national list of housing estates not taken in charge. This exercise was carried out under the National Taking-in-Charge Initiative (NTICI) to provide a list of estates not yet taken in charge. The list is available at the following link: [http://www.housing.gov.ie/sites/default/files/publications/files/initiative\\_to\\_accelerate\\_taking\\_in\\_charge\\_of\\_residential\\_estates\\_-\\_initial\\_list\\_0.pdf](http://www.housing.gov.ie/sites/default/files/publications/files/initiative_to_accelerate_taking_in_charge_of_residential_estates_-_initial_list_0.pdf).

Louth County Council, the relevant planning authority in this case, supplied information to my Department in this regard. A list of 190 estates to be taken in charge was provided by Louth County Council, 75 of which at that time, had valid taking-in-charge applications with the local authority. The estate in question was listed as an estate to be taken in charge that had a valid application.

Subsequently, my Department announced a funding stream under the NTICI for which the local authorities could make applications. Louth County Council did not make an application to my Department for funding under this programme.

Earlier this year, an update on estates to be taken in charge was requested by my Department from all local authorities. A response is awaited from Louth County Council. The Deputy may wish to consult with Louth County Council directly to determine the status of the taking-in-charge of this estate.

### **Housing Estates**

540. **Deputy Declan Breathnach** asked the Minister for Housing, Planning and Local Government the status of a report on the NTICI being finalised by his Department which will include findings and recommendations on sustaining progress on the taking in charge of estates issues; the amount of the €10 million in funding for taking in charge issues that was allocated to Louth County Council; if this funding can be used for estates other than ghost estates in which no bond is in place; and if he will make a statement on the matter. [52746/17]

541. **Deputy Declan Breathnach** asked the Minister for Housing, Planning and Local Government the number of housing estates in each county that have not been taken in charge by local authorities in view of the fact that no bond is in place; the estates, by county, in tabular form; and if he will make a statement on the matter. [52759/17]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** I propose to take Questions Nos. 540 and 541 together.

The taking-in-charge of housing estates is a matter for the relevant local authority under section 180 of the Planning and Development Act 2000 (as amended).

In an attempt to enhance learning and systems development and to accelerate the taking-in-charge process of housing estates, my Department launched the National Taking-in-Charge Initiative (NTICI) in April 2016. The Initiative was set up on a time-bound basis in order to both better understand and stimulate the taking-in-charge process, due to the backlog of estates waiting to be taken in charge.

Under the terms of the NTICI, which was underpinned by €10m in funding, developments subject to valid taking-in-charge applications were eligible for inclusion in the call for funding proposals. €7.7 million of the allocated funding was paid to local authorities in respect of 330 developments, containing some 13,400 units.

Louth County Council did not make an application to my Department for funding under this programme.

It is important to note that the NTICI was not intended to establish a rolling annual funding programme to take-in-charge all estates not yet taken-in-charge, but was instead intended to develop better knowledge and systems to support the taking-in-charge of further estates over time. Therefore, there is no corresponding funding line after 2016.

A report on the 2016 NTICI is currently being finalised by my Department which will help to inform future taking-in-charge plans. It is envisaged that the report will be published in Q1 2018.

With regard to the number of housing estates in each county that have not yet been taken in charge due to no bond being in place, I expect that data of this nature will be published as part of the 2016 NTICI report.

### **Planning Issues**

542. **Deputy Barry Cowen** asked the Minister for Housing, Planning and Local Government his plans to review regulations whereby the proposed layout of houses submitted for planning are published online and in public and instead allow them to be viewed in local authority planning offices by persons who have signed a log or record in advance in view of the ongoing burglaries throughout the country and with a view to make it more difficult for burglars. [52762/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Public participation is a crucial element of all substantive decision-making processes under the Planning and Development Act 2000, as amended and a requirement under the UN Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters as well as the EU Environmental Impact Assessment Directives in relation to certain types of developments.

The current arrangements for members of the public to view planning applications and related documents in local authority offices and, increasingly, on-line, contribute significantly to the openness and transparency of the planning process. Restricting or limiting access to these documents in the manner suggested by the Deputy would not be in line with the policies



and progress made in facilitating public participation to the greatest extent possible, and accordingly, I have no proposals to amend the regulations in this regard.

### **Housing Data**

543. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government further to Parliamentary Question No. 520 of 5 December 2017, the number of housing first tenancies in existence prior to the launch of Rebuilding Ireland in July 2016; and the number of new housing first tenancies commenced since July 2016 to date in 2017. [53001/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** My Department's role in relation to homelessness involves the provision of a national framework of policy, legislation and funding to underpin the role of housing authorities in addressing homelessness at local level.

Rebuilding Ireland, the Government's Action Plan for Housing and Homelessness, committed to increasing the target for tenancies by the 'Housing First' teams in Dublin to 300. My Department has been advised by the Dublin Region Homeless Executive that as of 8th December 2017 a total of 195 tenancies had been created under the initiative of which 113 were created since July 2016.

### **Social and Affordable Housing**

544. **Deputy Aindrias Moynihan** asked the Minister for Housing, Planning and Local Government the local authorities that are operating the choice based letting, CBL, system for housing allocations; the number of persons approved to use the CBL; the number of those approved persons that have not yet logged in or used the CBL system, in tabular form; and if he will make a statement on the matter. [53057/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The allocation of social housing support is a matter for the relevant local authority in accordance with the Housing (Miscellaneous Provisions) Act 2009 and associated regulations. Section 22 of the 2009 Act requires all housing authorities, as a reserved function, to make an allocation scheme determining the order of priority to be accorded in the allocation of dwellings to households qualified for social housing support and to households approved for a transfer, the allocation of which would, in the opinion of the authority, meet the accommodation needs and requirements of the households.

On 30 September 2016, the Social Housing Allocation (Amendment) Regulations 2016 were made, which required that all local authorities must, if they had not already done so, provide for Choice Based Letting (CBL) as a method of allocation in their housing allocation schemes by 31 December 2016.

Where a local authority, having included a provision on CBL in its allocation scheme, decides to operate a CBL scheme, it must implement it in accordance with Regulations 6–11 of the 2011 Regulations. Decisions on which properties are to be included under a CBL scheme is a matter for individual authorities.

Following a recent survey undertaken by my Department, 16 local authorities, as set out in the Table, indicated they are currently operating a choice based lettings model as part of their allocation scheme. A further two have indicated their intention to implement a pilot CBL scheme



in the near future.

Local Authority	CBL Scheme in use
Cavan	Yes
Cork City	Yes
Cork County	Yes
Donegal	Yes
Dublin City	Yes
Dun Laoghaire / Rathdown	Yes
South Dublin	Yes
Kerry	Yes
Kilkenny	Yes
Leitrim	Yes
Longford	Yes
Louth	Yes
Meath	Yes
Sligo	Yes
Tipperary	Yes
Waterford	Yes
Galway City	Pilot
Limerick City and County	Pilot

### Water Charges Refunds

545. **Deputy Bríd Smith** asked the Minister for Housing, Planning and Local Government if his attention has been drawn to the fact that Irish Water refunds are being issued in cheques from a bank (details supplied) and local post offices will not facilitate changing a cheque from the bank; If a person tries to cash the cheque in the bank they are asked for a driving licence or passport and they will not accept a public services card as identification; and his plans to resolve same. [53069/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The Water Services Act 2017 (No. 29 of 2017), which was enacted on 17 November 2017, reflects the recommendations of the report of the Joint Oireachtas Committee on the Future Funding of Domestic Water Services, which was published in April 2017 and approved by both Houses of the Oireachtas. The Act provides for the discontinuance of domestic water charges for dwellings as set out in the Water Services Act 2014 and for the refund of domestic charges paid by customers.

Irish Water is endeavouring to refund its customers as efficiently and securely as possible. Cheques are the most effective method available to process the refunds, while also ensuring that the total amount paid is refunded directly to the account holder.

As the refund cheques are crossed ‘account payee only’ the cheques cannot be cashed and they must be lodged into the customer’s account. This is for security reasons to ensure that the right person is refunded the money.

Irish Water had extensive engagement with the Banking and Payments Federation of Ireland, the Irish League of Credit Unions and An Post regarding this approach and this contact is continuing as the utility processes almost one million cheques. Irish Water was also in contact

with Age Action, Citizens Information, the NCBI and other representative organisations, particularly those who represent vulnerable customers for advice and support in this matter.

The means by which cheques can be lodged to accounts may vary between one bank and another. Irish Water has been advised that the means of identification accepted by banks must be in line with laws pertaining to money laundering and fraud. If customers are experiencing difficulties lodging their cheque, they should contact their bank or other financial institution such as Post Office or Credit Union in the first instance or call Irish Water on 1850 448 448 for advice.

### **Fire Safety Regulations**

546. **Deputy Tom Neville** asked the Minister for Housing, Planning and Local Government his views on a matter (details supplied) regarding fire regulations; and if he will make a statement on the matter. [53090/17]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** The Fire Services Acts 1981 and 2003 assign responsibility for fire safety in premises of all kinds, other than dwellings occupied as a single dwelling, to the ‘person having control’ over premises to take all reasonable measures to guard against the outbreak of fire on such premises, and to ensure as far as is reasonably practicable the safety of persons on the premises in the event of an outbreak of fire. Further, section 18(3) of the Acts provides that it “shall be the duty of every person, being on premises to which section 18 of the Acts applies, to conduct himself in such a way as to ensure that as far as is reasonably practicable any person on the premises is not exposed to danger from fire as a consequence of any act or omission of his”.

Standards for the design and construction of buildings, including fire safety standards, are regulated under the Building Control Acts 1990 to 2014 and the primary responsibility for compliance with the requirements of the Building Regulations, including fire safety, rests with the designers, builders and owners of buildings.

As outlined above, the State regulates fire safety responsibility through its Building Control legislation and Fire Services Acts and associated regulations. A range of enabling powers, including extensive powers of inspection and enforcement, are provided for local authorities under the Building Control Acts 1990 to 2014 and the Fire Services Acts, 1981 and 2003.

Fire safety is achieved through the “Prevent, Protect, Respond” paradigm which is part of an overall fire risk management approach. Local authorities provide a range of services aimed at enhancing fire safety in their communities by preventing fires from happening in the first instance, and ensuring appropriate fire protection measures are in place in buildings, in addition to providing an operational response.

The fire prevention/protection work falls into two categories known as Community Fire Safety and Technical Fire Safety. Community Fire Safety involves fire authorities working in partnership with relevant agencies and the community sector to provide safety measures such as domestic smoke alarms for those perceived as most vulnerable to fire in the home. It also includes the Primary Schools Program whereby every third class in primary school receives age-appropriate education on fire safety issues. The shift of emphasis to Community Fire Safety is seen as contributing to the overall downward trend in fire fatalities which reached a 40 year record low in 2016. In relation to the Technical fire safety work, local authority fire services review and make recommendations in relation to applications for Fire Safety Certificates under Building Control legislation. They also provide the fire safety input under various licensing

systems. They undertake inspection programmes in accordance with their established priorities (such as nursing homes) and they respond to complaints about fire safety in specific premises, using the various enforcement powers as appropriate.

In April 2016, my Department published the report of the first External Validation process undertaken in relation to local authority fire services including fire safety, which was titled “Local Delivery - National Consistency”. This report is available on my Department’s website at the following link: <http://www.housing.gov.ie/local-government/fire-and-emergency-management/fire-services-ireland-local-delivery-national>.

In response to the Grenfell Tower tragedy in June this year and in recognition of fears expressed for fire safety, on 27 June 2017, my Department’s National Directorate for Fire and Emergency Management was tasked with convening and coordinating a high-level Task Force to lead Ireland’s re-appraisal of fire safety. The Task Force is reviewing existing arrangements and systems for fire safety and related issues which impact on fire safety in Ireland. As it carries out its work, the Task Force is taking into account information and developments arising in the aftermath of the Grenfell Tower fire.

In addition to establishing the Task Force, local authorities were requested to undertake a number of initial actions and the Task Force was requested to oversee and report on a review of fire safety in both social housing and fire safety in medium to high rise buildings. This initial work has been carried out and all local authorities have reported back to my Department as requested. The Fire Safety Task Force is analysing the returns received currently and is preparing an initial report which I expect to be submitted by early January 2018.

### **Local Authority Members**

547. **Deputy Mattie McGrath** asked the Minister for Housing, Planning and Local Government his plans to introduce a statutory requirement for local authorities to provide timely and substantive responses to representations made by local elected representatives and councillors to their respective local authorities; and if he will make a statement on the matter. [53140/17]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan):** Under the Local Government Act 2001, as amended, each local authority has an elected council. The elected council is the policy-making arm of the local authority, who act by what are termed ‘reserved functions’. These comprise mainly decisions on important matters of policy and finance.

The day-to-day management of each local authority is vested in a full time Chief Executive to whom ‘executive functions’ are assigned.

The division between reserved and executive functions is such that the Chief Executive operates within a framework of policy laid down by the elected members. As such it is a matter for the elected members to hold the Chief Executive to account with regard to issues such as timely and substantive responses to representations made by the elected members to the Chief Executive and other local authority staff.

The Local Government Act 2001 (Section 237A) Regulations 2003 set out statutory provisions for local authorities and their dealings with members of the Houses of the Oireachtas. The Regulations provide that each local authority must deal with requests for access to information by Oireachtas members “as expeditiously as may be and in accordance with a proper level of customer service”. In this regard, local authorities are required to put in place arrangements to ensure that systems, procedures and time frames equivalent to those used by them in relation

to correspondence from local authority elected members also apply in respect of parliamentary representatives.

Local authorities are independent statutory bodies. It is a matter for individual local authorities to decide the specific measures to be put in place to satisfy their statutory obligations under the Regulations.

*Question No. 548 answered with Question No. 532.*

### **Valuation Office**

549. **Deputy Clare Daly** asked the Minister for Housing, Planning and Local Government if his attention has been drawn to the claims by Sligo County Council that it submitted details of a wind farm (details supplied) to the Valuation Office for revision in 2005; if his attention has been further drawn to the fact that the executive of Sligo County Council claims it was unable to levy rates on the wind farm since it became operational 11 years ago due to the fact that the council did not receive the valuation from the Valuation Office until January 2017; if his attention has been drawn to the fact that Sligo County Council lost approximately €24,000 income in rates from the wind farm each year due to the delay in it being valued; and if he will make a statement on the matter. [53176/17]

550. **Deputy Clare Daly** asked the Minister for Housing, Planning and Local Government if his attention has been drawn to the claims by Sligo County Council that it submitted details of a wind farm (details supplied) to the Valuation Office for revision in 2004; if his attention has been further drawn to claims by the executive of Sligo County Council that it was unable to levy rates on the wind farm since it became operational seven years ago due to the fact that the council did not receive the valuation from the Valuation Office until January 2017; if his attention has been drawn to the fact that Sligo County Council lost approximately €89,000 income in rates from the wind farm each year due to the delay in it being valued. [53177/17]

551. **Deputy Clare Daly** asked the Minister for Housing, Planning and Local Government if his attention has been drawn to the claims by Sligo County Council that it submitted details of a wind farm (details supplied) to the Valuation Office for revision in 2004; if his attention has been further drawn to the fact that the executive of Sligo County Council claims it was unable to levy rates on the wind farm since it became operational 11 years ago due to the fact that the council did not receive the valuation from the Valuation Office until January 2017; if his attention has been drawn to the fact that Sligo County Council lost approximately €24,000 income in rates from the wind farm each year due to the delay in it being valued; if he will intervene to ensure that properties are valued promptly; and if he will make a statement on the matter. [53178/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 549 to 551, inclusive, together.

Local authorities are under a statutory obligation to levy rates on any property used for commercial purposes in accordance with the details entered in the valuation lists prepared by the independent Commissioner of Valuation under the Valuation Acts 2001 to 2015. The levying and collection of rates are matters for each individual local authority.

The Commissioner of Valuation has responsibility for valuation matters, including determination under the Act of relevant property for the purposes of rates. The Valuation Acts 2001 to 2015 come under the aegis of the Minister for Justice and Equality.

It is a function of a local authority to apply to the Commissioner of Valuation for the appointment by the Commissioner of an officer of the Commissioner to carry out a revision of valuation under Part 6 of the Valuation Acts 2001 to 2015. My Department has no role in this process.

### **Local Authority Housing Repossessions**

552. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government the number of shared ownership loans that have resulted in repossession and the owner losing his or her home in each of the years 2007 to 2016 and to date in 2017, in tabular form. [53201/17]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Information in relation to local authority repossession of properties that were financed using a local authority home loan and which are now either repossessed, voluntarily surrendered or abandoned is available on my Department's website at the following link, under the heading "Local authority repossession"; <http://www.housing.gov.ie/housing/statistics/house-prices-loans-and-profile-borrowers/local-authority-loan-activity>.

This data is not broken down by loan type. My Department does not currently hold data on the number of homes purchased under the shared ownership scheme, which was stood down in 2011, that have subsequently been repossessed, voluntarily surrendered or abandoned.

My Department, together with the Housing Agency, the Housing Finance Agency and local authorities, have considered the affordability issues facing some borrowers, who purchased properties under the shared ownership scheme and devised a more affordable long-term path towards full home ownership. Indeed, a range of measures have already been undertaken to reduce the monthly payments of shared ownership borrowers.

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

In addition, the variable mortgage interest rate charged to local authority borrowers was reduced to 2.3% with effect from 1 July 2016, which has helped many shared ownership borrowers.

An innovative shared ownership restructuring option has been available to shared ownership borrowers since 1 April 2016, and involves rolling-up all outstanding debt under a shared ownership arrangement into a single annuity loan. The term of the annuity loan will be determined by the amount of the monthly repayment deemed to be affordable and sustainable for each shared ownership borrower. This restructuring option allows the borrower to have a regularised, restructured repayment solution, which is more easily understood. This arrangement may be of particular benefit to those shared ownership borrowers who are nearing the end of their annuity term but who have not made sufficient provision for the repayment of their rental equity balance. The feasibility of this new option for each shared ownership borrower will be determined by their local authority, and may not be appropriate in all cases. For example, in some instances, continuing with the current shared ownership arrangement may be the best option for both the shared ownership borrower and the local authority, or in other cases where the



outstanding debt may not be sustainable for the borrower in the long-term, the Local Authority Mortgage to Rent (LAMTR) option might ultimately be the appropriate solution.

There is no obligation on any shared ownership borrower to restructure their loan arrangement and local authorities in implementing the restructuring option will direct shared ownership borrowers to seek financial and legal advice prior to accepting any offer of a restructuring option. The new Abhaile Service, accessed via MABS, can assist shared ownership borrowers who are in arrears to access free independent expert financial and legal advice. Full details of the supports offered by the Abhaile Service are available from <https://www.mabs.ie/en/abhaile/>. Under the restructuring option, where shared ownership borrowers require financial and legal advice outside of that provided via MABS, local authorities will arrange to pay the cost of these fees to a maximum of €1,000, excluding VAT. Detailed guidance, training and direction have been provided by my Department and the Housing Agency to local authorities regarding the implementation of the measure and my Department is continuing to monitor the impact of the new measure for borrowers.

Details on the measures available to borrowers with shared ownership arrangements are available from their local authority. Overall, local authority borrowers are encouraged to engage with their local authority at the earliest opportunity if they are having difficulties making the repayments on their shared ownership arrangement. Information in relation to the local authority mortgage arrears resolution process (MARF) and the help available to borrowers is also available on my Department's website at the following link: <http://www.housing.gov.ie/housing/home-ownership/mortgage-arrears/guidance-mortgage-arrears>.

### **Hare Coursing Regulation**

553. **Deputy Thomas P. Broughan** asked the Minister for Culture, Heritage and the Gaeltacht the sanctions that will be placed on a coursing club (details supplied) for allegedly contravening the terms of its licence by capturing wild hares with visible signs of ill-health that were subsequently coursed and died; and if she will make a statement on the matter. [52672/17]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** I am aware of the reports of National Parks and Wildlife Service officers of my Department in relation to coursing meetings monitored this year. All issues arising from such reports will be reviewed and considered in the context of licences for the 2018/19 coursing season.

### **Hare Coursing Data**

554. **Deputy Thomas P. Broughan** asked the Minister for Culture, Heritage and the Gaeltacht the number of hares dying at coursing clubs, per club, in each of the years 2015 and 2016 and to date in 2017; if post mortems have been carried out in all cases; the number which had pre-existing conditions; and if she will make a statement on the matter. [52673/17]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** Figures available to my Department from the Irish Coursing Club indicate that during the 2015/16 and 2016/17 hare coursing seasons the number of hares that died at coursing meetings was 36 and 26 respectively. Based on returns received by my Department to date from the Irish Coursing Club on behalf of its affiliated clubs and reports by officials of the National Parks and Wildlife Service of my Department, 13 hares have died at or subsequent to coursing meetings during the current 2017/18 season. The reports generated by the Irish Coursing Club and the National Parks and Wildlife Service for the 2015/16 and 2016/17 seasons, which would include informa-



tion to identify the coursing clubs where hares died, are available on the website of the NPWS at [www.npws.ie](http://www.npws.ie). Similar reports on the 2017/18 coursing season will be published on the NPWS website as they become available.

### **Hare Coursing Regulation**

555. **Deputy Thomas P. Broughan** asked the Minister for Culture, Heritage and the Gaeltacht her plans for improving the monitoring and invigilation of coursing clubs in 2018; and if she will make a statement on the matter. [52674/17]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** While my Department does not have resources to provide 100% attendance at coursing meetings, it endeavours to attend as many meetings as possible having regard to the various demands on its staffing complement. During the 2016/17 coursing season, conservation rangers of the National Parks and Wildlife Service (NPWS) of my Department attended seventeen coursing meetings and the same number of meetings was monitored during the 2015/16 season. It is my intention that a greater number of coursing events will be monitored during the 2017/18 season, which extends from the end of September 2017 to 28th February 2018, than in the previous season. During this season to date seventeen meetings have already been monitored by NPWS officials.

### **Departmental Funding**

556. **Deputy Michael McGrath** asked the Minister for Culture, Heritage and the Gaeltacht if she has received a request for additional funding for a project (details supplied) in County Cork in addition to the €12 million committed to by the Government; the process to assess such funding requests; the timeframe for same; and if she will make a statement on the matter. [52983/17]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** The project to which the Deputy refers is being developed and managed by Cork City Council and the Council is responsible for the delivery of the project.

My Department has allocated €12 million towards the cost of the project. This allocation is subject to a Service Level Agreement with the City Council to ensure compliance with all relevant requirements in relation to major capital projects.

On 27 September 2017, Cork City Council made an application to my Department for a further grant of €10 million to assist in the development of the project. There are complex legal, state aid and match funding issues to be considered in relation to this application and the Department is engaging with the City Council in relation to these.

### **Film Industry Tax Reliefs**

557. **Deputy Peadar Tóibín** asked the Minister for Culture, Heritage and the Gaeltacht the checks and measures in place to prevent production companies from abusing financial incentives, namely the section 481 tax exemption and film board funding. [53046/17]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** Section 481 of the Taxes Consolidation Act 1997 provides relief in the form of a corporation tax credit related to the cost of production of certain films. Matters relating to taxation fall under the remit

of the Minister for Finance and the Revenue Commissioners.

Production Companies seeking tax relief under Section 481 must have procedures in place to ensure compliance with all conditions. The Revenue Commissioners issue a certificate to a film project on the basis of the information supplied during the application process. Any material change in the information supplied that may arise as the project progresses must be notified to and agreed by the Revenue Commissioners. If the information on which the certificate is based is incorrect, misleading or incomplete, or Revenue is not notified of material changes to the production, the certificate may be revoked. Production companies must make books of account and accounting records available to the Revenue Commissioners and must furnish a compliance report.

The Irish Film Board make loans and grants to production companies. Funding agreements are subject to range of criteria and deliverables. Non-compliance can result in the withdrawal of and repayment of funding.

### **Film Industry**

558. **Deputy Pat Casey** asked the Minister for Culture, Heritage and the Gaeltacht the consultations and correspondence between her Department, the Department of Business, Enterprise and Innovation and Enterprise Ireland from 2015 to date on the proposed sale of the State's 33% shareholding in studios (details supplied) in view of the stated commitment by the Government to support the film industry in the mid-east region; and if she will make a statement on the matter. [53048/17]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** The facility to which the Deputy refers is owned by Enterprise Ireland in conjunction with other private entities. My colleague the Minister for Business, Enterprise and Innovation has responsibility for Enterprise Ireland.

I am aware of the issue and my Department has been in contact with the Department of Business, Enterprise and Innovation in relation to the matter. That Department has indicated that, at the appropriate time, any proposal requiring a decision on the sale of Enterprise Ireland's shareholding would be reviewed by Enterprise Ireland from a commercial and legal perspective in consultation with the Department for Business, Enterprise and Innovation which, in turn, has confirmed that it will consult my Department on any decision regarding the ownership of the shareholding.

### **Turf Cutting Compensation Scheme Eligibility**

559. **Deputy Brian Stanley** asked the Minister for Culture, Heritage and the Gaeltacht if she will review the scheme of compensation for turf cutters to include the owners of turf banks who may not have cut turf for over ten years due to personal conditions such as health conditions; and if she will make a statement on the matter. [53054/17]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** The qualifying criteria for the cessation of turf cutting compensation scheme, administered by my Department, are that:

- The applicant must have had a legal interest (ownership or a turbary right) in one of the 53 raised bog special areas of conservation or 36 raised bog natural heritage areas on 25 May

2010 and must have had the right to cut and remove turf from the property on that date;

- The applicant must have been cutting turf on the land in question during the relevant five year period (up to 25 May 2010 in respect of the 29 raised bog special areas of conservation nominated for designation between 1997 and 1999, up to 31 December 2011 in respect of the 24 raised bog special areas of conservation nominated for designation in 2002 and up to 14 January 2014 for the 36 natural heritage areas);

- The turf resource on the site has not be exhausted; and

- No turf cutting or associated activity is ongoing on the property.

My Department continues to assess each application for compensation on its individual merits and within the parameters of the qualifying criteria of the scheme.

### **National Museum**

560. **Deputy Peadar Tóibín** asked the Minister for Culture, Heritage and the Gaeltacht if she will establish an independent external investigation into the alleged bullying and sexual harassment being reported within the National Museum of Ireland. [53056/17]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** As the Deputy will be aware the National Museum of Ireland is a statutory body under the National Cultural Institutions Act, 1997 and I have no responsibility for the day to day operations of the Museum.

I am aware, however, that there are legacy HR issues at the Museum and the Board and management are taking steps to address these issues.

While I cannot get involved in HR matters, which are a matter for the executive and the Board of the Museum, my Department has provided additional support in dealing with the legacy issues. This support includes sanction for three specific HR positions and two temporary positions for the Corporate Services area of the Museum to assist in this process.

The Chair and the new Board were appointed in July 2016 and are implementing change in the Museum, as well as preparing new plans to improve the museum's services to the public over the coming years. My Department and I are supportive of these plans.

Separately, in light of allegations of abuse of power and sexual harassment elsewhere within the arts sector, my Department has identified a number of actions to be taken in relation to bodies reporting directly to my Department including our National Cultural Institutions.

These include arranging dedicated workshops for board members and senior staff of bodies reporting to the Department dealing with governance. There will be a particular emphasis on issues relating to bullying, abuse of power and sexual harassment in the workplace.

I consider that the support for the Board which I have outlined above is the most appropriate way for my Department to deal with the legacy issues that have arisen in the Museum and I will continue to support the Museum in dealing with legacy issues and implementing any reform it sees as necessary.

### **Defence Forces Remuneration**

561. **Deputy Michael Harty** asked the Taoiseach and Minister for Defence if the pay scales of all ranks in the Defence Forces in an easy to understand format will be published; and if he will make a statement on the matter. [52599/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The current rates for Defence Forces Pay and Allowances can be obtained from the Department of Defence website at: [www.defence.ie/WebSite.nsf/Document+ID/74BC7A8BD49284538025817F0056D023?openDocument](http://www.defence.ie/WebSite.nsf/Document+ID/74BC7A8BD49284538025817F0056D023?openDocument). These pay scales reflect increases in payscales awarded to Permanent Defence Force personnel in 2017 from PDFORRAs acceptance of the Lansdowne Road Agreement in March 2017.

### **Defence Forces Investigations**

562. **Deputy Bríd Smith** asked the Taoiseach and Minister for Defence the number of investigations and hearings that have occurred since 2010 in the Defence Forces that relate to allegations of sexual assault and harassment of female members; and if outside agencies were involved in these investigations and hearings. [52787/17]

563. **Deputy Bríd Smith** asked the Taoiseach and Minister for Defence the number of cases since 2010 of incidents of sexual assault and harassment of female Defence Forces members that were subsequently referred to An Garda Síochána by the Defence Forces authorities; and the number of prosecutions that have taken place. [52788/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I propose to take Questions Nos. 562 and 563 together.

It was not possible to collate the data in the timeframe available. When the information is received from the military authorities, I shall pass it on to the Deputy.

### **Permanent Structured Co-operation**

564. **Deputy Sean Fleming** asked the Taoiseach and Minister for Defence the implications for expenditure in his Department over the coming years if Ireland joins PESCO; his plans to ensure a full public debate on the matter before the decision is made; and if he will make a statement on the matter. [52893/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Deputy will be aware that the allocations for defence already announced in the budget, which were based on the commitments set out in the White Paper on Defence, means that Ireland's Defence expenditure will increase in real terms over the coming three years.

While some additional costs may arise in respect of participation in specific PESCO Project(s) similar to the case where the Defence Forces participate in EDA Projects, as the projects will relate to the ongoing development of Defence Forces capabilities for peace support and crisis management operations, such costs would be incurred in the normal course and will therefore be met from within the Defence Vote.

The matter of Ireland's participation in PESCO has been the subject of extensive discussion prior to its approval by the Dáil on 07 December, 2017. It has been the subject of European Council and Foreign Affairs Council Conclusions over the past six months which have been debated and discussed in Dáil Éireann and its Committees. Parliamentary Questions have been frequently answered, a Seanad Éireann Commencement Matter was taken on 21 November,

2017 and a Dáil Éireann Topical Debate taken, also on the 21st November. On 06 December, 2017, I attended the meeting of the Joint Committee on Foreign Affairs and Trade and Defence at which I fully set out the position on Ireland's intended participation in PESCO and answered questions from members.

It is also worth recalling that PESCO was comprehensively debated in the context of the Lisbon Treaty which was approved by the Irish People when they voted on the Treaty in October 2009. PESCO was specifically referenced in the Lisbon Treaty Protocol to address the concerns of the Irish People and in Ireland's national declaration. The Legislation setting down Ireland's approval process for PESCO was published in advance of that Vote and enacted in November 2009.

### **Defence Forces Personnel**

565. **Deputy Willie Penrose** asked the Taoiseach and Minister for Defence if his attention has been drawn to the fact that members of the Permanent Defence Force who are attending courses at third level institutions and who have commenced their study since September 2017 have not yet been supplied with the required text books; if such text books will be supplied to each person and not on a shared basis which has been proposed; and if he will make a statement on the matter. [52929/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I am advised by the military authorities that Defence Forces personnel currently attend third level institutions under a number of different schemes, outlined below:

- Courses Specific to Defence Forces Requirements Scheme (TI 01/2014)
- Third Level Officer Education Scheme (TI 08/2013)
- Army Trainee Technician Scheme (TI 04/2002)

Each of these Schemes has an associated training instruction which details the procedures for those Defence Forces personnel participating, including procedures relating to textbooks. Defence Forces personnel that require textbooks for their specific courses can utilise Defence Forces library services. I am informed that textbooks are paid for where necessary.

My Department is not aware of any specific issues relating to personnel attending third level institutions being able to access required text books for courses.

### **Defence Forces Allowances**

566. **Deputy Willie Penrose** asked the Taoiseach and Minister for Defence if steps will be taken to ensure that members of the Permanent Defence Force who undertake courses in Carlow IT and other such colleges of education and who are entitled to claim public transport expenses to attend same will receive payment of such expenses (details supplied); and if he will make a statement on the matter. [52930/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Members of the Permanent Defence Force can claim the cost of public transport expenses associated with attendance at approved courses of training or instruction in accordance with the provisions of Administrative Instruction 08/2002. Expense claims by individuals attending courses are submitted through the chain of command within their respective Brigades, Branches and Services



and assessed by the appropriate authority. Once authorised, such expense claims are forwarded to the Department's Finance Branch for payment in the next available expenses payroll. Any claims submitted after 9 November 2017 are sent directly to the Department's payroll provider for payment following authorisation.

The initial processing of travel claims for DF enlisted personnel is carried out at unit level. Unfortunately, it has not been possible to readily identify the units concerned from the information supplied in the question. If the Deputy can provide any information to me regarding the names of the military units concerned, I will have the matter further examined.

### **Defence Forces Reserve**

567. **Deputy Lisa Chambers** asked the Taoiseach and Minister for Defence if he will provide the discharge papers for a Reserve Defence Forces staff member (details supplied); and if he will make a statement on the matter. [53061/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I am informed by the military authorities that the Reserve Defence Forces staff member in question (details supplied) relinquished his commission in the rank of Captain with effect from 4 August 2014. According to the military authorities, the individual's personnel file is currently located in the Defence Forces archive and can be accessed by him on request.

### **Defence Forces Reserve**

568. **Deputy Lisa Chambers** asked the Taoiseach and Minister for Defence further to Parliamentary Question No. 288 of 25 October 2017, the status of the Reserve Defence Force lieutenant to captain fixed promotion scheme in view of the fact that 37 Reserve officers considered for promotion are facing a delay and in further view of the fact that the reply stated that these promotions would be made by the end of 2017; and if he will make a statement on the matter. [53065/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I am advised by the military authorities that they are currently in the process of consolidating the recommendations of General Officers Commanding/Formation Commanders regarding these promotions. Appointments within Brigades/Formations for each individual at the higher rank after promotion are also being identified. The Defence Forces continues to work to the original timeline of the end of Q4 2017 for these promotions.

### **Defence Forces Strength**

569. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which he remains satisfied regarding the strength of the Defence Forces having particular regard to a recent indication of difficulty in retaining optimum strength; the extent to which specific issues have arisen; his plans for a resolution; and if he will make a statement on the matter. [53181/17]

570. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which he has addressed or plans to address concerns regarding the need to retain the strength of the Defence Forces with particular reference to the Army, Naval Service and Air Corps; and if he will make a statement on the matter. [53182/17]

572. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the number of positions to be filled at all ranks in the Defence Forces, Army, Naval Service and Air Corps; and if he will make a statement on the matter. [53184/17]

573. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the steps he has taken or plans to take to address concerns regarding the retention of the strength of the Defence Forces; if specific issues in this regard have been identified in the Army, Naval Service and Air Corps; if he has a specific plan in respect of these issues; and if he will make a statement on the matter. [53185/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I propose to take Questions Nos. 569, 570, 572 and 573 together.

I am advised by the Military Authorities that the strength of the Permanent Defence Force at 31 October 2017 was 9,219 whole time equivalent (WTE) personnel, comprising 7,417 Army, 744 Air Corps and 1,058 Naval Service.

The table below outlines the establishment, strength (WTE) and vacancies of the Permanent Defence Force, by Army, Air Corps and Naval Service as at 31 October 2017, based on the agreed stabilised strength for the Permanent Defence Force of 9,500.

In recent years the levels of departures have exceeded intakes and this has presented challenges in meeting the establishment strength of 9,500 personnel. In order to fill vacancies there is significant ongoing recruitment at both enlisted and officer level and it is anticipated that approximately 800 new personnel will have been inducted into the Permanent Defence Force during 2017. This includes general service recruits, apprentices, cadets and direct entry officers.

As I have previously outlined there are particular challenges with vacancies in certain specialist posts such as Pilots, Air Traffic Controllers and certain Technicians. These specialists can prove difficult to retain where, as in the current economic circumstances, there are ongoing private sector and commercial semi-state sector job opportunities. I understand that the retention of such specialists has proved challenging for many military forces internationally and it is not unique to Ireland.

To address such issues a range of recruitment methods are being employed including direct entry competitions for specialist positions and the scope to further expand direct entry is being considered. I have also directed civil and military management to develop proposals for expanding direct entry recruitment of specialists and a scheme to facilitate former PDF personnel with appropriate skill-sets to re-enter the Defence Forces.

In addition to my commitment to maximising recruitment I am cognisant of factors that can influence retention of existing members of the Defence Forces. I remain dedicated to ensuring that the terms and conditions of service, while remaining appropriate to the needs of the organisation, are as favourable as they can be within the current budgetary parameters.

As the Deputy will be aware, there is an ongoing programme of HR development within the Defence Organisation. The Defence Forces Climate Survey identified a range of issues that were identified as impacting on satisfaction levels within the PDF. Whilst pay for the lowest paid members of the Defence Forces was highlighted as an issue, there were a broad range of HR matters raised. I am satisfied that these are being addressed and I have recently announced a number of initiatives ranging from a review of the C&A Scheme, a review of the criteria governing Contracts for enlisted personnel and a comprehensive skills gap analysis across the Defence Forces. These directly address issues raised in the Climate Study. In addition the Chief of Staff is actively addressing matters relating to military management of work practices in the

## Defence Forces.

Following sign up by the Defence Forces Representative Associations to the Lansdowne Road Agreement, members of the Permanent Defence Force have benefited from pay increases. These post-dated the Climate Survey. I was particularly pleased with recent adjustments to salary scales for general service recruits and privates who joined the Defence Forces since 2013 (increases of between 8% and 24% depending on scale point). The Public Service Stability Agreement 2018-2020 also provides for further pay increases ranging from 5.75% to 7.25% depending on the individual's current wage threshold and this is under consideration by RACO and PDFORRA.

The fact that further consideration by the Public Service Pay Commission of recruitment and retention issues is provided for under the Public Service Stability Agreement 2018-2020, is also a welcome development.

With the support of the Chief of Staff and within the resources available, the Government is committed to retaining the capacity of the Defence Forces to operate effectively across all roles and to undertake the tasks laid down by Government, both at home and abroad.

**Establishment Vs Strength (WTE) – 31 October 2017**

	Lt Gen	Maj Gen	Brig Gen	Col	Lt Col	Comdt	Capt	Lt
Army Rank Establishment	1	2	6	35	110	257	306	167
Army Strength	1	2	6	35	103	248	263	113
Vacancies by Rank	0	0	0	0	7	9	43	54
Air Corps Rank Establishment	0	0	1	2	14	36	65	48
Air Corps Strength	0	0	1	2	13	33	48	27
Vacancies by Rank	0	0	0	0	1	3	17	21
Naval Service Rank Establishment	0	0	1	2	13	45	81	41
Naval Service Strength	0	0	1	2	13	50	56	39
Vacancies by Rank	0	0	0	0	0	-5	25	2
Total Vacancies by Rank	0	0	0	0	8	7	85	77

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	SM	BQMS	CS	CQMS	Sgt	Cpl	Pte/Cadet
Army Rank Establishment	29	32	115	169	973	1,438	3,880
Army Strength	25	25	83	139	804	1,333	4,237 *
Vacancies by Rank	4	7	32	30	169	105	-357
Air Corps Rank Establishment	8	4	56	14	131	183	324
Air Corps Strength	7	3	51	10	102	150	297 **
Vacancies by Rank	1	1	5	4	29	33	27
Naval Service Rank Establishment	6	7	75	15	226	180	402
Naval Service Strength	6	8	73	14	172	114	510 ***
Vacancies by Rank	0	-1	2	1	54	66	-108
Total Vacancies by Rank	5	7	39	35	252	204	-438

\*Includes 151 Cadets

\*\*Includes 38 Cadets

\*\*\*Includes 24 Cadets

### **Defence Forces Training**

571. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the Defence Forces, Army, Naval Service and Air Corps continue to be equipped and trained to international standards; and if he will make a statement on the matter. [53183/17]

582. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence if he has satisfied himself that the Air Corps, Army and Naval Service have the ability to rapidly respond in the event of an emergency including a natural disaster or terrorist attack; and if he will make a statement on the matter. [53194/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I propose to take Questions Nos. 571 and 582 together.

My priority as Minister with Responsibility for Defence is to ensure that the operational capability of the Defence Forces is maintained to the greatest extent possible to enable the Army, Air Corps and Naval Service to carry out their roles as assigned by Government.

The acquisition of new equipment for the Defence Forces remains a clear focus for me. Future equipment priorities for the Army, Air Corps and Naval Service are being considered in the context of the lifetime of the White Paper on Defence as part of the capability development and equipment planning priorities planning process.

The primary function of training and education in the Defence Forces is to develop and maintain the necessary capabilities. The Defence Forces deliver military training programmes and modules meeting national and international standards. They also engage with external educational institutions in order to facilitate organisational learning. This engagement with national and international educational institutions, military and civilian, aims to ensure that the Defence Forces retain currency with regards to best international practice and employ all relevant modern training methods.

At National level, representation on the Government Task Force on Emergency Planning, by both the Department of Defence and the Defence Forces, ensures the fullest coordination and cooperation in the event of an emergency and that the command structure within the Defence Forces is compatible with the requirements in this area.

In accordance with the Framework for Major Emergency Management, primary responsibility for responding to emergencies such as severe weather events or terrorist attacks rests with the three designated principal response agencies, namely, the relevant Local Authority, An Garda Síochána, and the Health Service Executive. The Defence Forces provide the fullest possible assistance to the appropriate Lead Department in the event of a natural disaster or emergency situation in its Aid to the Civil Authority and Aid to the Civil Power roles.

Major Emergency Plans have been developed by local and regional authorities and these Plans identify the procedures for requesting assistance from the Defence Forces.

The Defence Forces retains a wide range of specialist skills and equipment, which can be deployed in such circumstances. The full spectrum of Defence Forces personnel and equipment are available for deployment in response to any emergencies that may arise. The Operations Directorate in Defence Forces Headquarters manages the necessary cross-service coordination in responding to requests for support. These arrangements have proved effective in all emergencies encountered to date.

I am committed to ensuring that the personnel of the Defence Forces continue to be equipped and trained to best international standards and I am satisfied that the assistance provided by the Defence Forces is provided in a co-ordinated way and that the tried and tested arrangements work well in response to emergencies.

*Questions Nos. 572 and 573 answered with Question No. 569.*

### **Overseas Missions Data**

574. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the number of Defence Force members serving overseas on peacekeeping or other missions; and if he will make a statement on the matter. [53186/17]

577. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which he has received notification from the UN regarding the deployment of members of the Defence Forces overseas in the context of peacekeeping; and if he will make a statement on the matter. [53189/17]



**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I propose to take Questions Nos. 574 and 577 together.

As of 1 December 2017, Ireland is contributing 639 Permanent Defence Force personnel to 9 different missions throughout the world. The main overseas missions in which Defence Forces personnel are currently deployed are the United Nations Interim Force in Lebanon (UNIFIL) with 377 personnel, the United Nations Disengagement Observer Force (UNDOF) in Syria with 136 personnel and the United Nations mandated Naval Service deployment to the EU naval mission (Operation Sophia) which commenced in October 2017 with 55 naval personnel.

Ireland has, in addition, pledged to the United Nations Peacekeeping Capability Readiness System to make certain additional capabilities (troops and equipment) available to the United Nations on request. Also, at the United Nations Defence Ministerial summit held in Vancouver last month, Ireland pledged certain training capabilities for delivery in Ireland and in partner countries overseas. Any additional deployments will be subject to the provision of the Defence Acts and the triple lock as appropriate. Ireland will continue to work with the United Nations to make peacekeeping operations as efficient and effective as possible.

The overall current contribution of some 639 personnel to overseas missions reflects the Government's continued commitment to the United Nations and to our responsibilities in the area of international peace and security.

Details of all personnel currently serving overseas are listed in the following table:

**Members of the Permanent Defence Force Serving Overseas as of 1st December 2017**

1. UN MISSIONS	
(i) UNIFIL (United Nations Interim Force in Lebanon) HQ	30
UNIFIL 111th Infantry Battalion	339
UNIFIL Sector West HQ	8
(ii) UNTSO (United Nations Truce Supervision Organisation) Israel & Syria	12
(iii) MINURSO (United Nations Mission for the Referendum in Western Sahara)	3
(iv) MONUSCO (United Nations Stabilisation Mission in the Democratic Republic of the Congo)	4
(v) UNDOF (United Nations Disengagement Observer Force) HQ (Yafour Damascus)	1
UNDOF Staff Appointments (Camp Ziouani)	5
UNDOF 56th Infantry Group (Camp Ziouani)	130
TOTAL	532
UN MANDATED MISSIONS	
(vi) EUFOR (EU-led Operation in Bosnia and Herzegovina)	5
(vii) EUTM Mali (EU-Led Training Mission)	20

(viii) KFOR (International Security Presence in Kosovo ) HQ	12
(ix) Naval Service EU Naval Mission (Op Sophia) L.E. Niamh	55
TOTAL NUMBER OF PERSONNEL SERVING WITH UN MISSIONS	624
2	
ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE)	
(i) Staff Officer, High Level Planning Group, Vienna	1
TOTAL NUMBER OF PERSONNEL SERVING WITH OSCE	1
3. EU MILITARY STAFF	
Brussels	4
4. MILITARY REPRESENTATIVES/ADVISERS/STAFF	
(i) Military Adviser, Permanent Mission to UN, New York	1
(ii) Military Adviser, Irish Delegation to OSCE, Vienna	1
(iii) Military Representative to EU (Brussels)	4
(iv) Liaison Officer of Ireland, NATO /PfP (Brussels)	2
(v) EU OHQ Operation Althea, Mons, Belgium	1
(vi) Irish Liaison Officer to SHAPE & Military Co-Op Division, Mons, Belgium	1
TOTAL NUMBER OF DEFENCE FORCES PERSONNEL SERVING OVERSEAS	639

### Air Corps Equipment

575. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence if the aircraft throughout the Air Corps are constantly assessed for upgrading or replacement; and if he will make a statement on the matter. [53187/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** My priority as Minister with Responsibility for Defence is to ensure that the operational capability of the Army, Air Corps and Naval Service is maintained to the greatest extent possible so as to enable the Defence Forces to carry out their roles as assigned by Government as set out on the White

Paper on Defence. Equipment priorities for the Army, Air Corps and Naval Service are being considered in the context of the lifetime of the White Paper on Defence as part of the capability development and equipment planning process.

In this context the principal aim over the period of the White Paper will be to replace and upgrade, as required, existing capabilities in order to retain a flexible response for a wide range of operational requirements both at home and overseas. The White Paper on Defence provides that the Air Corps will see the Cessna fleet replaced with three larger aircraft suitably equipped for Intelligence, Surveillance, Target Acquisition and Reconnaissance tasks. The tender competition for the procurement of the three new aircraft is underway and the cost will be determined by the outcome of the tender competition which is expected to conclude shortly. The two Air Corps CASA 235 Maritime Patrol Aircraft are due for replacement in 2019. The White Paper also provides for the replacement of the CASA 235s with consideration to be given to their replacement with larger more capable aircraft which would enhance maritime surveillance and provide a greater degree of utility for transport and cargo carrying tasks. Also, a decision was made in 2016 to replace a PC-9M aircraft and this aircraft was delivered from Pilatus Aircraft in Switzerland in July 2017 at a cost of €5m exclusive of VAT. The new aircraft brings the fleet up to 8 and will assist in a required increase in pilot training in the Air Corps.

### **Defence Forces Funding**

576. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the EU currently contributes towards the cost of maintaining air and sea surveillance along the Irish coast with particular reference to the position in the aftermath of Brexit; and if he will make a statement on the matter. [53188/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I can confirm that funding is available to my Department to assist the Naval Service and the Air Corps in Control and Enforcement Activities from a fund overseen by the Department of Agriculture, Food and the Marine under the European Maritime and Fisheries Fund 2014-2020.

As the Deputy may be aware, the Naval Service conducts routine maritime surveillance patrols throughout Ireland's Exclusive Economic Zone (EEZ). The primary day-to-day tasking of the Naval Service is to provide a fishery protection service in accordance with the State's fishery protection legislation and our obligations as a member of the European Union. In its fishery protection role, the Naval Service is committed to having at least three vessels on patrol at any one time. However, when on patrol Naval Service vessels are multi-tasked in the sense that they also undertake general surveillance, security and other duties.

Naval Service patrols are complemented by assistance provided by the Air Corps. The Air Corps' Maritime Squadron carries out aerial surveillance within the Irish EEZ using the two CASA maritime patrol aircraft which were acquired in 1994 under the terms of the 1991 to 1995 Fishery Protection Programme. These aircraft are equipped with state-of-the-art surveillance and communication equipment which offers aerial assistance to the Naval Service. The EU has provided funding towards the cost of purchase and upgrade of these aircraft.

My officials together with the Naval Service and the Air Corps are working closely with the Sea-Fisheries Protection Authority (SFPA), who are the competent authority on this matter, in relation to Brexit. However, the implications, as they relate to air and sea surveillance along the Irish Coast, of the United Kingdom leaving the European Union will depend on the manner in which, and under what circumstances the United Kingdom leaves the European Union.

The potential implications for fisheries protection and monitoring of Irish waters will emerge during the course of current negotiations. Accordingly, it is difficult at this stage to anticipate the implications including the impact on fishery protection requirements.

*Question No. 577 answered with Question No. 574.*

### Defence Forces Personnel Data

578. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the number of women serving in the Defence Forces at all ranks in the Army, Naval Service and Air Corps has fluctuated over the past five years; and if he will make a statement on the matter. [53190/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The number of female personnel (Whole Time Equivalent) serving at all ranks in the Army, Air Corps and Naval Service is set out in the following table:

-	2013	2014	2015	2016	2017*
Army	450	464	458	476	496
Air Corps	31	35	33	33	34
Naval Service	65	64	61	59	74
Total	546	563	552	568	604

\*As of 31 October 2017.

The Government is committed to a policy of equal opportunity for men and women throughout the Defence Forces and to the full participation by women in all aspects of Defence Forces activities. This is underlined by a commitment in the Programme for Government to increase the level of female participation in the Defence Forces.

The Defence Forces have no restrictions with regard to the assignment of men or women to the full range of operational and administrative duties, and all promotions and career courses are open to both sexes on merit.

One impediment in achieving greater numbers of women serving in the Defence Forces is the lack of women recruitment applicants relative to men which may be as a result of societal perception and attitudes to female soldiers and officers.

In recent times there have been a number of initiatives to encourage greater female participation, such as:

- The introduction of best practices in recruitment, such as the adjustment of physical standards for female applicants,
- Special consideration is paid to women as a target group for recruitment,
- A balanced composition between men and women on recruitment and selection boards,
- All promotions and career courses are open to both sexes on merit,
- A Gender Advisor has been appointed to promote gender equality policies and training within the Defence Forces and,

The White Paper on Defence recognised a requirement to develop a Diversity and Inclusion

Strategy and this, along with the associated Action Plan, has been achieved.

Over the lifetime of the White Paper the following projects will also be progressed to ensure the development and promotion of strategies that support increased female participation in the Defence Forces is continued:

- Developing further initiatives to encourage more women to apply for the Defence Forces and to increase female participation at all ranks.
- Conducting a survey to identify any impediments to the advancement of women in the PDF.

### Defence Forces Reserve Strength

579. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the strength of the Defence Forces Reserve at all levels; the degree to which these numbers have fluctuated in the past six years; and if he will make a statement on the matter. [53191/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The following table sets out the effective strength of the Reserve Defence Force over the last six years:

End of Year	RDF Strength
2012	4,978*
2013	3,655*
2014	2,302
2015	2,280
2016	2,049
2017 (31 October 2017)	1,856

*\*Due to the reorganisation of the Reserve Defence Force, there is a significantly larger margin of error applicable to these figures.*

The White Paper on Defence confirms that the primary role of the Reserve is to augment the Permanent Defence Force in times of crisis. In non-crisis situations, the main focus will be on training to prepare for this role. The Government has also assigned a formal role to the Reserve of contributing to state ceremonial events. The Government appreciates the service of the members of the Reserve and the White Paper on Defence is clear that there is a continued requirement to retain and develop the Reserve.

I am aware that there is a shortfall between these figures and those of the established strength, which provides for 4,069 personnel. As an immediate measure to begin to rectify this shortfall by bolstering the strength of the Reserve, a recruitment campaign to the Army Reserve and Naval Service began in July 2017 and attracted 1,221 applications. A total of 128 personnel have been inducted to the Reserve Defence Forces in 2017 which is an increase of some 60% when compared to the 80 personnel inducted in 2016. The recruitment process has also been streamlined so as to make it more efficient.

Given the competing recruitment demands at present, where PDF recruitment is and should remain a priority, recruitment to the Reserve is continuing. However, it should be noted that the same personnel and resources are utilised for both Permanent and Reserve Defence Forces recruitment and the recruitment of up to 800 Permanent Defence Forces personnel this year obviously impacted on resource allocation.

Under the current phase of implementation of White Paper actions, two relate specifically to the RDF. One addresses the issue of improving the strength of the Reserve by attracting recruits from all backgrounds. The other action involves conducting a skills survey with a view to establishing a Specialist Reserve. Both of these are well advanced. In the medium term, over the 10 year lifespan of the White Paper, other projects relating to the development of the Reserve will also be examined and developed by the Defence Organisation.

I would like to assure the Deputy that I remain committed to the ongoing development of the RDF within the framework set out in the White Paper on Defence and having regard to resource availability.

### **Defence Forces Properties**

580. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the use of the various military installations decommissioned over the past 25 years; the number that have been disposed of; the current use of each; the number still in the ownership of the Defence Forces; and if he will make a statement on the matter. [53192/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Over the past 25 years my Department has disposed of a range of properties that were deemed surplus to military requirements.

Between 1992 and 1997, the old military barracks at Cavan was sold to Cavan County Council and six former Reserve Defence Force (RDF) premises were sold to private individuals. During this same period, some lands at various locations were disposed of, including part of a rifle range to Galway Corporation and lands to Kildare County Council, Westmeath County Council, Cork County Council, Commissioner of Irish Lights and New Ross UDC.

Since 1998, under the barracks consolidation programme, the sale has been completed on twelve of the fourteen barracks that were closed under this programme. These are Fermoy, Castleblaney, Naas, Ballincollig, Dublin (Clancy Barracks), Monaghan, Longford, Cavan (new barracks), Letterkenny, Kildare, Clonmel and Lifford. The sale of Castlebar Barracks to Mayo County Council will be completed in the near future.

Columb Barracks in Mullingar remains under the ownership of the Minister for Defence and is currently being used by An Garda Síochána, the Customs Service, the Westmeath GAA Board and various other community groups. It is intended to dispose of the barracks by public auction in 2018.

A number of other properties have also been disposed of since 1998 including 28 Reserve Defence Force premises. These include sales to Southern Health Board, Cavan County Council, Cork VEC, Mayo County Council, Wicklow County Council, Inland Fisheries Ireland and Fingal County Council. One was also sold to Special Olympics Ireland and the remainder were sold privately.

Parts of the former training camp at Knockalisheen Camp, Co Clare were disposed of – one part to a private individual and two to sporting clubs whilst the former training camp at Lahinch Co Clare was also sold to a sporting organisation.

Lands at two military forts have been sold to Cork County Council and the Department of Justice.

Lands at two former rifle ranges were disposed to private individuals and two border posts



were also sold to private individuals.

In addition, lands have been sold at various locations including lands to Galway City Council, Cork Corporation, Limerick City Council, Waterford City Council, Dublin City Council and Department of Justice, Equality and Law Reform. Lands at Ringaskiddy, Co. Cork were also transferred to the Department of Education and Science as a contribution for the National Maritime College.

A small number of properties are being used under licence by various organisations including the use of lands at Birr, Co. Offaly by a sporting organisation. Some remaining land at the former training camp at Knockalisheen, Co. Clare is currently used by a private individual for grazing purposes until arrangements are finalised for disposal.

### **Emergency Planning**

581. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which he remains satisfied that equipment, aircraft, and ancillary requirements are upgraded and updated on a regular basis thereby ensuring full capability and reliability to undertake tasks that may become necessary in an emergency; and if he will make a statement on the matter. [53193/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** My priority as Minister with Responsibility for Defence is to ensure that the operational capability of the Army, Air Corps and Naval Service, is maintained to the greatest extent possible so as to enable the Defence Forces to carry out their roles as assigned by Government.

Within the Naval Service, examples of this include the acquisition of new ships under the ship replacement programme. Three ships have been delivered since 2014 and a fourth is due to be delivered by 2018.

The Government is currently investing in updating the Air Corps fleet of aircraft with the replacement of the existing five Cessna aircraft with larger and more capable fixed wing utility aircraft suitably equipped for ISTAR (Intelligence, Surveillance, Target Acquisition and Reconnaissance). Planning is also in progress to replace the CASA Maritime Patrol aircraft.

The Army's fleet of MOWAG Armoured Personnel Carriers mid-life upgrade will extend the utility of the fleet and provide greater levels of protection, mobility and firepower. Additionally, updated 4x4 Armoured Utility Vehicle are being acquired and it is planned to take delivery in 2018 of new armoured logistic vehicles. These measures will also enhance force protection overseas.

The examples given above, whilst not exhaustive, demonstrate my commitment to update and upgrade the Defence Forces equipment and capability, within the financial envelope available. As part of budgetary negotiations for 2017, additional capital funding was allocated bringing the capital envelope up to €416m over the 2018-2021 timeframe. This will allow for significant investment in equipment and infrastructure over the coming years.

The primary function of training and education in the Defence Forces is to develop and maintain the military capabilities necessary to fulfil the roles laid down by Government and to respond to future threats to the State's security.

The scheduling of training in the Defence Forces is underpinned by an analysis of training needed to meet operational output requirements and capability development needs. A long term

strategy has been adopted with current planning horizons out to 2021.

In relation to Personnel, up to the end of October 2017 there have been 702 personnel inducted into the Defence Forces. This is an increase from the 416 inducted in 2015 and 690 in 2016. In 2016 more people were brought into the Defence Forces than left (690 in; 655 out). This reversed a long term trend of more people leaving than entering the Defence Forces. This has been possible because this Government significantly increased recruitment and it is expected that new entrants will again exceed exits in 2017.

I am satisfied that the Defence Forces have the necessary resources available to them, including a modern and effective range of equipment which is line with best international standards in order to fulfil all roles assigned to them by Government. This includes the provision of relevant assistance in response to emergency situations that may arise.

*Question No. 582 answered with Question No. 571.*

### **Defence Forces Equipment**

583. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which modern sophisticated technology is available to the Army, Naval Service and Air Corps with particular reference to radar and GPS facilities and or other tracking devices; the availability of such technology in all vehicles, vessels and aircraft; and if he will make a statement on the matter. [53195/17]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** My priority as Minister with Responsibility for Defence is to ensure that the operational capability of the Army, Air Corps and Naval Service is maintained to the greatest extent possible so as to enable the Defence Forces to carry out their roles as assigned by Government as set out on the White Paper on Defence. Equipment priorities for the Army, Air Corps and Naval Service are being considered in the context of the lifetime of the White Paper on Defence as part of the capability development and equipment planning process.

In this context the principal aim over the period of the White Paper will be to replace and upgrade, as required, existing capabilities in order to retain a flexible response for a wide range of operational requirements both at home and overseas. There is focus on the essential force protection provided by armoured vehicles, and in this regard a maintenance and upgrade programme has commenced for the current fleet of 80 Armoured Personnel Carriers which will seek to ensure viability of the fleet out to 2030. A small number of armoured logistical and utility vehicles have also been procured for force protection. Modern secure communications are essential for overseas missions and in that regard Defence Force personnel are suitably equipped with required communications and global positioning systems equipment. As stated in the White Paper, should additional funding beyond that required to maintain existing Air Corps' capabilities become available, the development of a radar surveillance capability is a priority for the Air Corps. Funding for this is not provided in the current resource envelope and any future decisions in this regard will be in the context of the ongoing security environment and any associated developments.

The White Paper also recognises the requirement to maintain and upgrade Naval Service vessels having regard to emerging operational requirements and changes in technology, including communications equipment and technology and this is an ongoing process.

I am satisfied that the current provisions, together with the courses of action in the White Paper, will continue to ensure that the Defence Forces is suitably equipped, in line with international best practice, to fulfil all roles assigned by Government.