

## 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 9, inclusive, answered orally.*

*Questions Nos. 10 to 35, inclusive, resubmitted.*

*Questions Nos. 36 to 40, inclusive, answered orally.*

### **Visual Artist's Workspace Scheme**

41. **Deputy Niamh Smyth** asked the Minister for Employment Affairs and Social Protection the number of visual artists and writers to date that have availed of the pilot jobseeker's exemption scheme that was announced on 12 June 2017; and if she will make a statement on the matter. [8395/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Periods of unemployment can be a typical feature of their professions for writers and artists. They can go through fallow periods while, for example, they are building up their work and trying to establish themselves. A pilot initiative targeted at self-employed visual artists and writers was launched in June 2017. These professions can qualify for a jobseeker's payment when they are unemployed in the normal way. The pilot is intended to assist those who apply to the Department for jobseeker's allowance. A key feature of the initiative is that it acknowledges their status as self-employed artists or writers and gives them a 12 month window to focus on building up their work before they become subject to activation.

This initiative was a collaboration between my Department and what is now the Department of Culture, Heritage and the Gaeltacht, with the support and advice of the Arts Council. We also consulted with the artists and writers professional bodies. Naturally there are safeguards in place to ensure that claimants are professional visual artists and writers. Applicants must satisfy all of the usual qualifying conditions for jobseeker's allowance.

At the beginning of February 2018, there were 32 people in receipt of jobseeker's allowance availing of the pilot initiative. The total numbers who have applied to date are not available. There are a number of reasons why any applicant might not qualify for jobseeker's allowance, such as not satisfying the means test.

This also does not mean that there are only 32 professional visual artists or writers in receipt of jobseeker's allowance. It simply means that there are 32 recipients of the payment who are availing of the pilot arrangements and therefore not party to the activation process for 12 months. The general population of jobseeker's allowance recipients is not classified as to their occupation or profession so it is not possible to say how many writers or visual artists are in

receipt of the payment.

The arrangements will be reviewed after 12 months and this review will take place later this year.

### **Employment Rights**

42. **Deputy Bríd Smith** asked the Minister for Employment Affairs and Social Protection the legislative proposals she plans to introduce to address abuses of workers' rights in relation to bogus self employment, especially in the construction industry; and if she will make a statement on the matter. [8439/18]

53. **Deputy Mick Barry** asked the Minister for Employment Affairs and Social Protection her views on a report (details supplied) published by her Department in January 2018; and if she will make a statement on the matter. [8446/18]

57. **Deputy Mick Barry** asked the Minister for Employment Affairs and Social Protection her plans to introduce legislation on foot of a report (details supplied) recently published by her Department. [8447/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 42, 53 and 57 together.

Bogus self-employment arises where an employer wrongly treats a worker as an independent contractor in order to avoid tax and social insurance contributions. There are robust arrangements in place for dealing with complaints of bogus self-employment. Social welfare inspectors inspect a wide range of businesses, as part of their on-going compliance operations. Inspections are also undertaken jointly with other agencies including the Revenue Commissioners and Workplace Relations Commission. Where evidence of non-compliance is detected, this will be pursued.

Officials also investigate specific cases referred to my Department's Scope section. This section determines employment status and the correct class of pay-related social insurance (PRSI). Where misclassification of workers as self-employed is detected, the correct status and class is determined and social insurance arrears are collected as required. Under the Social Welfare Consolidation Act, there are specific offences in relation to employment contributions. On conviction, fines and or imprisonment can ultimately be imposed.

Any worker who has concerns about their employment and PRSI status should contact my Department and the matter will be investigated. This can only happen with the cooperation of the worker.

The classification of a worker for PRSI purposes can be complicated by the use of intermediary employment structures referred to by the Deputy. Revenue estimates that there are some 15,000 people employed using such structures.

My Department has concerns that such mechanisms may be used to reduce the amount of PRSI and tax being paid, with a subsequent loss to the exchequer and the Social Insurance Fund. A report on the issue prepared by officials from my Department, the Department of Finance and the Revenue Commissioners and informed by a public consultation with a wide range of stakeholders, was published at the end of January.

The report finds that the available data does not indicate that self-employment is accounting

for any significant increased share of the labour force, and accordingly the perception of the level of disguised employment may be overstated. While the report indicates that intermediary arrangements can be abused to the detriment of workers and can distort the transparent and efficient operation of the labour market, it also notes that contract for service arrangements can provide flexibility, in many instances, for both businesses and workers, where they are freely chosen by both parties.

The report also contains an analysis of issues raised in the public consultation specifically pertaining to the construction sector. It looks at the administration of tax and social insurance in the sector, including 'relevant contracts tax' (RCT) and compliance activities. The report finds no evidence that the system facilitates the mis-characterisation of workers as self-employed as there are safeguards for workers who may have been incorrectly classified. For example, Revenue informs the sub-contractor after receiving the relevant contract from the principal contractor and will investigate if the sub-contractor is of the view that they are incorrectly classified. They can also engage with the Scope insurability section in my Department.

The recommendations of the Report are being examined in the context of the overall development and sustainability of social insurance and the supports available for both the self-employed and vulnerable workers. This Report and the recent Actuarial Review of Social Insurance provide a timely and evidence-led opportunity to undertake a full review of our social insurance system and to consult with stakeholders.

*Questions Nos. 43 and 44 answered orally.*

### **Social Insurance Payments**

45. **Deputy Richard Boyd Barrett** asked the Minister for Employment Affairs and Social Protection if she will report on investigations into errors in changes to PRSI stamp payments for persons (details supplied); and if she will make a statement on the matter. [8430/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The people referred to by the Deputy were public servants who were employed in a permanent and pensionable capacity and who were determined to be paying the wrong class of PRSI. In the first case, the person concerned was made permanent and formally admitted to the superannuation scheme by her employer on 1 September 2006. In 2013, following a request by the employer for an insurability decision, Scope Section determined that the correct class of contribution effective from 1 September 2006 was PRSI Class D. Prior to that, the employee was correctly insured at PSRI Class A. In the second case, the person concerned became permanent and pensionable from 1 July 2006, the date from which the employer should have applied PRSI Class D. The employer in this case sought a decision on 26 June 2012.

As the incorrect class of contribution was paid in both cases, there is no entitlement to any social welfare schemes covered by PSRI Class A contributions. The social welfare payments that both individuals had been in receipt of based on the PRSI Class A contributions incorrectly returned ceased to be paid following the Scope decisions.

In the first case, illness benefit and partial capacity benefit of approximately €15,000 were paid during the period February 2010 and October 2013. Due to the overpayment of PRSI, arrears of €8,000 were due to the employer. These arrears were held against benefits paid. The Department did not pursue any overpayment for the balance of €7,000.

The second person had been in receipt of invalidity pension based on her PRSI Class A contributions. The pension was terminated with effect from 27 February 2013. The Department

confirmed with the HSE in relation to the person's occupational pension that the HSE occupational pension had increased before termination of the invalidity pension.

The Department did not pursue any overpayment of illness benefit and invalidity pension paid from April 2009 to February 2013.

I trust that this clarifies the Department's role in dealing with these cases.

*Questions Nos. 46 and 47 answered orally.*

### **Economic and Social Research Institute**

48. **Deputy Bríd Smith** asked the Minister for Employment Affairs and Social Protection the measures she plans to take on foot of the recent ERSI report which shows increased poverty among lone parents and those with disabilities. [8438/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The research report referred to is "Poverty Dynamics of Social Risk Groups in the EU" produced by the ESRI, funded by my Department and published last month. It analysed the significance of different systems of welfare regimes and their effectiveness in protecting vulnerable groups in eleven EU countries, including Ireland, over a 10 year period. That ten year period was from 2004 to 2014, and so it covered the end of the boom period, the recession and the start of the recovery. The report showed that, across the eleven countries, lone parents and their families and working-age adults with a disability and their families are more at risk of material deprivation and income poverty than other groups. Given the sustained economic recovery since 2014, and with unemployment down from 11.3% in 2014 to 6.2% at present, I expect that the CSO Survey on Income and Living Conditions data for 2017 will continue the recent trend of reductions in poverty for all sectors of society. But it remains the case that lone parent households and those of working people with a disability continue to experience deprivation and consistent poverty rates which are higher than those of the general population and we cannot contemplate any reduction in our commitment to support those most in need.

My Department, as well as providing income supports to people with disabilities, offers a range of employment support programmes, including the wage subsidy scheme and the EmployAbility service as well as the partial capacity benefit scheme. The Intreo service is also available to provide employment support services for people with disabilities who wish to engage with the service on a voluntary basis. This year expenditure on these programmes will amount to some €50 million. Last September, the Ability programme, supported by the European Social Fund was launched. This is a new pre-activation programme which recognises the critical importance of engaging with young people with disabilities at a time when their disability threatens to keep them out of the workforce.

It is accepted that for lone parents, the best way to tackle poverty is through employment. The recently published Indecon report echoed this view and found that the changes to the one-parent family payment scheme made over the last number of years increased employment and reduced welfare dependency. It also found that the changes increased the probability of employment and higher employment income for lone parents. The report concluded that assisting lone parents to enhance skills also needs to be seen as a key objective as low paid employment will not, on its own, ensure a reduction in the risk of poverty.

The Budget 2018 measures - increases in the income disregard, the primary rate and the increase for qualified child rate - come into effect next month. The effect of these measures will see a lone parent on the one-parent family payment or jobseeker's transitional payment, who

is working 15 hours a week on the National Minimum Wage, being better off by nearly €1,000 per year.

I should mention finally that my Department is currently developing the new National Action Plan for Social Inclusion. Like its predecessor, it will have a 'whole of Government' approach that will aim to improve outcomes for the vulnerable and marginalised in our society.

*Question No. 49 answered orally.*

### **JobsPlus Scheme**

50. **Deputy Joe Carey** asked the Minister for Employment Affairs and Social Protection her plans to enhance the JobsPlus scheme to target older unemployed and long-term unemployed persons; and if she will make a statement on the matter. [8413/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The JobsPlus scheme, since its introduction in 2013, has provided a direct monthly financial incentive to employers who recruit employees who are long term on the live register and those transitioning into employment. My Department pays the incentive to employers monthly in arrears over a two-year period. It provides employers with two levels of payment, €7,500 and €10,000, depending on the length of time the recruited employee has been unemployed. The Scheme has proved to be effective in meeting its initial objectives. I was keen, however, to ensure that the JobsPlus scheme would have a particular focus on addressing the position of older unemployed people and the very long-term unemployed. In this regard, I was struck by the findings of a recent review of JobsPlus, conducted by my Department, which showed that workers over 50 years of age were under-represented on the scheme. Consequently, as part of budget 2018, I announced key new measures which came into effect on the 1st January 2018 and which provide a new focus for the scheme. Firstly, jobseekers aged over 50 years will qualify for the higher €10,000 incentive rate after 12 months on the live register, down from 24 months.

Secondly, for jobseekers aged less than 50 years, the qualifying period for receipt of the higher incentive rate of €10,000 has been increased from 24 months on the live register to 36 months. For this cohort, the qualifying period for the €7,500 incentive rate remains at 12 months.

As I say, I have introduced these measures to encourage employers to focus their recruitment efforts on older workers and on those who are long-term unemployed.

For those under the age of 25, the qualifying period for the €7,500 incentive rate remains at 4 months.

The incentive will continue to be paid in monthly instalments over a two year period provided the employment is maintained.

### **Social Welfare Payments Waiting Times**

51. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the steps she will take to speed up the manner in which various social welfare payments are being dealt with, with particular reference to exceptional needs payments and appeals and delays surrounding same which cause severe hardship; and if she will make a statement on the matter. [8418/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I can assure the Deputy that prompt processing of claims is a priority for me. Scheme areas are monitored and reviewed to ensure customers are responded to and claims are processed as expeditiously as possible. As part of its programme of service delivery modernisation, a range of initiatives aimed at streamlining the processing of claims, supported by modern technology, have been implemented by my Department in recent years. Operational processes, procedures and the organisation of work are continually reviewed to ensure that processing capability is maximised. Staffing levels are also kept under review to ensure the best use of available resources. Under the Supplementary Welfare Allowance (SWA) scheme my Department may make a single exceptional needs payment – an ENP - to help meet essential, once-off expenditure which a person could not reasonably be expected to meet out of their weekly income.

Provision of a prompt service is a major objective for the Department's staff, especially for the SWA scheme which is the safety net within the social welfare system. The ENP scheme is demand led and payments are made at the discretion of the officers administering the scheme taking into account the requirements of the legislation and all the relevant circumstances of the case in order to ensure that the payments target those most in need of assistance. Reviews of ENP cases are carried out by review officers within the community welfare service. ENP applications and requests for reviews are examined promptly by the Department given the nature and sometimes urgency of the need presented, for example travel required for urgent medical or family circumstances may be examined immediately.

If the Deputy has concerns in respect of a particular case he should bring it to the attention of the Department.

*Question No. 52 answered orally.*

*Question No. 53 answered with Question No. 42.*

### **Citizen Information Services**

54. **Deputy Thomas P. Broughan** asked the Minister for Employment Affairs and Social Protection the status of the restructuring of the Citizen Information services and MABS companies; when this decision was made; the person or body that will make the decision; and if she will make a statement on the matter. [8301/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Citizens Information Board (CIB) is a statutory body established by the Oireachtas. In addition to its own statutory responsibilities in relation to information and advocacy service provision, it has statutory responsibility for the countrywide networks of Citizens Information Services (CIS) and the Money Advice and Budgeting Service (MABS). The decision to restructure the governance arrangements of the CIS and MABS companies was taken by the statutory Board of the Citizens Information Board. In November 2014, the CIB Board decided to restructure the local CIS and MABS networks. In October 2016, the Board decided that the new structure should be regionally based. On 15 February 2017, the Board adopted a recommendation that the current structure of ninety three individual local companies would be changed to a sixteen regional company model, comprising eight CIS and eight MABS companies. The CIB Executive is currently implementing the decision taken by the Board, as it is required to do. An Implementation Group, with cross sectoral representation, has been set up to assist with the transition to the new governance model. CIB has, and will continue to, provide the necessary information and support to each of the local companies and their Chairpersons and Boards, throughout the transitional period.

Information sessions have already been held for chairpersons of the 38 companies transitioning to the regional companies in Phase 1. This month, consultation sessions were held with CIS Development Managers and MABS Money Advice Co-ordinators regarding the preparations needed to transfer to the new companies and to address any queries they had.

Further information sessions will be held for the companies transitioning in the remaining phases. It is expected that the full transition to the 16 new companies will take up to two years to complete.

I hope this clarifies the matter for the Deputy.

*Question No. 55 answered orally.*

### **Pensions Legislation**

56. **Deputy Bríd Smith** asked the Minister for Employment Affairs and Social Protection if proposed legislation on pension schemes will benefit persons in CIÉ or a company (details supplied) that faces threats to its pensions; and if she will make a statement on the matter. [8436/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Deputy will appreciate that I cannot comment on issues relating to particular pension schemes. However, generally speaking, trustees of pension schemes have duties and responsibilities under the Pensions Act, under trust law, and under other relevant legislation. They must administer the trust in accordance with the law and the terms of the trust deed and rules. The provisions of the Pensions Act are enforced by the Pensions Authority so any issues or complaints in relation to a particular scheme should be notified to the Authority for action. The Pensions Authority will assess if there has been a breach of any legal obligations and take any necessary action if such a breach is found.

I intend to introduce a number of amendments to the Social Welfare, Pensions and Civil Registration Bill at Committee Stage which will ensure that a sponsoring employer cannot “walk away” at short notice from the company pension scheme. The amendments will provide for a 12 month notification period where an employer is seeking to cease making contributions to a scheme. They will also provide that, where a scheme is in deficit and a funding proposal is not been put in place in a timely manner, the Pensions Authority may direct steps to be taken to ensure that the scheme meets the funding standard .

I hope this clarifies the matter for the Deputy.

*Question No. 57 answered with Question No. 42.*

### **Public Services Card**

58. **Deputy Willie O’Dea** asked the Minister for Employment Affairs and Social Protection her plans to continue with the roll-out of the public services card; the number of services for which it is necessary in view of the fact that an investigation is under way by the Data Protection Commissioner in relation to the card; and if she will make a statement on the matter. [8310/18]

74. **Deputy John Curran** asked the Minister for Employment Affairs and Social Protection the decisions that were made to underpin the policing position to expand the range of uses for which there now is in relation to the public services card; if there will be a mandatory requirement to have a card in the future; and if she will make a statement on the matter. [8406/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 58 and 74 together.

It is not mandatory for any resident in Ireland to have a Public Services Card.

However it has always been necessary for people using high value or personalised public services to prove their identity. In order to ensure services are provided to the right person and to support efficient service delivery, a growing number of public service providers, including my Department, are requiring that proof of identity is underpinned by the SAFE 2 identity verification standard. This standard verifies identity to a substantial level of assurance and is the most robust identity verification in Ireland today.

The requirement for this level of identity verification is provided for at Section 247C of the Social Welfare Consolidation Act 2005 (as amended) in respect of customers of my Department.

My Department needs to verify the identity of customers to a substantial level of assurance to ensure that they are who they claim to be, to ensure that they are not being impersonated, to ensure that they are not claiming services or payment in another identity, to minimise the need for them to prove their identity over and over again, and to provide them with access to an increasing range of online public services.

For the most part, the SAFE2 registration process is very easy and straightforward and simply verifies the identity information the public service already has for a person. A Public Services Card may then be issued as a physical token of proof of having successfully completed that SAFE2 identity verification.

While the roll out of the SAFE identity verification requirement to other public services is a matter for the relevant Departments and public bodies providing those services, the Department of Public Expenditure and Reform published the eGovernment Strategy 2017 – 2020 last year which lists a number of public services for which SAFE 2 identity verification will be required and highlights how others are likely to be listed in the future. The list is available at <http://egovstrategy.gov.ie/annex-b/> .

My Department's schemes and services are audited and adjudicated on by a number of regulatory and judicial bodies at various times. Normal business is continued while these audits are carried out. Accordingly, I do not believe that it would be appropriate to suspend the SAFE identity verification programme due to the ongoing audit by the Office of the Data Protection Commissioner.

I hope this clarifies matters for the Deputies.

### **JobPath Programme**

59. **Deputy John Brady** asked the Minister for Employment Affairs and Social Protection her views on the 18% of full-time employment sourced by JobPath providers (details supplied) for persons based on data for those engaged in the service from July 2015 to June 2016; and if she will make a statement on the matter. [8343/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** As the Deputy will be aware, JobPath is a service that supports people who are long-term unemployed to obtain and sustain paid employment. The service was launched in 2015 on a 'rolling basis' with referral numbers gradually increasing over time. There are two phases to the ser-

vice. During the first phase, of 12 months duration, a personal advisor (PA) provides practical assistance in searching, preparing for, securing and sustaining employment. The second phase starts if the jobseeker is successful in finding work. During this phase the PA continues to work with the jobseeker for a further period of at least three months, and up to 12 months. In addition to the two phases jobseekers may also undertake training while with the service and this may extend the period the jobseeker is supported through the service for up to a further 6 months. My Department has published an (updated) cohort based report on the performance of the service, in January 2018. This report detailed employment outcomes on a quarterly cohort basis, i.e. customers referred in Quarter 3 and 4 in 2015 and those referred in Quarter 1 and 2 in 2016.

Of the 39,603 jobseekers referred to the service during this period, 58% were over three years unemployed and a further 17% were over two years unemployed. These groups face significant barriers when seeking to enter or return to employment in the open labour market.

The total employment outcome across all four cohorts at the time of publishing was 25%: 18% of Jobseekers who engaged with the service during this period obtained full-time employment, in addition a further 4% of clients entered part-time employment and a further 3% became self-employed.

It is important to note, that the latter two cohorts (Q1 and Q2 2016), represent 80% of the 39,603 jobseekers referred between July 2015 and June 2016, and the employment outcomes are expected to improve over time as more jobseekers from these cohorts complete their full engagement period with the service.

Given the extended time a customer may engage with the programme and the increase in referral numbers over the reported timeframe the results are very positive. These initial reports are subject to review and are based on a relatively small sample size. With this in mind, the department is undertaking an econometric review of this strand of its activation services. Completion of the review is provisionally scheduled for the end of Q3 2018, following which more detailed and robust statistics will be available.

I hope this clarifies the matter for the Deputy.

## **Tús Programme**

60. **Deputy Frank O'Rourke** asked the Minister for Employment Affairs and Social Protection when the expansion of Tús and community employment schemes to adapt employment programmes to the changing circumstances and the needs of jobseekers (details supplied) are due to come into effect; and if she will make a statement on the matter. [8426/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Tús is one of a range of supports provided by my Department to cater for long-term unemployed jobseekers and those most distant from the labour market. It provides part-time temporary work in local communities, as a stepping-stone back to employment. However, it is important to note that these placements are not full-time sustainable jobs and are designed to break the cycle of unemployment and maintain work readiness, thereby improving a person's opportunities of returning to the labour market or getting a job for the first time. The Deputy will appreciate that the welcome reduction in the unemployment rate is a factor in recruitment to all programmes. Long-term unemployment is expected to fall further this year in line with the continuing forecasted fall in overall unemployment. Currently, participants can remain on Tús for one year and I have no plans to change this. However, changes were introduced recently to the selection criteria for Tús which should broaden the availability of Tús to a greater number

of people on the live register. This includes an increase in the percentage of assisted referrals from 20% to 30%, as well as permitting someone who has had a break of up to 30 days on the Live Register in the past 12 months to be considered eligible for Tús selection.

The Department keeps all aspects of its activation programmes under review to ensure the best outcomes for participants and communities. The Government is very mindful of the large number of work programme places involved in service delivery and other valuable services around the country.

I hope this clarifies the matter for the Deputy.

### **Dormant Accounts Fund**

61. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection the amount of funding she sought from the Dormant Accounts Fund; the criteria for the selection of projects to receive funding; the number of projects that sought funding from her Department; if there was a public request for submissions; and the details of projects that sought funding. [8350/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The DAF is managed through a series of annual action plans. The Department of Employment Affairs and Social Protection (DEASP) is the lead Department for one of the 2016 Dormant Accounts Action Plan measures which provided €0.5m for training and supports for family carers at the end of their full-time caring role. The 2016 DAF Action Plan for carers has now been fully implemented. Pobal administered the measure on behalf of the DEASP, in accordance with their service agreement with the Department of Rural and Community Development (DRCD). For the 2016 Action Plan, Pobal made a competitive call in early 2017 for proposals from national organisations that provide services to carers. A pre-application information meeting for the measure “Life after caring” took place in Dublin on Thursday 29th June.

Applicants for funding were required to demonstrate how the proposal meets the measure priorities. They were required to provide evidence of need for the proposal, how this will be addressed, demonstrate value for money additionality and demonstrate the capacity of the organisation in relation to their governance and financial controls, experience in management of public funding; achievements, management and delivery of projects.

The 2016 measure closed for applications on 26th July 2017. Three organisations applied, and following evaluation by Pobal were subsequently approved for project funding under the measure by my Department: Family Carers Ireland (€338,464), the Irish Foster Care Association (€89,593) and the Galway Hospice Foundation (€97,568).

Discussions with the DCRD, on the 2017 Action Plan, which provides up to €1 million for training and supports for family carers have commenced. I look forward to seeing how the 2017 Action Plan can provide further supports for carers.

### **Social Insurance Yield**

62. **Deputy Peter Burke** asked the Minister for Employment Affairs and Social Protection the value of the social insurance fund; the challenges she anticipates in the future in relation to funding same; and if she will make a statement on the matter. [8398/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The

Actuarial Review of the Social Insurance fund (SIF) as at 31 December, 2015, which I published in October 2017, was carried out by independent consultants, KPMG. This is a review required by legislation. It examines the projected income and expenditure of the SIF over the course of the 55 year period from 2016 to 2071. The review found that the fund currently has a modest surplus of income over expenditure. In 2016 there was a surplus of €0.4 billion on expenditure of €8.8 billion and receipts of €9.2 billion. However, this will reduce over the next two years and will return to a small shortfall in 2020. The annual shortfalls are projected to increase from 2021 onwards as the ageing of the population impacts. Projections indicate that, in the absence of further action to tackle the shortfall, the excess of expenditure over income of the fund will increase significantly over the medium to long term. The shortfall in expenditure over income is projected to increase from €0.2 billion in 2020 to €3.3 billion by 2030 and to €22.2 billion by 2071. As part of the review the independent consultants were required to project the additional PRSI expenditure if invalidity pension and illness, jobseeker's and carer's benefits were extended to Class S self-employed workers and the PRSI contribution rates required to provide these benefits on a revenue neutral basis.

The review found that the combined cost of introducing the invalidity, illness, jobseeker's and carer's benefits for class S contributions is estimated to be €118 million in 2018, rising steadily to €223 million in 2020. By 2025 the projected cost is €413 million and, over the period of the review the cost would rise to €1.3 billion in 2071.

These costs assume that the cost of extending invalidity pension to the self-employed builds up steeply for the first 10 years after introduction after which time the scheme is almost at maturity or a steady state.

For the shorter term schemes, illness and jobseeker's benefits, it is estimated that they will reach maturity after 2 years. Projected expenditure on jobseeker's benefit assumes the same incidence rate as prevail in the employed (PRSI Class A) population.

The review indicates that, where these benefits are extended to the self-employed, the class S rate of PRSI contribution would need to increase substantially in order to ensure that the benefits are delivered in a revenue neutral manner. It estimates that when expenditure on the additional benefits is considered over the entire projection period, PRSI rates would need to increase by 94% under a scenario of no subvention from the exchequer. This is equivalent to an increase of the Class S contribution rate from the current 4% rate to 7.8%.

This increased contribution is attributable to the costs of extending these additional benefits to PRSI Class S contributors. It does not take account of the value to PRSI Class S contributors of access to the range of existing benefits, and in particular state pension contributory.

The consultants estimated that the typical cost of State pension (contributory) on its own is of the order of 10% to 15%, depending on other factors including rate of average earnings and date of commencing paying PRSI. Adding in the other benefits referenced the total Class S rate of contribution to ensure revenue neutrality would be of the order of 20% per annum.

The findings of the Review will play an important role in informing the overall debate on policy developments in relation to the SIF in the years ahead including the financial sustainability of the Fund given the expected demographic challenges and consideration of extending the scope of benefits for workers generally, including the self-employed. The Actuarial Review provides government with a timely and evidence-led opportunity to undertake a full review of our social insurance system and to consult with stakeholders.

63. **Deputy Willie O’Dea** asked the Minister for Employment Affairs and Social Protection her plans to ensure that those that are the first to receive a pension under the total contributions approach will not be significantly financially disadvantaged and suddenly faced with a lower pension than they otherwise would have received under the yearly average approach; and if she will make a statement on the matter. [8307/18]

75. **Deputy Martin Heydon** asked the Minister for Employment Affairs and Social Protection the process that is being undertaken regarding the recent changes announced to the contributory pension system; when reviews will commence; and if she will make a statement on the matter. [8416/18]

86. **Deputy Niamh Smyth** asked the Minister for Employment Affairs and Social Protection her plans to reform the pension system which is perceived to discriminate against persons, mainly women, that took time out of the workforce prior to 1994 to care for children or elderly relatives; and if she will make a statement on the matter. [8403/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 63, 75 and 86 together.

A policy to introduce the Total Contributions Approach (TCA) to pensions calculation was adopted by the then Government in the National Pensions Framework in 2010, as was the decision to base the entitlements of all new pensioners on this approach from 2020.

On the 23rd January, the Government agreed to a proposal that will allow pensioners affected by the 2012 changes in rate bands to have their pension entitlement calculated under a total contributions approach which will include up to 20 years of a new HomeCaring credit.

The TCA will ensure that the totality of a person’s social insurance contributions - as opposed to the timing of them - determines their final pension outcome. In particular it will benefit people whose work history includes an extended period of time outside the paid workplace, while raising families or in a full-time caring role. Crucially, unlike the proposed Homemaking Credits which was proposed in 2010 as part of the National Pensions Framework, the HomeCaring Credit will apply to periods both before and after 1994, as for most people reaching pension age between 2012 and 2019, such periods, where they had them, occurred before 1994, and provisions restricted to periods after then are of little or no benefit to them.

This approach will make it easier for many post-2012 pensioners affected by the 2012 rate band changes who are currently assessed under the yearly average model, to qualify for a higher rate of the State Pension (contributory). A person who reached pension age after 1st September 2012 and has a 40 year record of paid and credited social insurance contributions, subject to a maximum of 20 years of the new HomeCaring credits, will qualify for a maximum contributory pension where they satisfy the other qualifying conditions for the scheme. Up to 10 years of other credits, for example, awarded when on Jobseekers or Illness Benefit, may also be used, subject to the total credits not exceeding 20 years.

So, for example, a person might receive a maximum pension based on 20 years paid PRSI contributions, 5 years jobseeker credits, and 15 years HomeCaring Credits (before or after 1994), over a 50 year period and qualify for a maximum rate pension, despite additional gaps of up to 10 years. Those with fewer contributions will have a pro-rata entitlement. For example, someone with 18 years PRSI contributions and 18 years homecaring may qualify for a 90% contributory pension.

Legislation has to be drafted and enacted to enable implementation of these arrangements and IT solutions in line with this legislation must be developed. Accordingly, it is planned that

the reviews will commence at the start of Q4 of this year, with the first payments being made in Q1 2019.

Under the arrangements, post 2012 pensioners will not see their pension reduced by this change. If their rate is improved by the TCA calculation option they will benefit, but if their TCA calculation entitlement is lower, they will remain on their existing rate. Everyone on reduced rates will also continue to have access to the State pension (non-contributory), which provides a pension of up to 95% of the maximum contributory pension rate and includes generous income disregards.

As was understood by the then Government in 2010 when adopting the National Pensions Framework, there are those who are less likely to benefit from the TCA model, notably people with lower numbers of paid social insurance contributions, who have no significant homemaking/caring periods.

The final model of TCA for those reaching pension age from 2020 will be decided upon following a public consultation later this year, and I do not wish to pre-empt that process, nor the Government decision and legislation which will follow it. However, I can state my determination that adequate provision for home-carers will be an important factor in the final design. I can also say that I will ensure that there will continue to be a strong State pension (non-contributory), which ensures those with very limited PRSI contributions and/or home-caring periods can be guaranteed a decent standard of living in old age, regardless of their contributions to the Social Insurance Fund.

If everyone received the same rate under both systems, there would be no point in such a reform, and if the result of introducing TCA was to make the State pension system more expensive, it would undermine the long-term sustainability of the pension system, which would endanger the future pensions of the existing workers who fund the system now. This will be the system in place for the decades to come, and it will not be possible to simply provide everyone with a maximum rate pension, regardless of the contributions they have made inside and outside the home, and regardless of their means. Choices will have to be made, and the planned consultation will give an opportunity for people to express their views for consideration in making the final policy decisions. The final TCA model will seek to provide the most equitable outcomes, and ensure the current success of the State pension system in providing older people with a decent standard of living continues.

I hope this clarifies matters for the Deputies.

### **JobPath Implementation**

64. **Deputy Joan Collins** asked the Minister for Employment Affairs and Social Protection if instructions have been forwarded to Seetec and Turas Nua to cease terminating persons benefits with immediate effect if they decline to sign a private contract with a private company whilst they are still engaging with JobPath. [8304/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** As the Deputy is aware Seetec and Turas Nua are two companies contracted to provide the JobPath service on behalf of my Department. Participants with the JobPath service are not required to sign a contract with the JobPath companies but they are, in the same manner as all customers referred to any of the other Department's activation services, requested to agree and sign a personal progression plan (PPP). The PPP is an agreement between the jobseeker and their personal advisor, it contains a schedule of activities; actions and job focused targets, taking into

account a person's specific qualifications and employment preferences. The contents of the PPP may change during the person's engagement with the service as they develop new skills or experience. Failure to agree a PPP, which is an integral element of the person's commitment to engage with the activation service, may be taken into consideration by a Deciding Officer of my Department when considering a penalty rate of payment. It is important to state that all decisions regarding a person's welfare entitlements including those customers with the JobPath service are taken only by Department officials and not by the external contractors. JobPath companies do not apply or recommend the application of a penalty rate of payment.

The process for sanctioning clients who do not engage with the JobPath activation process is exactly the same as the process for clients who fail to engage with the Department's other activation services provided by Intreo Centres, Local Employment Services and Job Clubs.

Failure to engage without good cause may result in the jobseeker's payment being reduced or temporarily suspended. All such decisions are based on the available evidence and the circumstances of each case. Reduced rates are only applied where a job seeker fails to engage as requested following at least two warnings. The legislation underpinning the application of reduced rates of payment is provided for in the Social Welfare Act 2010.

Jobseekers can request a Deciding Officer to review the decision or appeal the Deciding Officer's decision to the Social Welfare Appeals Office (SWAO).

I trust this clarifies matters for the Deputy.

### **JobPath Programme**

65. **Deputy Joan Collins** asked the Minister for Employment Affairs and Social Protection the amount lost to persons to date in cases in which they did not sign contracts with Seetec and Turas Nua. [8305/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** As the Deputy is aware Seetec and Turas Nua are two companies contracted to provide the JobPath service on behalf of my Department. Participants with the JobPath service are not required to sign a contract with the JobPath companies but they are, in the same manner as all jobseekers referred to any of the other Department's activation services, requested to agree and sign a personal progression plan (PPP). The PPP is an agreement between the jobseeker and their personal advisor, it contains a schedule of activities; actions and job focused targets, taking into account a person's specific qualifications and employment preferences. The contents of the PPP may change during the person's engagement with the service as they develop new skills or experience. Failure to agree a PPP, which is an integral element of the person's commitment to engage with the activation service, may be taken into consideration by a Deciding Officer of my Department when considering a penalty rate of payment.

As failure to agree a PPP is one of a number of factors that may be taken into consideration by a Deciding Officer, my Department does not currently record failure to agree a PPP solely and separately as a reason for non-engagement. It is important to state that only Departmental officials can make decisions regarding a person's welfare entitlements including those jobseekers with the JobPath service. JobPath companies do not apply or recommend the application of a penalty rate of payment.

The process for sanctioning clients who do not engage with the JobPath activation process is exactly the same as the process for clients who fail to engage with the Department's other activation services provided by Intreo Centres, Local Employment Services and Job Clubs. Failure

to engage without good cause may result in the jobseeker's payment being reduced or temporarily suspended. All such decisions are based on the available evidence and the circumstances of each case. Reduced rates are only applied where a job seeker fails to engage as requested following at least two warnings. The legislation underpinning the application of reduced rates of payment is provided for in the Social Welfare Act 2010.

Jobseekers can request a Deciding Officer to review the decision or appeal the Deciding Officer's decision to the Social Welfare Appeals Office (SWAO).

I trust this clarifies matters for the Deputy.

### **Social Insurance Fund Review**

66. **Deputy Willie O'Dea** asked the Minister for Employment Affairs and Social Protection her plans to reform the social insurance system to a system based on the contributory principle as outlined in a document (details supplied); and if she will make a statement on the matter. [8309/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Ireland has a unified system of social security whereby all contributions paid by workers (and their employers, where applicable) are paid into a single fund, the Social Insurance Fund (SIF), which is applied to pay benefits to which those workers have established entitlement. The Irish social welfare system recognises different categories or "Classes" of workers. The rate of contribution paid by these categories differs. They can therefore access different levels of social insurance benefits. For example, Class A employees, generally private sector employees and post 6 April 1995 public servants, pay a combined employer and employee PRSI rate of up to 14.85% and qualify for all social insurance benefits. In contrast, Class B public sector employees pay a much lower combined PRSI rate of up to 2.91%. Consequently, they qualify for a restricted range of social insurance benefits. They do not qualify for the State pension (contributory), relying instead on their occupational pensions. This government is committed to improving the PRSI scheme for employees and the self-employed. Entitlement to treatment benefit was extended to the self-employed in March 2017 and the treatment benefit scheme was improved for all qualified contributors in October 2017 with the optical scheme now covering the provision of glasses, either free or subsidised if an upgraded design is chosen, or provide a contribution towards contact lenses.

Repairs to glasses are also covered under the scheme. The dental scheme now includes a contribution to cleanings, either an annual scale and polish or more extensive periodontal treatment if clinically required. 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.

On 23 January, the Government agreed to a proposal that will allow pensioners affected by the 2012 changes in rate bands to have their pension entitlement calculated by a new "Total Contributions Approach" (TCA) which will include up to 20 years of a new Home Caring credit. Unlike the current Homemakers scheme, this credit will apply to periods both before and after 1994. This approach is expected to significantly benefit many people, particularly women, whose work history includes an extended period of time outside the paid workplace, while raising families or in a caring role. It will make it easier for such pensioners to qualify for a higher rate of the State Pension (contributory). The TCA will ensure that the totality of a

person's social insurance contributions - as opposed to the timing of them - determines a final pension outcome, and it also acknowledges, for the first time, the contribution made by home-carers in the period before 1994.

An inter-departmental working group has been established to examine and report on options for the amalgamation of USC and PRSI. It will have regard to the structures and rates of personal tax and social insurance in other countries and the macroeconomic and demographic contexts in Ireland and its work should be completed by the end of June 2018.

### **Departmental Reports**

67. **Deputy Margaret Murphy O'Mahony** asked the Minister for Employment Affairs and Social Protection the status of the implementation of the making work pay recommendations. [8442/18]

77. **Deputy Margaret Murphy O'Mahony** asked the Minister for Employment Affairs and Social Protection the status of the implementation of the making work pay recommendations. [8443/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 67 and 77 together.

The Make Work Pay (MWP) report was published on 6th April 2017, following the deliberations of an interdepartmental group established under the Comprehensive Employment Strategy for People with Disabilities. The interdepartmental group considered a range of approaches across relevant Departments to deliver on this commitment and made 24 recommendations under the broad headings of: reconfiguring the system of supports to ensure that work pays; promoting early intervention; communicating effectively that work pays and future proofing.

The report contains a number of recommendations covering a range of Government departments. A number of the report's recommendations related to my Department's responsibilities have already been implemented namely:

- People with a long-term disability payment who move off the payment to get a job will retain their Free Travel Pass for a period of five years (the report recommended retention for 3 years).

- A fast-track return to Disability Allowance for people where employment does not work out.

Furthermore, a number of other actions are the subject of ongoing work:

On the publication of the MWP report, the Government gave a clear commitment to consult widely in relation to a number of recommendations. This has led to initial consultation with the Department's Disability Stakeholders Group followed by the procurement of an independent facilitator and the holding of a number of facilitated focus groups. Following this, the DEASP will now engage in an extensive consultation process in the first quarter of 2018 with people with disabilities, parents of children with disabilities, and sectoral representatives, in relation to early engagement with people with disabilities on the recommendations 9 and 10 of the MWP report.

While the Government has decided to implement some of the recommendations, others require further consultation with disability service providers and other stakeholders. These

include developing and extending interdepartmental and interagency protocols, including protocols with the range of State funded disability service providers; developing a proactive communications/information strategy; and future proofing to ensure that the recommendations are reviewed on a regular basis.

### Fuel Allowance Data

68. **Deputy Hildegarde Naughton** asked the Minister for Employment Affairs and Social Protection the level of uptake on the new option to receive the fuel allowance in two lump sums, which was announced in 2017; and if she will make a statement on the matter. [8399/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Fuel allowance is a seasonal means tested payment of €22.50 per week payable from October to April. In 2018, the payment is expected to provide financial assistance to over 338,000 low income households towards their winter energy costs, at an estimated cost of €227.15 million. Only one allowance is paid per household. In October 2017, I was pleased to introduce the option for qualified households to receive their fuel allowance payment in two lump sums; the first at the start of the fuel season in October and the second in January. This allows people to buy fuel in bulk and potentially avail of special offers or discounts on the purchase of the particular fuel that meets their specific needs. In Budget 2018, I was pleased to extend the fuel allowance season by one week, bringing it to 27 weeks in total. This measure results in an increase in the value of fuel allowance payments from €585 to €607.50 per household. This extra week will commence with immediate effect, extending the current fuel allowance season to 6th April 2018.

Based on the most recent information available, 58,284 people representing approx. 17% of recipients have opted to receive fuel allowance in two lump sums.

I hope this clarifies the matter for the Deputy. A breakdown by county is set out in the table.

CO CARLOW	1258
CO CAVAN	1081
CO CLARE	1628
CO CORK	5260
CO DONEGAL	2789
CO DUBLIN	7157
CO GALWAY	2650
CO KERRY	2131
CO KILDARE	2256
CO KILKENNY	1508
CO LAOIS	1162
CO LEITRIM	580
CO LIMERICK	3279
CO LONGFORD	946
CO LOUTH	2014
CO MAYO	2428
CO MEATH	1928
CO MONAGHAN	808
CO OFFALY	1770

CO CARLOW	1258
CO ROSCOMMON	971
CO SLIGO	1174
CO TIPPERARY	3938
CO WATERFORD	2430
CO WESTMEATH	1769
CO WEXFORD	3495
CO WICKLOW	1874
TOTAL	58284

### Disability Support Services

69. **Deputy James Browne** asked the Minister for Employment Affairs and Social Protection her plans to introduce flexibility and support in the social welfare system for persons with mental health difficulties. [8302/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Recent research by the ESRI and the OECD has drawn attention to the prevalence of mental health conditions in the working-age population. Through the operation of the income support system managed by my Department and the health service managed by the Health Service Executive (HSE), the Government recognises the need for flexible and effective support for persons who encounter mental health difficulties. Both an effective income support system and health services are key to addressing these difficulties but the research has also demonstrated that work can be an important factor in recovery, in particular for people with mental health issues. The Make Work Pay report for People with Disabilities, published last year, identified the need for flexibility in both the income support and the health (medical card) systems. This is particularly the case where a person with a disability takes up a job but that job does not work out. Anxiety in such circumstances can be particularly pronounced amongst those with mental health issues, given the episodic nature of such conditions.

One of the recommendations of the Make Work Pay report was to put in place and promote a system for fast-track reinstatement of income support payments to people with disabilities who have returned to work, and have subsequently had to leave their job within one year.

As a first step in implementing this recommendation a fast-track return to disability allowance protocol has now been put in place. In addition to this initiative, people who are participating on the partial capacity benefit scheme may return to illness benefit or invalidity pension if they find that they cannot continue to work.

My Department also provides a wide range of work related supports for people with disabilities, including people with mental health difficulties, which they or their employers, where appropriate, can access while in receipt of income support payments. These include the Wage Subsidy Scheme, the EmployAbility service and employment support grants for people with disabilities.

Most recently, the Department participated as a partner organisation in the Integrating Employment and Mental Health Service project, which ran between 2015 and 2017. The aim of this project was to demonstrate how existing employment services (specifically the EmployAbility service) could practice the Individual Placement and Support (IPS) model of supported

employment for clients with severe and enduring mental health issues. An evaluation report, *Steps into Work*, was published on the 8th February last and found that through improved integration between mental health services and employment support services, improvements can be achieved in the employment outcomes of people with mental health difficulties.

My Department is now collaborating with the Department of Health and the HSE to extend the availability of IPS to all Mental Health Services in each Community Healthcare Organisation. This will see funding from the HSE Service Reform Fund (SRF) and funding from the HSE's Clinical Programmes for 27.5 IPS employment specialists for a three year period.

I look forward to seeing better health and employment outcomes delivered as a result of this good example of interagency collaboration.

### **Data Sharing Arrangements**

70. **Deputy Catherine Connolly** asked the Minister for Employment Affairs and Social Protection if she is satisfied that the public service identity database and the public services card fully comply with EU standards and the general data protection regulation due to take effect in May 2018; and if she will make a statement on the matter. [8440/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** SAFE2 identity verification processes, the Public Services Card (PSC) and the Public Service Identity (PSI) dataset are all underpinned by primary legislation. Section 263 of the Social Welfare Consolidation Act, 2005 (as amended) provides that:

(a) the following information is inscribed on the Public Services Card (PSC): forename, surname, Personal Public Service (PPS) Number, photograph, signature, card issue number and expiry date; and

The above data (apart from the issue number and expiry date of the PSC) are part of the Public Service Identity (PSI) dataset as set out in section 262 of the Social Welfare Consolidation Act, 2005 (as amended).

Section 262 also sets out how the sharing and use of the PSI data is restricted to public service bodies specified in law or their agents. Designation as a specified body requires primary legislation and as such can only be done by an Act of the Oireachtas.

Section 262 also provides that PSI data can only be used by a specified body for authenticating the identity of an individual with whom it has a transaction and in performing its public functions insofar as those functions relate to the person concerned. In addition, where a specified body collects any element of PSI data from a person, that information shall also be collected for the purpose of maintaining the person's public service identity. The Data Protection Acts as amended, Subsection 1 c iii of Section 2A, also provide for personal data to be processed on condition that "the processing is necessary for the performance of a function of the Government or a Minister of the Government".

The Department provides extensive information on SAFE2, the PSC and PSI on its website, including on the range of bodies using the PSI and details on this usage. As part of this, the Department has also published a Comprehensive Guide to SAFE Registration and the PSC on its website.

The EU General Data Protection Regulation (GDPR) comes into effect on the 25th May 2018. This is the one of most significant developments in European data protection law in over

30 years. The GDPR strengthens the rights of data subjects and will have many implications for my Department. Given its wide range of schemes, services and payments, the Department collects and holds large volumes of personal data on customers and is very aware of the need to have adequate data protection policies, procedures and structures in place in line with the GDPR. Accordingly, the Department has established a dedicated GDPR implementation team which is undertaking a major programme of work to ensure compliance with the GDPR. Additionally, specific GDPR training and awareness is being provided by the GDPR implementation team and a specialist external training company to staff and senior managers across the Department. All of this work is being overseen by a senior level Data Management Programme Board.

I hope this clarifies the matter for the Deputy.

### **Farm Assist Scheme Data**

71. **Deputy Charlie McConalogue** asked the Minister for Employment Affairs and Social Protection if the level of bureaucracy involved in the annual forms that persons applying for farm assist payments are required to fill out and return will be reviewed; if the level of information that is required on an annual basis will be reduced; and if she will make a statement on the matter. [8299/18]

84. **Deputy Charlie McConalogue** asked the Minister for Employment Affairs and Social Protection the number of persons in receipt of farm assist payments nationally; the reduction in numbers over the past three years; if she will review the level of bureaucracy involved in the annual application process for farm assist recipients; and if she will make a statement on the matter. [8298/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 71 and 84 together.

The number of persons in receipt of farm assist at year end was 7,234 in 2017, 7,828 in 2016 and 8,790 in 2015.

Farm assist is a means-tested income support scheme for farmers. To qualify for the payment, a customer must be a farmer, farming land in the State, aged between 18 and 66 and satisfy a means test. The annual farm assist review form is a necessary part of the normal review process for these customers.

The means test for farm assist takes account of all income sources with certain disregards applicable to specific income sources. Different rules apply to income from farming and other forms of self-employment. Income from certain schemes such as the Green Low Carbon Agri Environment Scheme (GLAS), income from employment and income from property and capital are taken into account. An examination of farm outgoings is also included in the assessment process.

Income and expenditure figures for the preceding year are generally used as an indicator of the expected position in the following year. Details of any exceptional circumstances are also taken into account so as to ensure that the assessment accurately reflects the current situation.

The information provided by the customer on the review form covers both the income generated and the operating costs associated with the farm, all of which are required as part of the annual review process.

The annual farm assist review form is kept under ongoing review by my officials and there

are no plans to change the current review criteria.

I trust that this clarifies the matter for the Deputy.

### **Employment Rights**

72. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection her plans to amend the Employment (Miscellaneous Provisions) Bill 2017 to reduce the look-back reference period to 13 months or less and narrow the bands of hours into which persons can be placed; and her further plans to provide a definition in law for casual employment. [8349/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** During the Second Stage debate on the Bill, many Deputies expressed the view in relation to the banded hours provision, that the bands are too wide and the 18 month reference period is too long. I indicated that I would consider these matters in the context of possible Committee Stage amendments. However, I would like to make a number of points. There will be an administrative burden on employers in implementing the banded hours provision so therefore it is desirable that an ‘easy’ divisor is used. I am open to discussing a reference period of 13 months or less and in this respect I note that the Joint Oireachtas Committee on Jobs, Enterprise and Innovation in their report on the Banded Hour Contracts Bill 2016 recommended a reference period of 12 months. In relation to the width of the bands, I am open to discussing the option of narrower bands at Committee Stage once the bands allow a reasonable degree of flexibility. This can benefit both employers and employees. A greater number of bands but with more narrow ranges of hours will be more difficult to operate.

We know that banded hours arrangements are operating successfully in the retail sector but we must acknowledge that what is appropriate to individual employments in the retail sector might not work as well in other sectors. This legislation will apply to all employers in all sectors of the economy and not just the retail sector. Therefore, we must be careful to introduce banded hours provisions that work more generally across the economy, rather than imposing on all, a particular banded hours model that is adapted to the retail sector.

Regarding a definition of casual work, the *Organisation of Working Time Act* was enacted in 1997. Section 18 of that Act refers to ‘work of a casual nature’ but does not define it. This has not led to a regulatory problem of employers incorrectly categorising employees as ‘casual’ in the 20 years since enactment. It is not good practice to put definitions in legislation when the plain, ordinary meaning of a word is capable of being understood by the bodies adjudicating on it.

The WRC and the Labour Court are capable of examining all of the circumstances of a particular case and then making an appropriate judgement as to whether or not a particular arrangement is genuinely casual. The Bill introduces a new requirement on employers to provide in writing shortly after the commencement of employment what the employer reasonably expects the normal length of the working day and the normal length of the working week will be. Furthermore, deliberately misrepresenting this will become an offence under the Government’s proposals and I am sure that employers will not want to fall foul of this provision in the Bill.

### **Pensions Reform**

73. **Deputy Bríd Smith** asked the Minister for Employment Affairs and Social Protection if

a person with less than 520 contributions will benefit from the new rules on contributory pensions and the revamped homemaker's scheme; and if she will make a statement on the matter. [8435/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** A policy to introduce the Total Contributions Approach (TCA) to pensions calculation was adopted by Government in the National Pensions Framework in 2010, as was the decision to base the entitlements of all new pensioners on this approach from around 2020. In advance of this, on the 23rd January, the Government agreed to a proposal that will allow pensioners affected by the 2012 changes in rate bands to have their pension entitlement calculated by a new "Total Contributions Approach" (TCA) which will include up to 20 years of a new HomeCaring credit. This approach is expected to significantly benefit many people, particularly women, whose work history includes an extended period of time outside the paid workplace, while raising families or in a caring role. It will make it easier for pensioners assessed under the yearly average model, to qualify for a higher rate of the State Pension (contributory). The TCA will ensure that the totality of a person's social insurance contributions - as opposed to the timing of them - determines their final pension outcome. Under this new arrangement, a person who reached pension age after 1st September 2012 and has a 40 year record of paid and credited social insurance contributions, subject to a maximum of 20 years of the new HomeCaring credits, will qualify for a maximum contributory pension where they satisfy the other qualifying conditions for the scheme. Up to 10 years of other credits, for example when unemployed or ill, may also be used, subject to the total number of credits not exceeding 20 years. So, for example, a person might receive a maximum pension based on 20 years paid PRSI contributions, 5 years jobseeker credits, and 15 years HomeCaring Credits, over a 50 year period.

As with the Yearly Average approach and the pre-existing homemakers disregard scheme, these measures only determine the rate of payment for those with an entitlement to a State pension (contributory). They do not remove the requirement to be entitled to such a pension in the first place. Entitlement to a State pension is based on a number of criteria, including that a minimum of 520 qualifying contributions are paid.

There are currently no plans to remove the requirement to have 520 contributions paid to qualify for the State Pension (contributory). It is reasonable to require people who seek a contributory pension to have made at least 10 years paid contributions into the Social Insurance Fund which finances it, over 50 years of working age life. While it was lower in the past when PRSI coverage was less widespread, legislation was introduced in 1997 to increase this threshold to 520 weeks, or 10 years of contributions. A fifteen year period was allowed pass between that legislation being enacted and the threshold being raised to this level, which would have been sufficient for most people to achieve the required contributions.

For those who do not qualify for the State Pension (contributory) (SPC), there are other state pension payments available. Notably, they may qualify for the State Pension (non-contributory) which is a means-tested payment (based on their share of household means) with a maximum payment of 95% of the SPC. If their spouse has a contributory pension, they may qualify for an increase for a qualified adult (based on their own means), amounting up to 90% of a full rate SPC pension. Consequently, if a person doesn't receive a State pension after pension age, they have both significant means and have made little or no contribution to the Social Insurance Fund. Introducing a new pension entitlement for such people would reduce the resources available for other pensioners, most of whom have less means than they do, and have contributed significantly more to the Social Insurance Fund.

The final model of TCA which will be in place for all new pensioners from 2020 will be decided upon following a public consultation later this year, and I do not wish to pre-empt this

process, nor the Government decision and legislation which will follow it.

I hope this clarifies the matter for the Deputy.

*Question No. 74 answered with Question No. 58.*

*Question No. 75 answered with Question No. 63.*

### **Employment and Youth Activation Charter**

76. **Deputy Alan Farrell** asked the Minister for Employment Affairs and Social Protection her plans to introduce employment activation measures targeted at young persons that are long-term unemployed or that face barriers to employment; and if she will make a statement on the matter. [8404/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Irish youth unemployment has fallen from a peak of 31.2% in 2012 to 13.7% in January 2018. Irish youth unemployment has thus fallen from well above the EU average in 2012 (23%) to well below the current figure EU figure of 19.1%. The long-term unemployment rate for young people has fallen from over 15% at peak to below 4% in the third quarter of 2017. Youth unemployment figures can be expected to fall further this year in line with the continuing forecast fall in overall unemployment. Additionally, Ireland is on course to bring youth unemployment below 12% and long-term unemployment below 2.5% in accordance with *Pathways to Work* targets for 2020.

Under the Youth Guarantee process case officers engage with unemployed young people, on a monthly basis, to prepare and implement personal progression plans for employment. Where young people do not find work quickly, additional supports are offered through places on employment and training schemes.

As part of this range of opportunities, later this year I will be introducing a new work experience programme targeted exclusively at young jobseekers who are long-term unemployed and face a significant barrier to gaining employment.

The Youth Employment Support Scheme (YESS) will provide young jobseekers with the opportunity to learn basic work and social skills in a supportive environment while on a work placement. Young people, like other groups, vary in terms of skills, aptitude and background so will be offered a wide variety of work experience options to meet their particular needs while enhancing their employment prospects. A Learning and Development Plan will be at the core of each placement, and progress will be supported and monitored by a case worker on an ongoing basis.

The scheme will complement and sit alongside other opportunities developed by the Department of Education and Skills, such as the new Career Traineeships and Apprenticeships, and will broaden the options available to young people. It will be open to employers across the private, community and voluntary sectors who meet the eligibility criteria. Public sector organisations will not be included. Host Organisations will complete an assessment for the participant at the end of the placement. Employers will be encouraged to hire participants who have performed well, and will qualify for a financial subsidy under *JobsPlus Youth*.

The qualifying payments are Jobseekers' Payments, One Parent Family Payment, Jobseeker Transition Payment, Disability Allowance, Blind Person's Pension or Supplementary Welfare Allowance. In some cases, candidates who have been in receipt of a payment for less than 12

months, but who are considered by a case worker to face significant barriers to work will be granted access to the scheme.

Operational details are currently being finalised and I hope to launch the Scheme in Q.2, 2018. I am confident that these planned measures, together with the continuing strong performance of the economy, will support further reductions in long term and youth unemployment.

*Question No. 77 answered with Question No. 67.*

### **Citizen Information Services**

78. **Deputy Willie O’Dea** asked the Minister for Employment Affairs and Social Protection the status of the restructuring of MABS and the CIS; her views on this restructuring process; and if she will make a statement on the matter. [8308/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Citizens Information Board (CIB) is a statutory body established by the Oireachtas. In addition to its own statutory responsibilities in relation to information and advocacy service provision, it has statutory responsibility for the countrywide networks of Citizens Information Services (CIS) and the Money Advice and Budgeting Service (MABS). In February 2017 the statutory Board of the Citizens Information Board decided to restructure the governance arrangements of the CIS and MABS networks, from the current structure of ninety three individual local companies to a sixteen regional company model, comprising eight CIS and eight MABS companies. The CIB Executive is currently implementing the decision taken by the Board, as it is required to do. An Implementation Group, with cross sectoral representation has been set up, to assist with the transition to the new governance model.

CIB has, and will continue to, provide the necessary information and support to each of the local companies and their chairpersons and boards, throughout the transitional period.

Information sessions have already been held for chairpersons of the 38 companies transitioning to the regional companies in Phase 1. Earlier this week, consultation sessions were held with CIS Development Managers and MABS Money Advice Co-ordinators regarding the preparations needed to transfer to the new companies and to address any queries they had. Further information sessions will be held for the companies transitioning in the remaining phases.

It is expected that full transition to the 16 new companies will take up to two years to complete.

I hope this clarifies the matter for the Deputy.

### **Social Welfare Appeals Waiting Times**

79. **Deputy Bríd Smith** asked the Minister for Employment Affairs and Social Protection the steps she will take to address the long wait for persons that are awaiting social welfare appeals; and the way in which she plans to reduce the waiting period. [8437/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** All claim decisions taken by the Department’s deciding officers are appealable to the Chief Appeals Officer. In any year about 85% of all claims are awarded and just 1% are appealed. Nevertheless, the Department is concerned that these cases are dealt with as quickly as possible. Accordingly, significant efforts and resources have been devoted to reforming the appeal process in

recent years. As a result, appeal processing times improved between 2011 and 2017 from 52.5 weeks for an oral hearing in 2011 to 26.4 weeks in 2017 and from 25.1 weeks for a summary decision in 2011 to 19.8 weeks in 2017.

The time taken to process an appeal reflects a number of factors including that the appeals process is a quasi-judicial process with appeal officers being required to decide all appeals on a 'de-novo' basis. In addition, appeals decisions are themselves subject to review by the higher courts and decisions have to be formally written up to quasi-judicial standards.

Other factors that influence appeals processing times include the quality of the initial decision – in this respect the Department has changed the decisions process in respect of medical schemes, in order to provide more information to the claimant. I expect that this will help to reduce the number of appeals over time.

In addition, a number of new appeals officers have joined the appeals office over the past year, to replace staff leaving on retirement. Given the complexity of the appeals process it takes some time for new staff to be trained up and develop expertise. This changeover in staff led to a slightly longer time to conclude appeals in 2017. However, the Chief Appeals Officer has advised that she is hopeful that processing times will improve in 2018.

Finally, it should be noted that an appellant can claim supplementary welfare allowance pending the outcome of their appeal and that any favourable decisions are backdated to the original date of the claim.

### **JobPath Programme**

80. **Deputy Eamon Scanlon** asked the Minister for Employment Affairs and Social Protection the reason long-term unemployed persons are advised that they can retain their benefits when they return to work through JobPath; the difference between jobseeker's allowance and a casual jobseeker's allowance payment which is preventing persons from retaining benefits; and if she will make a statement on the matter. [8396/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** As the Deputy is aware JobPath is one of a range of activation services provided by my Department to support and assist long term unemployed jobseekers to find full time sustainable employment. All of the activation services available, either directly from Intreo Case Officers or the external contractors such as the JobPath and Local Employment Service companies provide information and assistance to their clients regarding the financial benefits of finding sustainable employment. This includes advice on departmental and other income supports that may be available to those who move from a dependence on jobseeker payments into either full time or part time employment. There are a number of in-work income supports available from my Department including Working Family Payment (formerly known as Family Income Supplement) and Back to Work Family Dividend. In addition the person may retain entitlement to other supports provided by other Government Departments and Agencies such as Medical Cards and Housing Assistance Payments.

For those who find casual employment, they may retain an entitlement to a reduced jobseeker's payment, this is dependent on the number of days worked and the level of income which will be subject to a means assessment. All decisions regarding a person's welfare entitlements are taken only by Department Officials.

## **Humanitarian Assistance Scheme**

81. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection if she is satisfied with the operation of the humanitarian assistance scheme; the number of persons that applied for assistance following storm Eleanor; the amount awarded; and if she will make a statement on the matter. [8348/18]

**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. My Department has an important role to play in assisting households in the immediate aftermath of emergency events. My Department immediately activated the humanitarian assistance scheme, administered by the local Community Welfare Service (CWS), to assist householders affected by flooding following storm Eleanor. I am satisfied that the local CWS is best placed to work with householders in response to emergency events.

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 who are not in a position to meet costs for essential needs, household items and structural repair. The Government has not set a limit on the amount that can be paid under this scheme.

In dealing with emergency events, my Department adopts the following approach:

- Stage 1 is to provide emergency income support payments (including food, clothing and personal items) in the immediate aftermath of the event.

- Stage 2 involves the replacement of white goods, basic furniture items and other essential items.

- Stage 3 is to identify what longer term financial support or works are required, including plastering, painting and relaying of floors.

The scheme is demand led and in the aftermath of storm Eleanor, officials have provided financial support to a small number of affected households (15 in total) primarily in the Galway area, who have engaged with the Department. Latest figures show that over €23,000 has been paid to these households. A further four households have recently sought financial assistance and these applications are being considered. This particular storm impacted mainly business rather than residential properties. Humanitarian support is provided to those businesses affected by the Department of Defence.

Householders seeking assistance under the humanitarian assistance scheme should contact my Department.

I trust this clarifies the matter for the Deputy.

## **JobPath Programme**

82. **Deputy Catherine Connolly** asked the Minister for Employment Affairs and Social Protection her plans to re-examine the requirement that persons that signed up to JobPath may not participate in a community employment scheme for up to one year; and if she will make a statement on the matter. [8441/18]

95. **Deputy Pat The Cope Gallagher** asked the Minister for Employment Affairs and So-

cial Protection the reason persons on JobPath cannot transfer to social employment or community employment schemes, such as community employment or rural social schemes, when such vacancies arise while they are on JobPath; the status of the review of the rights of persons that work seasonal and part-time in view of the report submitted to her Department; and if she will make a statement on the matter. [8340/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 82 and 95 together.

JobPath is one of a range of activation supports, including employment schemes such as Community Employment (CE) and Tús, catering for unemployed jobseekers. Long term unemployed jobseekers who are not engaged with any other activation scheme or service are referred by my Department to the JobPath service to receive intensive individual support, including relevant training and educational programmes which will assist them in finding full-time sustainable employment.

Jobseekers can only participate with one activation scheme or service at a time, this is necessary to enable the scheme and service providers' have sufficient time to work with them in order to develop their skills and competencies so they are in a better position pursue suitable work opportunities which may result in sustainable full time job.

However, if on the date of their referral to JobPath, a person has a written offer with a start date within four weeks for CE, they will be facilitated to take up the placement.

While schemes such as CE provide long-term unemployed people with part-time experience as a stepping stone back to employment, they are not full-time sustainable jobs. Referral to JobPath is generally for a 52 week period, participation on an employment scheme remains an option for each person if they continue to be fully unemployed at the end of their engagement with the JobPath service.

The rural social scheme (RSS) provides opportunities for low income farmers and fishermen who are currently in receipt of specified social welfare payments to work to provide certain services of benefit to rural communities.

The current selection process for JobPath excludes those jobseekers categorised as self-employed including those actively farming or fishing. However a person who is currently engaged with the JobPath service is eligible to apply for a placement with RSS once the relevant qualifying conditions are satisfied and a suitable opportunity is available to the client.

With regard to people engaged in Seasonal or Part-time employment, An Taoiseach, in his previous role as Minister for Social Protection, gave a commitment at Dáil report stage of the Social Welfare Bill 2016 that he would ask officials to examine the issue of jobseeker's benefit and the treatment of part-time and seasonal workers, including those categorised as having subsidiary employment. My officials have recently completed this report on these issues which I will consider in detail.

I trust this clarifies the matter for the Deputy.

### **Family Support Services**

83. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection when the report on the working family payment to replace family income supplement will be published. [8347/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Working Family Payment (formerly known as the Family Income Supplement (FIS) scheme) is an in-work support which provides an income top-up for low-earning employees with children and offers a financial incentive to take-up employment. It currently benefits over 58,000 families with almost 129,000 children, with an estimated spend in 2018 of approximately €431 million. I agreed during the debate on the Social Welfare Act 2017, enacted in December, to bring forward a report to the Committee on Social Protection reviewing the operation of the Working Family Payment, including the requirement to work 19 hours per week, or 38 hours per fortnight to qualify for the payment, within 6 months of the Bill being enacted. My officials are currently working on the review and I anticipate that this will be completed within the time agreed.

Budget 2018 increased the income thresholds by €10 for families with up to three children. This change will come into effect from 29 March 2018. My Department also intends to encourage families to see if they are eligible for the payment by way of a promotion and information campaign. The campaign should start towards the end of February.

The report on the Working Family Payment will reflect, to the extent that is possible given the timeframe, any effects that the promotion campaign and the impact of the threshold increase may have. It will also utilise the extensive analysis carried out in the development of the Working Family Payment.

*Question No. 84 answered with Question No. 71.*

### **State Pension (Contributory) Eligibility**

85. **Deputy Brendan Smith** asked the Minister for Employment Affairs and Social Protection her plans to amend legislation regarding the State pension (contributory) with particular reference to persons whose insurance contribution records were interrupted due to periods in receipt of farm assist (details supplied); if the periods that persons were on farm assist can be credited for insurance purposes; and if she will make a statement on the matter. [8392/18]

87. **Deputy Brendan Smith** asked the Minister for Employment Affairs and Social Protection her views on the contributory pension entitlements of persons whose insurance contribution records were interrupted while in receipt of farm assist; and if she will make a statement on the matter. [8393/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 85 and 87 together.

The farm assist scheme was introduced in 1999 to provide income support for low income farmers. It replaced the former smallholders' unemployment assistance payment. In line with the then existing arrangements for unemployment assistance (including smallholders) and pre-retirement allowance, the income of farm assist recipients was exempt from class S PRSI for self-employed workers.

Recipients of farm assist who had previously paid Class S social insurance had the option of paying voluntary contributions to maintain their social insurance record, provided they satisfied the qualifying conditions. Since 1st January 2007, the exemption from class S PRSI has been removed and those receiving jobseeker's allowance and farm assist are subject to Class S PRSI as self-employed contributors on their self-employed income, provided their annual income is €5,000 or more.

There are currently no plans to amend legislation regarding the State pension (contributory), to award a maximum rate payment to pensioners who had such a period during 1999-2006 when they were exempt from PRSI.

However, a person aged over 66 with limited PRSI contributions over the course of their life may claim a State pension (non-contributory) if they have an income need, and this entitlement is not based on payment of social insurance contributions. The maximum weekly rate is €227, i.e. over 95% of the maximum contributory pension rate. While it is means-tested, there are very significant disregards which are to the benefit of claimants, and a significant majority of such pensioners are paid at the full rate.

I hope this clarifies the matter for the Deputy.

*Question No. 86 answered with Question No. 63.*

*Question No. 87 answered with Question No. 85.*

### **Jobseeker's Allowance Eligibility**

88. **Deputy Maureen O'Sullivan** asked the Minister for Employment Affairs and Social Protection if a clear and simple process for professional actors requiring financial support from her Department will be established in view of the variable nature of the work and income of the acting profession. [8285/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The main social welfare schemes for unemployed persons are the jobseeker's allowance and benefit schemes which provide income support for people who have lost work and are unable to find alternative full-time employment. Both schemes already provide significant support to individuals so that they can work up to 3 days a week and still retain access to a reduced jobseeker's payment. The 2018 Estimates for my Department provide for expenditure this year on the jobseeker's schemes of €2.17 billion. It is accepted that periods of unemployment are a normal feature of the acting and artistic professions and people in these professions can qualify for a jobseeker payment when they are unemployed. For instance, actors including self-employed actors, who satisfy the scheme's conditionality and the means test can qualify for a jobseeker's allowance payment. Actors who are working part-time and are categorised as casual jobseeker's allowance recipients or those who are self-employed and in receipt of jobseeker's allowance are not currently activated by my Department.

My Department also operates a fast-tracking process for customers who sign-off on their jobseeker's allowance or jobseeker's benefit claim to take up work for a period of up to 12 weeks. In these cases, the claim is not closed. Rather, payment is suspended temporarily for the duration of the work or training course. When the person signs on again after the period of work or training, the claim can be reactivated without delay and payment restored.

In addition, my Department's Intreo service now provides a more focussed service to those in receipt of a jobseeker's payment, including actors.

### **Jobseeker's Allowance Eligibility**

89. **Deputy Maureen O'Sullivan** asked the Minister for Employment Affairs and Social Protection the policy in relation to the frequency with which an actor is means-tested when in receipt of jobseeker's allowance. [8286/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Jobseeker's allowance is a means tested payment and a person must satisfy the scheme conditions which include a means test and being available for full-time work. All jobseeker allowance claims including an actor's claim are subject to review. A person's entitlement to jobseeker's allowance is reviewed on a continuing basis to ensure that they continue to satisfy the conditions of the scheme. A person's means may also be reviewed from time to time. A customer may also request a review of their means in the light of changed circumstances at any time.

I trust that this clarifies the matter for the Deputy.

### **Social Welfare Offices**

90. **Deputy Shane Cassells** asked the Minister for Employment Affairs and Social Protection her plans to ensure the social welfare office will remain in place in Castlepollard, County Westmeath; and if she will make a statement on the matter. [8448/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Department currently has 58 Social Welfare Branch Offices at various locations throughout the country. Each Branch Office is operated and managed, under a contract for services, by a Branch Manager who is required to act as an agent for the Department in the area served by the office. Branch Office managers operate on a contract for service and are independent contractors. The Contract for the delivery of Branch Office services in Castlepollard expired on the 9th of February 2018. However, I decided, on an exceptional basis, to offer to extend the term of the contract of the incumbent Branch Manager for a maximum period of 12 months from the date of expiration and he has accepted this extension.

The Department is currently engaging in a process to enhance services across the branch office network, which includes Castlepollard, in order to ensure that an efficient and quality public service which properly reflects customer needs is provided.

### **Community Employment Schemes Eligibility**

91. **Deputy Willie O'Dea** asked the Minister for Employment Affairs and Social Protection her plans to extend the timeframe that persons that are 62 years of age and over can spend on community employment schemes in view of the fact that such persons will exit the scheme before pension age; and if she will make a statement on the matter. [8311/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Currently there is a provision which allows Community Employment (CE) participants aged 62 or over to apply to extend their participation on CE beyond the standard participation time limits, providing the eligibility conditions of CE are met. Participants aged 62 or over are allowed to participate on a continuous basis up to the State Pension age, subject to satisfactory performance on the scheme and to annual approval by my Department. The places allocated for these participants within each individual CE scheme are limited to 7% of each scheme's overall budgeted places. This provision is available nationwide. I am currently reviewing the rules governing this provision and I expect this review to be completed shortly.

I trust this clarifies the matter for the Deputy.

### **Pensions Reform**

92. **Deputy Clare Daly** asked the Minister for Employment Affairs and Social Protection when she plans to launch the public consultation on pension reform further to her announcement in November 2017; the details and timeframe of the public consultation process; and if she will make a statement on the matter. [8434/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Pensions reform is a Government priority and I can confirm an intention to publish and commence the implementation of a pensions reform plan in the coming weeks. This reform plan will detail measures to reform both our State and supplementary pension systems. Perhaps the two most fundamental reform measures contained within this plan will relate to the introduction of the ‘Total Contributions Approach’ for the State pension contributory from 2020 and the development of a new automatic enrolment retirement savings system for employees without supplementary pensions coverage. It is proposed that the ‘Total Contributions Approach’ (TCA) will replace the current ‘yearly average’ system from 2020. This will make the level of pension more directly proportionate to the number of social insurance contributions made by a person over his or her working life, with significant pension credits granted to people who have taken time out of the workplace to perform caring duties.

The TCA will eliminate the anomalies inherent in the current averaging system whereby a person can qualify for a full pension based on a small number of years payments (currently as little as 10 years contributions) provided they have no gaps in their record, whereas a person with more than 10 years contributions but with a significant gap in their record might be paid a reduced rate.

Automatic enrolment would see a transition from the current and purely voluntary supplementary pension system to one which will, subject to certain parameters, automatically enrol employees into a quality assured retirement savings system. It is planned that this reform, where the saver will maintain the freedom of choice to opt-out, will include employer and State financial incentives to encourage long term saving and asset accumulation amongst those who may otherwise suffer a reduction in living standards at retirement. It will increase the wellbeing, financial security, and independence of future retirees.

It is intended that following publication of the reform plan, two separate public consultation processes will be launched on the ‘Total Contributions Approach’ and automatic enrolment. The purpose of both of these consultations will be to inform the design of both systems. The details and timeframe of them will be confirmed subsequent to the publication of the reform plan, although I can say it is my intention to begin them by Q2 of this year.

I hope this clarifies the matter for the Deputy.

### **Labour Court**

93. **Deputy Martin Heydon** asked the Minister for Employment Affairs and Social Protection if her attention has been drawn to difficulties being faced in the horse racing and breeding industries due to a recent Labour Court ruling affecting the classification of persons in the industry and the need for flexibility to take account of the unique nature of these industries in rural Ireland; and if she will make a statement on the matter. [8425/18]

552. **Deputy Clare Daly** asked the Minister for Employment Affairs and Social Protection if discussions are expected to reclassify stable staff as agricultural workers further to a recent determination (details supplied) issued by the Labour Court into the classification of stable staff working in horse racing. [8459/18]

553. **Deputy Clare Daly** asked the Minister for Employment Affairs and Social Protection the efforts she is making to protect stable staff involved in horse racing under the Organisation of Working Time Act 1997; and if she will make a statement on the matter. [8460/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 93, 552 and 553 together.

The Labour Court determination in question involves a case where the Court, in exercising its independent and quasi-judicial functions, found against an employer in the horse racing industry in relation to breaches of the working time legislation.

The Organisation of Working Time Act 1997 (the 1997 Act) sets out statutory rights for employees in relation to working time including work breaks and rest periods, maximum working time, night work and holidays. The 1997 Act transposed the EU Working Time Directive – Directive 2003/88/EC. The purpose of the Directive is to establish minimum health and safety requirements for the organisation of working time for employees.

While the Directive sets down limits on the time that workers can work without rests, it does allow some flexibility in relation to the application of some of its provisions. In this regard, it provides for derogations and exemptions under certain circumstances from some of its provisions. These derogations, which are provided for under the 1997 Act, are conditional on workers being granted ‘equivalent compensatory rest’. So, while employers may operate a more flexible system of working, employees must not lose out on rest periods. In all of this, I am very conscious that the purpose of the Working Time Directive is to protect the health and safety of employees. I understand that the Labour Court, in its determination of this particular case, found that the derogations available in the legislation did not apply to the employees in question. The Court is independent in the performance of its statutory functions in this regard. As Minister for Employment Affairs and Social Protection, I have no role in relation to the adjudicatory functions of the Labour Court.

Representations have been made to me from the horse racing and breeding industry and from my colleague the Minister for Agriculture, Food and the Marine about the concerns that exist in the industry arising from the Labour Court ruling. In light of the representations made to me, I have written to the Attorney General seeking his advice on this matter.

I understand that the employer involved has appealed the Labour Court determination to the Circuit Court and the case is returnable for a date in April 2018. In the circumstances it would be inappropriate for me to comment further on the matter.

### **Unemployment Levels**

94. **Deputy Mick Wallace** asked the Minister for Employment Affairs and Social Protection the measures she has taken to address the above average unemployment levels which persist in County Wexford; and if she will make a statement on the matter. [8444/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The first publication of the Labour Force Survey which replaces the Quarterly National Household Survey (QHNS) was released on 16, January 2018 and is the official measure of unemployment. The most recent data shows that unemployment has fallen from a peak of 15% in 2012 to 6.7% by Q.3 2017. Within the South East region, which includes Wexford, unemployment has fallen from a peak of 19.0% in Quarter 2, 2012 to 8.1% in Quarter 2, 2017 with numbers in employment increasing by 29,000 to 214,900 over the same period. While data from the Labour Force Survey is not available at the county level, trends in the Live Register can give an indication of

underlying trends in local unemployment.

Overall, the Live Register in Wexford has fallen by almost 42% in the 5 years to December 2017, close to the reduction of 44% nationally. In the year to December 2017, the Live Register in Wexford has fallen by 1,707 people, or almost 14%, again closely in line with national trends.

The Government's primary strategy to tackle unemployment since 2012 is twofold:

- Firstly, through policies set out in the Action Plan for Jobs, to create an environment in which business can succeed and create jobs. This policy now includes a specific regional Action Plan for the South East Region that has seen over 8,000 jobs created in the region in the last two years.

- Secondly, through Pathways to Work, my Department ensures that as many new jobs and vacancies as possible are filled by people taken from the Live Register. Under this policy, employment services and activation supports are heavily concentrated on the areas of highest unemployment, including those in Wexford.

Currently, there are 11 Activation Case Officers in the Intreo service in Wexford. This is an increase of one in comparison to January 2017, when there were 10. Prior to the roll-out of Intreo, there were 8 Activation Case Officers in Wexford, including former FAS personnel and DSP Jobs Facilitators.

The Case Officer capacity is supplemented by referrals to Turas Nua under the Job Path programme and to Wexford Local Development which operates the Local Employment Service (LES) on behalf of the Department. Wexford Local Development is contracted to provide intensive supports to 960 customers and employs 8 mediators to support LES operations.

A total of 9,114 customer engagements were scheduled by Activation Case Officers in 2017 in addition to their work with employers. Local records indicate that approximately 5,300 referrals to Turas Nua took place over the course of the year.

Later this year I will be introducing a new work experience programme targeted specifically at young jobseekers who are long-term unemployed or who face significant barriers to gaining employment – people who even during the Celtic Tiger years would have found it difficult to get a foothold on the career ladder. The new Youth Employment Support Scheme (YESS) will provide young jobseekers with the opportunity to learn basic work and social skills in a supportive environment while on a work placement. Host organisations will be encouraged to hire participants who performed well, and will qualify for a financial subsidy under *JobsPlus Youth*. YESS will complement other opportunities developed by the Department of Education and Skills, such as the new Career Traineeships and Apprenticeships, and will broaden the choice available to young people. Operational details are currently being finalised and I hope to launch the scheme in Quarter 2, 2018.

To date, the policies being pursued under the Action Plan for Jobs and under Pathways to Work have been effective in reducing unemployment, both nationally and in Wexford and I am confident that they will continue to do so.

*Question No. 95 answered with Question No. 82.*

### **Paternity Leave Data**

96. **Deputy Hildegarde Naughton** asked the Minister for Employment Affairs and Social

Protection the uptake of paid paternity leave since it was announced; and if she will make a statement on the matter. [8400/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Paternity benefit was introduced from 1st September 2016 and provides a payment in respect of two weeks paternity leave to be taken within 26 weeks of the birth of the baby. In the period from the commencement of the scheme up to the end of 2017 a total of 31,071 people have availed of this leave and have been awarded and paid paternity benefit. The table below shows a breakdown by county of paternity benefit claimants for the period 1st September 2016 up to end November 2017, the latest period for which detailed statistics are available.

**PATERNITY BENEFIT Claimants by County Breakdown**

County	Awarded Sept - Dec 2016	Awarded Jan-Nov 2017	Total Awarded
Carlow	64	286	350
Cavan	75	411	486
Clare	107	571	678
Cork	634	3150	3783
Donegal	155	651	806
Dublin	1345	7085	8430
Galway	284	1444	1728
Kerry	127	668	795
Kildare	234	1308	1542
Kilkenny	115	481	596
Laois	65	384	449
Leitrim	43	174	217
Limerick	195	949	1144
Longford	40	187	227
Louth	141	610	751
Mayo	144	626	770
Meath	209	1054	1263
Monaghan	69	324	393
Offaly	73	378	451
Roscommon	56	316	372
Sligo	71	320	391
Tipperary	151	791	942
Waterford	129	557	686
Westmeath	101	466	567
Wexford	140	715	855
Wicklow	145	737	882
Others	20	128	148
TOTAL	4932	24770	29702

**Employment Rights**

97. **Deputy Pat The Cope Gallagher** asked the Minister for Employment Affairs and Social Protection the status of the review of seasonal and part-time workers entitlements; her

plans to improve the rights and entitlements of this group of persons; if she has examined the proposals within the commissioned review in its entirety; her views on whether outstanding issues affecting seasonal workers will be solved; and if she will make a statement on the matter. [8339/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The two main social welfare schemes in my Department for individuals who are unemployed or unable to find full-time work are jobseeker's benefit and jobseekers allowance. The 2018 Estimates for my Department provide for expenditure this year on the jobseeker's schemes of €2.17 billion. An Taoiseach, in his previous role as Minister for Social Protection, gave a commitment at Dáil report stage of the Social Welfare Bill 2016 that he would ask officials to examine the issue of jobseeker's benefit and the treatment of part-time and seasonal workers, including those categorised as having a subsidiary employment. My Department has recently completed a report on the issues of this group which I am currently examining. I want to ensure that any approach taken is fair and sustainable in the long term.

On 7th December 2017, I published the Employment (Miscellaneous Provisions) Bill 2017 which passed through the second stage of the Dáil last week. The Bill delivers on the commitment in the Programme for a Partnership Government to tackle the problems caused by the increased casualisation of work and strengthen the regulation of precarious work.

This very important piece of legislation will improve the security and predictability of working hours for employees on insecure contracts and those working variable hours in all sectors of employment.

My Department is currently collating data on jobseekers benefit recipients in subsidiary employment. We will have 12 months of data gathered by May 2018 at which point I will be in a better position to make an informed decision on this issue.

### **Youth Employment Initiative**

98. **Deputy John Brady** asked the Minister for Employment Affairs and Social Protection the status of plans for the introduction of the youth employment support scheme to be introduced in 2018; and if she will make a statement on the matter. [8345/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I intend to introduce the new Youth Employment Support Scheme (YESS) in June of this year. The scheme will be targeted at young people aged 18 to 24 who are long-term unemployed or who face barriers to employment. It aims to provide them with the opportunity to learn basic work and social skills in a supportive environment while on a work placement.

It will be open to people getting a variety of payments including Jobseeker Benefit and Allowance, One Parent Family Payment, Jobseeker Transition Payment, Disability Allowance, Blind Person's Pension or Supplementary Welfare Allowance.

Young people, like other groups, vary in terms of skills, aptitudes, and background, so the scheme will aim to offer them a wide variety of work experience options to meet their particular needs. The scheme will be open to employers across the private, community and voluntary sectors who meet the eligibility criteria. Public sector organisations will be excluded.

The aim is to provide participants with the opportunity to learn basic work and social skills in a supportive environment while on a work placement. The scheme will complement and sit alongside other opportunities developed by the Department of Education and Skills, such as the

new Career Traineeships and Apprenticeships, and will broaden the choice available to young people.

Employers will be encouraged to hire participants who have performed well, and those who do will qualify for a financial subsidy under JobsPlus Youth.

### **Citizen Information Services**

99. **Deputy John Brady** asked the Minister for Employment Affairs and Social Protection the concerns raised by her Department as referenced in the recently published cost benefit analysis undertaken on behalf of the Citizens' Information Board regarding the structure of the MABS service prior to the restructuring plans now underway; and if she will make a statement on the matter. [8341/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The aim of the decision by the Board of the Citizens information Board (CIB) to restructure local Citizens Information Services (CIS) and Money Advice and Budgeting Service (MABS) company boards is to improve the governance arrangements with its downstream service delivery partners. It must be remembered that citizen centric CIS and MABS services are 100% funded by the Exchequer. It is essential that each company operates to modern and evolving standards of corporate governance, including compliance with necessary financial and audit requirements. Under the current unwieldy arrangements, each of the 93 services operates as independent entities and considerable administrative effort is required in the maintenance of each individual company. Many common services are delivered to citizens across the country, so opportunities exist to improve service standards and consistency nationwide.

Reducing the administrative burden on local service managers and re-direction of valuable resources to front line services will improve services for those who rely on them.

In parallel, improved monitoring of service delivery will assist CIB in identifying weaknesses and assist regional services in getting appropriate and suitable supports in place.

A reduction in the number of individual, yet similar, CIS and MABS companies from 93 to 16 will better facilitate adherence to required governance standards, assist CIB in meeting its legislative responsibilities as direct funder and bring CIS and MABS organisations more into line with modern public service governance guidelines and requirements.

I hope this clarifies the matter for the Deputy.

### **Data Protection**

100. **Deputy Thomas P. Broughan** asked the Minister for Employment Affairs and Social Protection the measures she has taken to address concerns outlined at a meeting (details supplied) regarding security; and if she will make a statement on the matter. [8300/18]

101. **Deputy Mick Wallace** asked the Minister for Employment Affairs and Social Protection the person or body that is the data controller for the public services card and attendant database; the way in which this information affects her Department in relation to the public services card and single customer view; and if she will make a statement on the matter. [8445/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 100 and 101 together.

I am assuming that the Deputy is referring to security of the data relating to the Public Services Card.

The purpose of the Public Services Card (PSC) is to enable individuals to gain access to public services more efficiently and with a minimum of duplication of effort, while at the same time preserving their privacy to the maximum extent possible. A PSC is issued once a person successfully completes a SAFE2 identity verification, i.e., has their identity verified to a substantial level of assurance.

Section 263 of the Social Welfare Consolidation, Act (as amended) provides that:

(a) the following information is inscribed on the Public Services Card (PSC): forename, surname, Personal Public Service (PPS) Number, photograph, signature, card issue number and expiry date; and

(b) the following information is encoded on the chip of the PSC: forename, surname, date of birth, place of birth, sex, nationality, former surnames (if any), mother's former surnames (if any), photograph, signature, issue number of the PSC, and expiry date of the PSC.

The above data (apart from the issue number and expiry date of the PSC) is part of the Public Service Identity (PSI) dataset as set out in section 262 of the Social Welfare Consolidation Act 2005 (as amended). Section 262 also sets out how the sharing and use of the PSI data is restricted to public service bodies specified in law or their agents. Designation as a specified body requires primary legislation and as such can only be done by an Act of the Oireachtas. I am not aware of any plans to specify any additional bodies.

Section 262 also provides that PSI data can only be used by a specified body for authenticating the identity of an individual with whom it has a transaction and in performing its public functions insofar as those functions relate to the person concerned. In addition, where a specified body collects any element of PSI data from a person, that information shall also be collected for the purpose of maintaining the person's public service identity. Additional cover is provided by the Data Protection Acts as amended, Subsection 1 c iii of Section 2A, where personal data may be processed providing "the processing is necessary for the performance of a function of the Government or a Minister of the Government".

The PSI data set is stored in enterprise class databases maintained in the Department's secure data centres. The Department is committed to ensuring that customers' personal data is securely held and used only for business purposes. Access to the dataset is restricted to those members of staff who have a business need to reference the data and all accesses to the data are logged. All members of staff must, on an annual basis, sign undertakings that they have read, and will act in accordance with, data protection policies and guidelines. Failure to comply with these simple rules could leave them exposed to potentially serious allegations. Where such allegations are substantiated, staff could face disciplinary action (including possible dismissal) and potential legal action including possible claim for compensation for distress/damage caused to the customer. The Department ensures oversight in relation to data protection by keeping records of data accesses which are then subject to audit. Twenty eight security audits have been undertaken within the last five years, twenty two of these are completed, and six are in progress. Three Penetration tests, two Privacy Impact Assessments, and a Risk Assessment of the IS environment were also carried out during this timeframe. The PSI data set is also stored by the Department of Public Expenditure and Reform as part of the Single Customer View. This system brings identity data together from a number of public bodies. The Single Customer View database is stored in a secure government data centre. Access to the data is tightly controlled and restricted to the government network. All data access is logged and regularly audited. The Secretary General of the Department of Employment Affairs and Social Protection, Aras Mhic

Diarmada, Store Street, Dublin 1 is the Data Controller for the PSI dataset held by the Department including the Single Customer View. As required under Section 16 of the Data Protection Acts 1988 and 2003 these details are listed on the Register maintained by the Data Protection Commissioner.

Separately each specified body that collects or holds PSI data elements is the data controller in respect of their holding of the data on their own systems or databases.

The PSC is produced in Ireland by an Irish-registered company called BCS. It was a condition of the award of contract that all data and related services provision and operation be provided on-site in Ireland and subject to the jurisdiction of the Irish courts. Once PSCs are personalised (i.e., the data is put on the card), the data used to personalise them is not retained by BCS but is destroyed as an automatic part of the personalisation process in accordance with advice provided by the Office of the Data Protection Commissioner. In addition the systems used in the card production have been subjected to audit by external experts.

The PSC itself has multiple protection mechanisms, all of the highest current international standards, to prevent and detect tampering with the physical card and its contents. As well as some hidden security features, there are visual measures such as the overall graphical design, branding, microprinting, the use of optical variable ink and a kinegram.

In addition, a PSC and a card reader communicate with each other by cryptographic means. Only card readers specifically programmed to accept PSCs can undertake this functionality.

I hope this clarifies matters for the Deputies.

### **Redundancy Payments**

102. **Deputy Clare Daly** asked the Minister for Employment Affairs and Social Protection her plans to raise the ceiling on annual reckonable earnings to be taken into account in the calculation of statutory redundancy lump sum payments in view of the fact that there has been no increase since 1 January 2005. [8433/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** It is the employer's responsibility to pay statutory redundancy and other wage related entitlements to all eligible employees. An eligible employee is entitled to two weeks statutory redundancy payment for every year of service, plus a bonus week. Compensation is based on the worker's length of reckonable service and reckonable weekly remuneration, subject to a ceiling of €600 per week. In the event that an employer is unable to pay these entitlements due to financial difficulties, the Department can step in to make a payment from the Social Insurance Fund, as part of the redundancy and insolvency payments schemes. The ceiling limit has been reviewed and changed on a number of occasions and the limit was last increased in January 2005 from €507.90 to €600 per week following agreement between the social partners in the 'Sustaining Progress' talks during 2004.

An increase in the ceiling limit would result in an additional cost to employers and also to the Social Insurance Fund. Any consideration of an adjustment to the limit involves consultation with a number of Government Departments, the social partners and other relevant stakeholders and is subject to the approval of the Minister for Finance.

I have no plans to increase the ceiling limit at this time.

## Rural Social Scheme

103. **Deputy Joe Carey** asked the Minister for Employment Affairs and Social Protection when the allocation of the additional 250 rural social scheme places will be announced; and if she will make a statement on the matter. [8414/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Deputies on all sides of the House are fully aware of the positive benefits derived from schemes like the Rural Social Scheme (RSS). In recognition of the crucial work undertaken in rural communities under the scheme, and as part of the social welfare budget package for 2018, I announced an increase in the weekly rate of payment for participants from March together with an additional 250 places to be rolled out this year. Taking into account the 500 additional places already allocated as part of the social welfare Budget 2017, this brings the total number of RSS places to 3,350, nearly 30% of an increase in the last two years. The distribution of the 250 additional places to be allocated to the Implementing Bodies (IBs), who deliver the scheme at a local level on behalf of the Department, will be known within the next 2 weeks. The places will be allocated taking a number of factors into consideration including the number of places already allocated, the demand for places in particular areas, work opportunities available within communities and the numbers of farmers and fishermen in receipt of income support.

While the IBs have responsibility for the day-to-day operation of the scheme, including recruitment, my Department will work closely with them to ensure that all places are filled along with the additional 250 places to be allocated.

As the Deputy knows, the scheme has played an important role in sustaining rural communities. Participants have the opportunity to improve existing skills, or develop new skills, while performing valuable work in their local communities. In tandem, communities benefit from the skills and talents of local farmers and fishermen and community groups have benefitted from the many projects undertaken through the scheme with minimal cost to the Exchequer.

I hope this clarifies the matter for the Deputy.

## School Meals Programme

104. **Deputy Peter Fitzpatrick** asked the Minister for Employment Affairs and Social Protection the schools that will benefit from the budget 2018 measure to increase school meals funding to include newly designated DEIS schools; and if she will make a statement on the matter. [8401/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Funding towards school meals is being provided in over 1,550 schools and other organisations, supporting up to 247,000 children at a cost of some €54 million in 2018, representing an increase of €6.5 million over the previous year. The Department was a member of the Inter-Departmental Advisory Group for the Review of the DEIS Programme undertaken by the Department of Education and Skills, following which *DEIS Plan 2017* was published in February 2017. The Plan sets out targets and actions aimed at improving the educational outcome for pupils at greatest risk of not reaching their full potential by virtue of their socio-economic circumstances. Some 240 additional schools, including DEIS and non-DEIS schools, were identified to receive support under the school meals scheme from September 2017 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 as part of this process.

This ensures that the scheme continues to target those children most in need of this support.

In terms of selecting additional schools from September 2018, these schools will be identified by my Department in conjunction with the Department of Education and Skills and will be contacted over the coming weeks.

### Departmental Websites

105. **Deputy Micheál Martin** asked the Taoiseach if the gov.ie website is co-ordinated by his Department; if it is the Government Information Service or the Strategic Communications Unit that is responsible for same; the cost of same; the maintenance costs; his plans to maintain the taoiseach.gov.ie and merrionstreet.ie websites in addition to this site; and the way in which each of these sites are being managed. [8119/18]

**The Taoiseach:** The *gov.ie* website is not coordinated by my Department. The *gov.ie* website is managed by the Office of the Government Chief Information Officer (OGCIO). It is planned that later in the year Government Department websites will begin migration to gov.ie. Once my Department has been migrated to gov.ie, taoiseach.gov.ie will no longer be maintained. Merrionstreet.ie will continue in its role as the Irish Government news service. The Strategic Communications Unit is working with OGCIO on the gov.ie migration project, as part of its broader remit to streamline Government communications.

### Departmental Properties

106. **Deputy Róisín Shortall** asked the Taoiseach the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of, part ownership of, or under the control of both his Department and agencies under his remit; the county in which each unit is located; and the length of time each unit has been vacant, in tabular form. [8672/18]

**The Taoiseach:** The properties occupied by my Department and the National Economic and Social Development Office (NESDO) - the only body under the aegis of my Department - are provided and managed by the Office of Public Works. No property is owned, part-owned or under the control of either my Department or NESDO.

### Naval Service Vessels

107. **Deputy Seamus Healy** asked the Taoiseach and Minister for Defence further to Parliamentary Question No. 286 of 26 October 2017, the estimated cost of the proposed additional multi-role vessel (MRV) for the Naval Service in view of the fact members of the Defence Forces travelled to New Zealand recently to examine similar vessels; if the estimate includes purchase of helicopters for use on the flight deck of the MRV; and if he will make a statement on the matter. [8225/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The White Paper provides for the replacement of the current Naval Service flagship LÉ Eithne with a multi role vessel (MRV). It is the Government's intent that this new vessel will provide a flexible and adaptive capability for a wide range of maritime tasks, both at home and overseas.

The acquisition of a modern vessel will ensure that the operational capabilities of the Naval Service, as the State's principal seagoing agency, are maintained to the greatest extent and takes

account of the overall policy approach in the White Paper on Defence.

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. The design and configuration of the vessel, including the approach to helicopter flight operations, will be considered as part of the planning process. This procurement is, of course, 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.

### **Defence Forces Strength**

108. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the estimated cost of expanding the strength of the Defence Forces to 10,500 personnel; and if he will make a statement on the matter. [8265/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The White Paper on Defence (2015) sets out Government policy on Defence for the next decade. It commits to retaining flexible and adaptable defence capabilities for a broad range of scenarios and sets out capability requirements including personnel and equipment in this regard. In this context, it is important that an appropriate balance is maintained between personnel costs and equipment investment.

In December 2011, the Government decided to stabilise the strength ceiling of the Permanent Defence Force (PDF) at 9,500 personnel. The Defence Budget for 2018 provides for the full strength of 9,500 personnel and every effort is being made to reach this strength.

With regard to equipment and infrastructure, in late 2017 I secured additional capital funding of €98 million over the balance of the time frame for the Capital Investment Programme 2016–2021 which will contribute to meeting equipment and infrastructure requirements.

Apart from the White Paper targets, the Department does not maintain costings for increasing the strength of the PDF to those outlined by the Deputy. This would require detailed consideration of the capability requirements underpinning such an increase and consideration of associated personnel issues, including organisational structures as well as equipment, infrastructure and other additional requirements and associated costs.

### **Defence Forces Recruitment**

109. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the funding allocated to recruitment in the Defence Forces over each of the past five years; the annual number of recruits over the period; and if he will make a statement on the matter. [8266/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The military authorities have advised that their recruitment funding allocation amounted to approximately €95,000 each year over the past 5 years. This forms part of the broader recruitment and Public Relations (PR) efforts. PR for the Defence Forces, by its nature, whilst geared towards communicating the roles of the Defence Forces and activities undertaken, also highlights the attractiveness of the Permanent Defence Force as a career and opportunities for service in the Reserve Defence Force.

The military authorities have also provided the following information on the number of General Service inductions to the Permanent Defence Force (not including Cadets or Appren-

tices) from 2013 to 2017:

General Service Inductions

Year	Recruitment Allocation ONLY	Recruitment & PR expenditure	General Service Inductions
2017	€95,000.00	€457,809.83	615
2016	€95,000.00	€175,330.00	590
2015	€95,000.00	€134,350.84	307
2014	€95,000.00	€74,586.64	444
2013	€95,000.00	€77,348.32	394

Please note that the expenditure figure for each year includes recruitment costs as well as associated PR costs.

I can confirm that further recruitment will take place in 2018 and plans for this are currently under discussion between civil and military management.

I remain committed to maximising the recruitment of required personnel to ensure the Defence Forces retain the capacity to operate effectively across all roles.

**Defence Forces Remuneration**

110. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the estimated cost of reversing the 2012 decision to reduce the wage of new recruits in the Defence Forces by 10%; and if he will make a statement on the matter. [8267/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** There are various factors which would impact on calculating the estimated costings in the manner sought by the Deputy. These include the level of recruitment which varies over time and the numbers of recruits remaining in the Permanent Defence Force once recruited. As both of these are variable, I am not in a position to provide an estimate of the costing given the changes in rates, the movement of personnel along scales and improvements in payscales for certain ranks that has taken place in the intervening period.

The Deputy may wish to note that Paragraph 2.31 of that Public Service Stability Agreement 2013-2016 (Haddington Road Agreement) provides that in order to address the imbalance between those who entered the Public Service since 2011 and those who entered before that date, revised incremental salary scales shall be prepared for same grade entrants to each public service sector as necessary to incorporate the revision of salary scales introduced by Government Decision in January 2011.

Following discussions with the Public Sector Unions the Department of Public Expenditure & Reform issued guidelines dated 30 January 2014, on merging the 01 January 2011 and 01 January 2010 (10% reduction) public service recruitment pay scales. The new scales were effective from 1 November 2013 and applied to both existing staff on the 2010 pay scale and those who were on the 2011 pay scale.

In addition, improved payscales for general service recruits and privates who joined the Permanent Defence Force post 1 January 2013, were agreed in separate negotiations with PD-FORRA. The revised payscales were backdated to 1 July 2016 and paid in August 2017.

The Public Service Stability Agreement 2018-2020 provides for further increases in pay

ranging from 6.2% to 7.4% over the lifetime of the agreement. The agreement was accepted by the members of the Permanent Defence Force Representative Associations in December 2017. The first increase of 1% in annualised salaries due under the agreement from 1 January 2018 was incorporated in the weekly pay of 7 February 2018 for enlisted personnel. Increases and arrears due for officers are scheduled for inclusion in the February monthly salary payment.

### **Defence Forces Recruitment**

111. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the estimated cost associated with initiatives aimed at increasing female participation in the Defence Forces; the funding allocated to initiatives aimed at improving the female participation rate in the Defence Forces. [8268/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Within the Defence Forces, the budget allocated for recruitment does not ring fence funding for initiatives aimed exclusively at women. The general recruitment campaigns target both men and women and they succeed in portraying the DF as a career for women by showing existing female members of the Defence Forces in their everyday roles.

However special consideration is paid to women as a target group for recruitment. Within the general recruitment framework, there are specific initiatives which focus on potential female recruits such as female-focused advertising, creation of female-specific recruitment videos, visits to all-female schools and targeted social media advertising.

Since 2016, some €180,000 has been spent on such female focused recruitment. In each of the two general service recruitment campaigns conducted in 2017, approximately 13% of the applicants were female.

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.

### **Defence Forces Data**

112. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the impact on recruitment if Defence Forces personnel were granted the option of doing an extra four years service upon completion of their 21 year contract as was the case prior to 1997; if quotas were required to give effect to this option prior to 1997; the number of persons that chose to avail of this option; if savings accrued as a result; and if he will make a statement on the matter. [8269/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** In the 1990s, there was concern as to the unsatisfactory age and fitness profile of the Permanent Defence Force. Current contract arrangements for enlisted personnel are designed to prevent a recurrence of that scenario.

A claim from PDFORRA for a further review in relation to the 21-year contract was adjudicated on in December 2015. The adjudicator made specific findings on the matter. Officials in my Department are currently analysing the issues arising in relation to these findings. They will subsequently make recommendations to me on the options available.

The other data requested by the Deputy is not readily available.

With the support of the Chief of Staff, my focus is on ensuring that the Defence Forces are staffed in a manner that will enable them to continue to deliver the services required of them by Government.

### **Defence Forces Medicinal Products**

113. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the cost of replacing outstanding stocks of lariam with malarone or doxycycline; and if he will make a statement on the matter. [8274/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I am advised by the military authorities that to replace current stocks of Lariam it would cost €380.24 to replace it with Doxycycline and €1,789.06 to replace it with Malarone.

As I have previously indicated, the choice of medication for overseas deployment is a medical decision made by Medical Officers in the Defence Forces having regard to the specific circumstances of the mission and the individual member of the Defence Forces. The cost of the anti-malarial medication prescribed is not a factor in this decision making process.

Given that proceedings have been served in a number of cases, you will appreciate that I am constrained in my discussions on the matter and therefore it would be inappropriate for me to comment further on these matters.

### **Army Barracks**

114. **Deputy Eamon Ryan** asked the Taoiseach and Minister for Defence the units stationed in Cathal Brugha barracks, in tabular form. [8619/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Cathal Brugha Barracks is the headquarters of 2 Brigade and the following is a list of units that are based there.

2 Brigade Headquarters

7th Infantry Battalion

2nd Cavalry Squadron

2 Brigade Transport Company

2 Brigade Ordnance Company

2 Brigade Training Centre

2 Brigade Military Police Company

2 Brigade Communications Information Services (CIS) Company

2 Brigade Engineer Group

In addition, the Defence Forces School of Music, the Military Archives and the Dublin Unit of the Naval Service Reserve are based at Cathal Brugha Barracks.

### **Army Barracks**

115. **Deputy Eamon Ryan** asked the Taoiseach and Minister for Defence the ownership structure of the land attached to Cathal Brugha barracks and McKee barracks; if there are leasing arrangements in regard to either facility; if so, the existing parties; and the key conditions attached to such leases. [8620/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Title of both Cathal Brugha Barracks and McKee Barracks is vested in the Minister for Public Expenditure and Reform under various longstanding Leasehold, Freehold and Fee Farm Grant agreements and both are administered by the Minister for Defence. There are no leasing arrangements in place in relation to either facility.

### **Defence Forces Deployment**

116. **Deputy Eamon Ryan** asked the Taoiseach and Minister for Defence if there are barracks duties in the Dublin area that soldiers from other units outside of the Dublin area must travel to in order to carry them out. [8621/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I have been advised by the military authorities that, for the most part, personnel are only deployed within their own brigade area.

Occasionally, personnel from outside Dublin, are deployed for security operations to other locations, including Dublin which is a key centre for large scale operations and ceremonial activity for the Defence Forces. It is important that military personnel have experience of the full range of duties and of being part of a military force in a situation where they may be called upon to reinforce operations in different parts of the country. From time to time, this requires their deployment to locations where that experience can be gained.

### **Defence Forces Properties**

117. **Deputy Eamon Ryan** asked the Taoiseach and Minister for Defence the size of the Baldonnell site in west County Dublin; and if it is possible for the Defence Forces to be relocated there from Cathal Brugha barracks. [8622/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The current size of Casement Aerodrome is 227.21 hectares.

The Defence property portfolio is kept under review to ensure the most effective use of resources having regard to the roles assigned by Government to the Defence Forces. There are currently no plans to close or amalgamate any permanently occupied military installations including Cathal Brugha Barracks.

### **Army Barracks**

118. **Deputy Eamon Ryan** asked the Taoiseach and Minister for Defence the number of soldiers in transit fulfilling routine barrack duties for Cathal Brugha barracks; and the number of the 128 temporary beds identified as beds for soldiers in transit and carrying out training at this location. [8623/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The provision of

military accommodation is based on operational requirements. There are currently 159 transit/training beds available in Cathal Brugha barracks. This represents an increase of 31 beds in recent times, brought about by a reclassification of accommodation.

As the need arises, military units tasked with duties in the capital are accommodated in Cathal Brugha barracks. The number of personnel actually accommodated at any one time varies according to the operational requirements. For operational and security reasons, details of troop numbers at military locations cannot be disclosed.

### Departmental Properties

119. **Deputy Róisín Shortall** asked the Taoiseach and Minister for Defence the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership or part ownership or under the control of both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8662/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** My Department has been engaged on an ongoing programme of barracks consolidation since 1998. The entire property portfolio is under continual review and it is my Department's policy to dispose of properties that are surplus to military requirements. The properties outlined below are the vacant residential dwelling units currently in the ownership of my Department.

County	Property	Condition	Date vacated
Cork	1 Sidney Terrace, Collins Barracks, Cork	non habitable	2007
Cork	2 Sidney Terrace, Collins Barracks, Cork	non habitable	2007
Cork	3 Sidney Terrace, Collins Barracks, Cork	non habitable	2007
Cork	4 Sidney Terrace, Collins Barracks, Cork	non habitable	2007
Cork	5 Sidney Terrace, Collins Barracks, Cork	non habitable	2007
Cork	6 Sidney Terrace, Collins Barracks, Cork	non habitable	2007
Cork	7 Sidney Terrace, Collins Barracks, Cork	non habitable	2007
Cork	8 Sidney Terrace, Collins Barracks, Cork	non habitable	2007

County	Property	Condition	Date vacated
Cork	9 Sidney Terrace, Collins Barracks, Cork	non habitable	2007
Cork	The Lodge, Fort Templebreedy, Crosshaven	requires significant refurbishment	2017
Dublin	17 Cathal Brugha Barracks, Rathmines Dublin 6	requires significant refurbishment	2013
Dublin	22 Cathal Brugha Barracks, Rathmines Dublin 6	requires significant refurbishment	2009
Dublin	23 Cathal Brugha Barracks, Rathmines Dublin 6	non habitable	2009
Kildare	23 Orchard Park, Curragh	requires significant refurbishment	2016
Kildare	85 Orchard Park, Curragh	requires significant refurbishment	2016

### **Brexit Negotiations**

120. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has spoken with Mr. Michel Barnier recently. [8472/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** Our Permanent Representation in Brussels, my officials and I remain in regular contact with Michel Barnier and his Taskforce to ensure that Ireland's interests continue to be advanced and protected in the EU-UK negotiations.

I have met with Mr Barnier on four occasions since taking office, most recently in advance of the General Affairs Council (Article 50) in Brussels on 12 December 2017. We spoke in detail about the commitments and principles on Irish-specific issues set out in the Joint Report of 8 December and the necessary follow-up and implementation required. I thanked him for his continued support for Ireland in face of the unique challenges that we face in the context of Brexit.

At the General Affairs Council (Art. 50) on 29 January, Mr Barnier updated Ministers on the overall state of play of negotiations. The Council also adopted supplementary negotiating directives mandating the European Commission Taskforce to open negotiations with the UK on a transitional arrangement. I was unable to travel on account of other pressing business and Ireland was represented by the Minister of State, Helen McEntee.

I look forward to attending the General Affairs Council (Art. 50) on 27 February, at which Michel Barnier will present a further update to EU27 Member States at this important point in the negotiations. I will seek to meet him bilaterally also.

### **Passport Applications Data**

121. **Deputy Aindrias Moynihan** asked the Tánaiste and Minister for Foreign Affairs and

Trade the number of persons waiting to have passport applications processed through the Passport Office; and if he will make a statement on the matter. [8213/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Passport Service is currently processing over 58,000 passport applications. These applications are going through the normal checking, processing and security stages. The turnaround timeframe for processing a passport application will depend on the channel through which the application is submitted.

The highest proportion of applications are submitted through the Passport Express postal channel. The current average turnaround time for applications submitted through Passport Express is 16 working days, owing to a high volume of applications received over the first six weeks in 2018. It is expected that the turnaround time will return to the target turnaround time of 15 working day in the coming weeks.

The target turnaround time for the Online Passport Renewal Service is 10 working days plus postage. The vast majority of online applications are being processed within 7 working days, well ahead of the target. The online service is fast, secure, convenient and available to adult citizens renewing their Irish passports from anywhere in the world.

My Department continues to closely monitor the level of passport demand to ensure that all resources, including staffing, are effectively deployed. The Passport Service has received sanction for 210 Temporary Clerical Officers (TCOs) this year to be appointed to the Passport Offices in Dublin and Cork. Training for the first intake of TCOs has already commenced, with a sizeable proportion already in place. All TCOs are expected to be fully trained and in place by the end of March at latest.

The fact that turnaround times have not significantly deviated from targets despite the large increase in volume of applications so far this year reflects the hard work and professionalism of Passport Service staff. Service improvements, such as the introduction of the Online Passport Application Service that launched last year, will continue to make a major contribution to the effective management of these exceptionally high volumes.

In all cases, applicants should not book travel until in possession of a valid passport and should allow plenty of time for a passport to issue in case any problems with the application arise in the course of processing. I am grateful to Deputies for their continued assistance in advising constituents to visit the Passport Service webpage on my Department's website ([www.dfa.ie/passport](http://www.dfa.ie/passport)) before applying, and to sign up for our passport renewal reminder service at [www.eforms.gov.ie/en/reminder/passport/](http://www.eforms.gov.ie/en/reminder/passport/).

### **Passport Applications Data**

122. **Deputy Aindrias Moynihan** asked the Tánaiste and Minister for Foreign Affairs and Trade the timeframe for a passport application to be processed through the Passport Office; and if he will make a statement on the matter. [8214/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** As the Deputy will be aware, the Passport Service provides a range of application channels, each of which is designed to accommodate applicants' circumstances. These channels include postal, online, and in-person options. The turnaround timeframe for processing an application will depend on the channel through which the application is submitted. The highest proportion of applications are submitted through the Passport Express postal channel.

From 1 January – 16 February, the Passport Service received over 129,000 applications, an increase of 16% on the same period last year. In order to respond to seasonal demands and anticipated application increases, the Passport Service has received sanction for 210 Temporary Clerical Officers (TCOs) this year to be appointed to the Passport Offices in Dublin and Cork. Training for the first intake of TCOs has already commenced, with a sizeable proportion already in place. All TCOs are expected to be fully trained and in place by the end of March at latest.

The current average turnaround time for applications submitted through Passport Express is 16 working days. It is expected that the turnaround time will return to the target turnaround time of 15 working day in the coming weeks as more TCOs are trained and placed.

The target turnaround time for the Online Passport Renewal Service is ten working days plus postage. The vast majority of online applications are being processed within 7 working days, well ahead of the target. The online service is fast, secure, convenient and available to adult citizens renewing their Irish passports from anywhere in the world. As take-up of the Online Passport Application service increases, it will enhance overall passport processing capacity and contribute to reducing turnaround times for all channels.

The average turnaround time for postal applications submitted through the Passport Office in London is currently 4 weeks for renewals with a minimum of 7 weeks for first-time applications due to additional security checks. Applicants resident in Great Britain also have the option of submitting Passport Express applications through two selected post offices in Liverpool and Glasgow with applications submitted through this channel taking an average 17 working days to process.

Applications submitted through Irish Embassies and Consulates are currently taking a minimum 6 weeks to process from the date the application is registered at the Passport Office. Delivery times will vary depending on the location of the applicant. I would urge applicants wishing to renew their passports who reside overseas, including Great Britain, to avail of the online passport renewal service where possible.

The Passport Service operates a counter service in both the Dublin (Mount Street) and Cork offices where applicants who need their passport application processed in timeframes shorter than those offered by the Passport Express and online facility can be accommodated in certain circumstances.

In all cases, applicants should not book travel until in possession of a valid passport and should allow plenty of time for a passport to issue in case any problems with the application arise in the course of processing. I am grateful to Deputies for their continued assistance in advising constituents to visit the Passport Service's webpage on my Department's website ([www.dfa.ie/passport](http://www.dfa.ie/passport)) before applying, and to sign up for our passport renewal reminder service at [www.eforms.gov.ie/en/reminder/passport/](http://www.eforms.gov.ie/en/reminder/passport/).

### **Diplomatic Immunity**

123. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Foreign Affairs and Trade the discussions Ireland is involved in at UN level regarding the parameters of diplomatic immunity for UN employees and other diplomatic staff; and if he will make a statement on the matter. [8524/18]

124. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Foreign Affairs and Trade the discussions Ireland is involved in at UN level regarding diplomatic immunity for diplomats accused of crimes including alleged child abuse; and if he will make a statement on

the matter. [8525/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 123 and 124 together.

The effectiveness of the UN depends on its positive reputation as a force for good in the world. It is therefore critical to the performance and reputation of the organisation that its staff operate to the highest standards. Sexual exploitation and abuse by UN staff, whose fundamental objective is to protect and care for innocent civilians, is absolutely unacceptable.

When attending the opening of the 72nd session of the UN General Assembly last September, I participated in the high-level meeting on the Prevention of Sexual Exploitation and Abuse convened by the UN Secretary General, António Guterres. I welcome Secretary General Guterres' appointment of Jane Connors as the UN's first Victims' Rights Advocate for victims of sexual exploitation and abuse. Ireland fully supports the placing of the rights and dignity of victims of sexual exploitation and abuse at the forefront of the UN's prevention and response efforts in this area.

Secretary General Guterres has also revised UN policies on investigations and disciplinary processes, and strengthened protections for those who report harassment. The UN Secretary General has also launched a gender parity strategy which will address gender and power imbalances that lie at the root of harassment.

Mr. Guterres has also made clear that sexual exploitation and abuse is a problem of the entire United Nations and is not restricted to peacekeeping. He has acknowledged that the majority of the cases of sexual exploitation and abuse are committed by the civilian organisations of the United Nations, and not in peacekeeping operations.

In this respect Mr. Guterres has requested the UN's Agencies, Funds and Programmes, which carry out vital work in the field, to adopt new measures and strengthen existing ones to better prevent, detect, report and take action against personnel, who commit what he rightly describes as inexcusable and abhorrent acts. I recall that the Convention on the Privileges and Immunities of the United Nations provides that privileges and immunities are granted to officials and experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. These privileges and immunities are rightly accorded to allow UN staff members to carry out their work in often difficult circumstances. The Secretary-General has "the right and the duty to waive the immunity of any official [or expert] in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. In the case of the Secretary-General, the Security Council shall have the right to waive immunity."

Any case of exploitation or abuse, any case where the trust placed in the UN by all of us is broken, is one case too many. The UN can only meet its responsibilities as a force of good for our shared world if its staff and actions are beyond reproach. The UN must therefore have the systems and policies in place which provide transparency and accountability, and Ireland will continue to support the Secretary General as he implements such policies.

### **Brexit Documents**

125. **Deputy Stephen S. Donnelly** asked the Tánaiste and Minister for Foreign Affairs and Trade if his Department is specifically preparing a paper or papers examining the impact of a hard, soft and WTO or cliff edge scenario Brexit on Ireland; if so, the date work on the papers commenced; the status of these papers; the expected publication date; his plans to make them

available to the public; and if he will make a statement on the matter. [8538/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** As Tánaiste and Minister for Foreign Affairs and Trade with special responsibility for Brexit, I have responsibility for coordinating the whole-of-Government response to Brexit, which is being advanced through the cross-Departmental coordination structures chaired by my Department which bring together the results of the detailed work which is being undertaken by individual Departments.

Intensive work on a no-deal or worst-case outcome was initiated in the late autumn. Its focus is on the immediate regulatory and operational challenges which would result from such an outcome. It assumes a trading relationship based on the default WTO rules, but also examines the possible effects on many other areas of concern. This work is therefore providing baseline scenarios for the impact of Brexit across all sectors, which can then be adapted as appropriate in light of developments in the EU-UK negotiations, including in regard to transition arrangements and the future relationship. It also takes account of the planning being undertaken at EU level by the new Commission Preparedness Unit, which is issuing information notes aimed at different business sectors.

Distinct but closely related work on the economic and sectoral impacts of various Brexit scenarios continues to be taken forward by individual Departments and agencies, as well as by stakeholder organisations, academics and others. The most recent major publication in this regard is the report released last week on *Strategic Implications for Ireland arising from changing EU-UK Trading Relations*, an independent expert study commissioned by the Department of Business, Enterprise and Innovation.

This report provides analysis of the likely impact of various Brexit scenarios on the Irish economy as a whole and on key sectors. It will help in the further preparation of our priorities for the negotiations and the consideration of possible additional mitigation actions over and above the many which are already in train. A number of further important studies are underway with a view to publication in the coming weeks and months.

The outcome of the European Council (Article 50) on 23 March should provide a better picture of the direction of travel in the negotiations. This will provide a basis on which the Government will publish a new paper in the coming months on our approach to the negotiations, our latest assessment of the economic and sectoral challenges posed by Brexit, as well as those of a regulatory and operational character, and our responses to them.

### **Departmental Properties**

126. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership or part ownership or under the control of both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8666/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** My Department does not own or control any vacant habitable dwelling units or vacant derelict residential dwelling units. Any properties or land occupied by the Department of Foreign Affairs and Trade in the State are rented and discharged by the Office of Public Works.

**Brexit Negotiations**

127. **Deputy Stephen S. Donnelly** asked the Tánaiste and Minister for Foreign Affairs and Trade his plans to maintain the backstop within the December 2017 Brexit agreement as it relates to Northern Ireland; and if he will make a statement on the matter. [8734/18]

128. **Deputy Stephen S. Donnelly** asked the Tánaiste and Minister for Foreign Affairs and Trade the enforcement mechanisms that he is seeking to be included in the legal text that will give effect to the 8 December 2018 phase 1 agreement on the UK's departure from the EU and in particular paragraph 49; and if he will make a statement on the matter. [8767/18]

129. **Deputy Stephen S. Donnelly** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has had formal or informal discussions with his EU counterparts regarding the 8 December 2018 phase 1 agreement on the UK's departure from the EU and in particular paragraph 49; the commitment (details supplied) given in the agreement that can be enforced; and if he will make a statement on the matter. [8768/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 127 to 129, inclusive, together.

The decision of the European Council (Article 50) on 15 December that sufficient progress had been made in phase 1 of the EU-UK negotiations, and that they could now move to phase 2, was very welcome.

The decision by the European Council that sufficient progress had been achieved was taken on the basis of a recommendation from the EU's lead negotiator, Michel Barnier, based on the principles and commitments set out in the Joint Report from the EU and UK negotiators published on 8 December 2017, including as regards Irish-specific issues.

It included clear commitments on the maintenance of the Common Travel Area, and on the protection of the Good Friday Agreement in all its parts and the gains of the peace process. Crucially, there is a guarantee that a hard border, including any physical infrastructure and associated checks and controls, will be avoided, and there are commitments as to how this will be achieved. Avoiding a hard border is described as an "overarching requirement."

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 and remains the Government's preference, or through specific solutions proposed by the British Government, there will be a firm back stop in the UK's commitment that it will maintain full alignment with those rules of the Customs Union and Single Market which support North South cooperation, the all-island economy and protect the Good Friday Agreement in all its parts. Moreover, such an arrangement must be compatible with the UK's guarantee of avoiding a hard border.

These very strong political commitments and guarantees must now be reflected in the Withdrawal Agreement, which will be legally binding and must be agreed before the UK's departure from the EU on 29 March 2019. Detailed and intensive engagement between Irish officials and the Taskforce is now under way as the Taskforce prepares a first draft of the Withdrawal Agreement, which on approval by the Council (Article 50) will be the basis of negotiations with the UK.

This engagement includes work on elaborating the mechanisms to ensure implementation and oversight of the arrangements, as referred to in paragraph 51 of the Joint Progress Report. Such mechanisms will need to be effective and workable.

Moreover, the additional negotiating Guidelines adopted by the European Council (Article 50) on 15 December make clear that negotiations in phase two can only progress as long as all commitments undertaken in the first phase of the negotiations are respected in full and translated into legal terms as quickly as possible through the elaboration of the formal Withdrawal Agreement, including with regard to the Irish-specific issues.

I and my officials continue to set forward Ireland's position on these issues at EU level through the General Affairs Council (Art. 50) and the relevant preparatory bodies as well as through bilateral contacts with Michel Barnier and the EU Taskforce and EU27 counterparts. My ongoing programme of bilateral engagement has, most recently, included my meetings with Foreign Minister Linas Linkevičius of Lithuania and Foreign Minister Angelino Alfano of Italy, which took place on 13 and 14 February respectively.

### **Loan Books Purchasers**

130. **Deputy Jackie Cahill** asked the Minister for Finance if he will address a matter (details supplied) relating to the housing crisis; and if he will make a statement on the matter. [8064/18]

**Minister for Finance (Deputy Paschal Donohoe):** As the Deputy will be aware, most loan agreements include a clause that allows the original lender to sell the loan on to another firm.

The Consumer Protection (Regulation of Credit Servicing) Act 2015 ("the 2015 Act") was introduced to fill the consumer protection gap where loans are sold by the original lender to an unregulated firm. Credit Servicing Firms are typically firms that manage or administer credit agreements such as mortgages or other loans on behalf of unregulated entities.

Under the 2015 Act, if the firm who bought loans from the original lender is an unregulated firm, then the loans must be serviced by a 'credit servicing firm'. Loans can be sold by regulated entities to entities that are not regulated by the Central Bank of Ireland (the Central Bank).

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

The Code of Conduct on Mortgage Arrears (CCMA) is a key part of the Central Bank's Consumer Protection framework. It is a statutory Code first introduced by the Central Bank in February 2009, with the current CCMA becoming effective from 1 July 2013. The CCMA provides a strong consumer protection framework, aimed specifically at the process to be followed by relevant firms with each borrower by reference to that borrower's individual circumstances, to ensure borrowers in arrears or pre-arrears in respect of a mortgage loan secured on a primary residence are treated in a timely, transparent and fair manner by reference to that's borrower's individual circumstances.

Regulated entities, including credit servicing firms servicing loans on behalf of unregulated loan owners, are all required to comply with the CCMA. The overriding objective of the CCMA is to ensure the fair and transparent treatment of consumers in mortgage arrears or pre-arrears, and that due regard is had to the fact that each case of mortgage arrears is unique and needs to be considered on its own merits. The CCMA recognises that it is in the interests of borrowers and regulated firms to address financial difficulties as speedily, effectively and sympathetically as circumstances allow. It sets out the MARP, a four-step process that regulated entities must follow:

Step 1: Communicate with borrower;

Step 2: Gather financial information;

Step 3: Assess the borrower's circumstances; and

Step 4: Propose a resolution

Each regulated entity must consider the borrower's situation in the context of the solutions they provide, which may differ from firm to firm. The CCMA includes requirements that arrangements be sustainable and based on a full assessment of the individual circumstances of the borrower and that repossession be used only as a last resort. The CCMA does not prescribe the solution which must be offered. A regulated entity may only commence legal proceedings for repossession where the firm has made every reasonable effort under the CCMA to agree an alternative repayment arrangement with the borrower or his/her nominated representative, and the specific timeframes set out in the CCMA have been adhered to or the borrower has been classified as not co-operating.

### **Housing Data**

131. **Deputy Jackie Cahill** asked the Minister for Finance if an audit of the number of residential properties now in the ownership of a bank (details supplied) will be carried out by his Department; the plans the bank has to place those properties on the market to help ease the housing shortage; and if he will make a statement on the matter. [8065/18]

**Minister for Finance (Deputy Paschal Donohoe):** AIB had 690 Residential Properties held as Mortgagee In Possession at year end 2017. AIB has worked in collaboration with the Housing Agency throughout 2017 to make all suitable residential assets available for purchase directly by the Housing Agency. At year end a total of 771 properties were offered with 260 of these sold. AIB will continue with this project in 2018.

### **Housing Data**

132. **Deputy Jackie Cahill** asked the Minister for Finance if an audit of the number of residential properties owned by a bank (details supplied) will be carried out by his Department; the plans the bank has to place those properties on the market to help ease the housing shortage; and if he will make a statement on the matter. [8066/18]

**Minister for Finance (Deputy Paschal Donohoe):** In relation to Bank of Ireland, as at the end of 2017, the Group had 87 residential properties in possession, which included 20 sale agreed. The majority of the remainder were either on the market for sale or being prepared to go on the market.

I understand that the Housing Agency which is under the remit of the Minister for Housing, Planning & Local Government is currently assessing the suitability of a number of empty properties which are being offered to the State for purchase as social houses by banks and private equity funds.

### **Housing Data**

133. **Deputy Jackie Cahill** asked the Minister for Finance the number of residential properties owned by a bank (details supplied); if an audit of the number of residential properties owned by the bank will be carried out by his Department; the plans the bank has to place those properties on the market to help ease the housing shortage; and if he will make a statement on the matter. [8067/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am informed by the Central Bank of Ireland that from its perspective, specifically in relation to the number of residential properties owned by the subject bank (Ulster Bank), under Section 33AK of the Central Bank Act 1942 the Central Bank is not in a position to provide any specific information in this regard. However, on the 14th December 2017 the Central Bank issued the latest statistical release of the Residential Mortgage Arrears and Repossessions Statistics: September 2017. The release reports the total number of PDH and BTL residential properties in possession for banking entities at the beginning of Q3 2017 is 2,374. For more information the referenced statistical release can be found here.’

I understand that the Housing Agency which is under the remit of the Minister for Housing, Planning & Local Government is currently assessing the suitability of a number of empty properties which are being offered to the State for purchase as social houses by banks and private equity funds.

#### Housing Data

134. **Deputy Jackie Cahill** asked the Minister for Finance the number of residential properties owned by a bank (details supplied); if an audit will be carried out by his Department regarding same; the plans the bank has to place those properties on the market to help ease the housing shortage; and if he will make a statement on the matter. [8068/18]

**Minister for Finance (Deputy Paschal Donohoe):** PTSB has around 1,800 properties in possession of which around 800 are tenanted, buy to let properties returned through the voluntary surrender scheme with rental tenants *in situ*. It is the Bank’s intention, where possible, to sell tenanted properties with tenants in situ. The bank has met with representatives from the Housing Agency and are in the process of identifying suitable properties based on criteria provided by the Housing Agency. The bank will continue to sell properties through private treaty, to sell through auctions and to liaise with the Housing Agency with regard to property sales directly to them.

#### Housing Data

135. **Deputy Jackie Cahill** asked the Minister for Finance if an audit on all residential property mortgages sold by the mainstream banks to vulture funds in recent years was carried out to ascertain the number of properties available for placement on the market to ease the housing shortage (details supplied); and if he will make a statement on the matter. [8069/18]

**Minister for Finance (Deputy Paschal Donohoe):** As the Deputy is aware one of the priorities set out in the Government’s housing strategy ‘Rebuilding Ireland’ is to ensure that the existing housing stock is used to the maximum degree possible, with a focus on measures to use vacant stock and to renew urban and rural areas.

The plan proposes to bring vacant and under-utilised housing stock back into use for both private and social housing purposes and includes an investment of €70 million by the Housing

Agency which is under the remit of the Minister for Housing, Planning and Local Government to acquire vacant properties, particularly from portfolios for sale from financial institutions and investors for social housing purposes.

I understand that the Housing Agency has thus far purchased a significant number of vacant housing units offered to the State for purchase as social houses by banks and private equity funds under this scheme and is assessing the suitability of further vacant properties. It is not possible to audit the stock in question as this engagement with the various financial institutions is ongoing and not all stock is suitable for social housing purposes but I am informed this engagement is yielding results and will continue throughout 2018.

### **VAT Rebates**

136. **Deputy Tom Neville** asked the Minister for Finance if the introduction a VAT rebate scheme in respect of security systems for senior citizens similar to the mobility aids VAT rebate scheme will be considered; and if he will make a statement on the matter. [8358/18]

**Minister for Finance (Deputy Paschal Donohoe):** The VAT rating of goods and services is subject to EU VAT law, with which Irish VAT law must comply. In accordance with the EU VAT directive the supply of a security system is liable to VAT at the standard rate, currently 23%. However, if the supply includes the installation of the system then the reduced rate of 13.5% may apply, subject to the two thirds rule, which requires that to benefit from the 13.5% rate the value of the goods cannot exceed two thirds of the total amount of the supply.

The directive does not permit a rebate or refund of VAT charged to a private person on the sale of a security system and there is no scope under the directive to introduce or amend a Refund Order to include it.

However, I am advised by the Revenue Commissioners that relief may be available in respect of the installation of a security system in the home of a senior citizen under the Home Renovation Initiative, HRI. This provides income tax relief in the amount of 13.5% of the cost of certain repairs, renovations and improvements, carried out on a person's main residence. The relief is granted by way of a credit against income tax over the two years following the year in which the works are paid for with the credit split evenly between the two years.

The key features of the scheme are that:-

- The works must be carried out by a tax compliant contractor;
- The works must be liable to VAT at 13.5%;
- The works must be carried out prior to 31 December 2018;
- Local Property Tax payments must be up to date in respect of the property;
- The cost of the works must be greater than €4,405 and not more than €30,000 (both figures exclusive of Value Added Tax). The cost of multiple works by different contractors may be aggregated in a claim.

Full details of the scheme are available on the Revenue website at: <https://www.revenue.ie/en/property/home-renovation-incentive/index.aspx>

### **Government Bonds**

137. **Deputy Michael McGrath** asked the Minister for Finance the value of assets held by the European Central Bank and associated national central banks as part of the public sector purchase programme. PSPP; the value of Irish Government bonds held by the ECB as part of the PSPP; the plans by the ECB to unwind PSPP; the method by which it will be determined which sovereign bonds will be sold in each month of the unwinding of PSPP; and if he will make a statement on the matter. [8061/18]

**Minister for Finance (Deputy Paschal Donohoe):** The value of Eurosystem holdings under the Public Sector Purchase Programme stood at €1,919,149 million\* as at 9 February 2018 \*at amortised cost. Source ECB website: <http://www.ecb.europa.eu/mopo/implement/omt/html/index.en.html#pspp>.

The value of Irish Government bonds held by the **Eurosystem**, not the ECB, as part of the PSPP is €25,687 million\* as at 31 January 2018. \*Book value. Source ECB website – <http://www.ecb.europa.eu/mopo/implement/omt/html/index.en.html#pspp>.

I wish to clarify for the Deputy that the ECB has not announced plans to “unwind” the PSPP. In this context, please refer to paragraphs 2 and 3 of the press release published following the Governing Council meeting of 26 October, 2017, which states that:

“(2) As regards non-standard monetary policy measures, purchases under the asset purchase programme, APP, will continue at the current monthly pace of €60 billion until the end of December 2017. From January 2018 the net asset purchases are intended to continue at a monthly pace of €30 billion until the end of September 2018, or beyond, if necessary, and in any case until the Governing Council sees a sustained adjustment in the path of inflation consistent with its inflation aim. If the outlook becomes less favourable, or if financial conditions become inconsistent with further progress towards a sustained adjustment in the path of inflation, the Governing Council stands ready to increase the APP in terms of size and/or duration.

(3) The Eurosystem will reinvest the principal payments from maturing securities purchased under the APP for an extended period of time after the end of its net asset purchases, and in any case for as long as necessary. This will contribute both to favourable liquidity conditions and to an appropriate monetary policy stance.”

The full press release is available here: <http://www.ecb.europa.eu/press/pr/date/2017/html/ecb.mp171026.en.html>.

## **Banking Operations**

138. **Deputy Jackie Cahill** asked the Minister for Finance his plans to introduce legislation or regulations that would encourage the mainstream banks to make residential properties that are in their ownership available to the market to reduce the shortage of housing (details supplied); and if he will make a statement on the matter. [8070/18]

**Minister for Finance (Deputy Paschal Donohoe):** The sale of residential properties in bank ownership is a matter for individual commercial banks.

I understand that the Housing Agency which is under the remit of the Minister for Housing, Planning and Local Government is currently assessing the suitability of a number of empty properties which are being offered to the State for purchase as social houses by banks and private equity funds.

*Questions - Written Answers*  
**Central Bank of Ireland Staff**

139. **Deputy Pearse Doherty** asked the Minister for Finance the rules or conventions in place regarding cooling off periods for Central Bank employees taking up positions in the private sector; and if he will make a statement on the matter. [8074/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am informed by the Central Bank that its ‘code of ethics’ defines the standards of ethical conduct the Central Bank upholds for its staff and that the Bank at all times, aims to safeguard its impartiality by actively avoiding conflicts of interest.

Under the Code of Ethics, members of staff who are intending to leave the Central Bank to take up alternative employment, self-employment or business are required to provide notification to line management and the human resources division when a conflict of interest arises, or might be perceived to exist, between those duties held in the Central Bank and those to be undertaken within the new employment arrangement.

Line management and HR will make an assessment based on the notification. In such circumstances, the Central Bank may assign alternative tasks to the individual while their notice period is being served so that a suitable “cooling off” period is created. In some very limited circumstances the cooling off period may involve the staff member being placed on garden leave.

The cooling off period may be lengthened in excess of the contractual or statutory notice period, by mutual agreement.

Further information on the code of ethics can be found here: <https://www.centralbank.ie/docs/default-source/careers/policies/code-of-ethics-behaviour.pdf?sfvrsn=4>

In addition, members of the senior executive team who sit on the Governing Council or Supervisory Board must also comply with specific ECB regulations regarding post-employment activities.

Further information on the specific ECB regulations can be found here:

[https://www.ecb.europa.eu/ecb/legal/pdf/code\\_of\\_conduct\\_for\\_the\\_members\\_of\\_the\\_supervisory\\_board\\_.pdf](https://www.ecb.europa.eu/ecb/legal/pdf/code_of_conduct_for_the_members_of_the_supervisory_board_.pdf).

The Central Bank Commission has adopted a code of conduct and ethics. Under Section 10 of the code it is stated that members should give due consideration before taking up any position or role as to whether it might give rise to a conflict of interest in respect of their membership of the Commission. The secretary should be consulted if a serving member wishes to take up a role which may give rise to such a conflict of interest, or impact on the reputation of the Central Bank. The code of conduct and ethics also requires former members to give consideration before taking up any position or role as to whether a sufficient amount of time has elapsed as to remove any perception of a conflict of interest, or impact on the reputation of the Central Bank.

Further information on the code of conduct and ethics can be found here:

<https://www.centralbank.ie/docs/default-source/tns/about---tns/who-we-are/commission/code-of-conduct-for-members-of-the-central-bank-commission.pdf?sfvrsn=6>.

**Corporate Governance**

140. **Deputy Pearse Doherty** asked the Minister for Finance the number of directorships a person may hold in different financial institutions; the safeguards in place to ensure there are no conflicts of interest such as holding a directorship in competing companies; and if he will make a statement on the matter. [8075/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am informed by the Central Bank of Ireland that it imposes corporate governance requirements for financial institutions at a domestic level and there are also European level requirements. The European requirements may supersede the Irish requirements in certain circumstances, such as for significant institutions as outlined in 1.1 below.

The Central Bank of Ireland operates a risk-based framework for the supervision of regulated firms. Institutions are categorised based on the greatest impact on financial stability and the consumer as follows: high impact, medium-high impact, medium-low impact and low impact.

The Central Bank of Ireland has issued sector specific corporate governance requirements, which vary dependent on the impact of the institution.

### **1. Directorship Limits**

All Central Bank of Ireland corporate governance requirements require firms to ensure that each member of the board has sufficient time to devote to the role of director and associated responsibilities. The board shall indicate a time commitment expected from directors in letters of appointment.

#### **1.1 Credit Institutions**

The Central Bank of Ireland's corporate governance requirements for credit institutions limits the number of directorships held by directors of credit institutions as follows[1] :

For high impact designated credit institutions and insurance undertakings, a director can hold the following directorships:

- up to three financial directorships (i.e. directorships in companies or groups of companies which are credit institutions or insurance undertakings); and

- up to five non-financial directorships (i.e. any other type of company, which is not a credit institution or an insurance undertaking).

For non-high Impact designated credit institutions, a director can hold the following directorships:

- up to five financial directorships; and
- up to eight non-financial directorships.

#### **Significant Credit Institutions**

In a European context, credit institutions designated as 'significant' for the purposes of the Capital Requirements Directive[2] ('CRD IV') [S.I. 158/2014] must ensure that members of the management body shall not hold more than one of the following combinations of directorships at the same time:

- one executive directorship with two non-executive directorships;
- four non-executive directorships.

The following shall count as a single directorship:

- executive or non-executive directorships held within the same group;
- executive or non-executive directorships held within -
  - institutions which are members of the same institutional protection scheme provided that the conditions set out in Article 113(7) of the Capital Requirements Regulation are fulfilled, or
  - undertakings, including non-financial entities, in which the institution holds a qualifying holding.

In considering and/or proposing director appointments, the board shall assess and document its consideration of possible conflicts of interest among its members, including, but not limited to personal relationships, business relationships and common directorships among its members or proposed members.

Appointments shall not proceed where possible conflicts of interest may emerge which are significant to the overall work of the board. Directors shall not participate in any decision making/discussion where a reasonably perceived potential conflict of interest exists.

Directorships in organisations which do not pursue predominantly commercial objectives shall not count.

Article 91(6) of CRD IV [Regulation 79(10) and 79(11) of S.I. 158/2014] permits the Central Bank to authorise directors of significant institutions to hold one additional non-executive directorship.

## 1.2 Insurance Undertakings

The Central Bank of Ireland's corporate governance requirements for insurance undertakings impose the same directorship limits as those outlined for credit institutions at 1.1 above.

## 1.3 Captive insurance and captive reinsurance undertakings

The Central Bank of Ireland's corporate Governance requirements for captive insurance and captive reinsurance undertaking limits the number of directorships held by directors as follows:

(a) Limited by the amount of time required to properly carry out the role and functions of a director in that particular captive; and

(b) Subject to an overall limit of 25 directorships, regardless of whether the directorship is held in a captive company or a company which is not a captive.

## 1.4 Fund Management Companies

The Central Bank of Ireland fund management companies guidance addresses director time commitments and sets a risk indicator in terms of a joint test of (a) having more than 20 directorships and (b) having an aggregate professional time commitment in excess of 2000 hours.

## **2. Conflicts of Interest**

### 2.1 Credit Institutions

Chapter 7 of the Central Bank of Ireland's corporate governance requirements for credit institutions, requires the following:

It also requires the board to establish a documented 'conflict of interest' policy for its mem-

bers and where conflict of interests arise the board shall ensure that they are noted in the minutes. In addition, if on-going conflicts of interest arise, consideration shall be given to changing the membership of the board.

## 2.2 Insurance Undertakings

The Central Bank of Ireland's corporate governance requirements for insurance undertakings impose the same conflicts of interest requirements as those outlined for credit institutions at 2.1 above.

## 2.3 Captive Insurance and Captive Reinsurance Undertakings

The Central Bank of Ireland's corporate governance requirements for captive insurance and captive reinsurance undertakings impose the same conflicts of interest requirements as those outlined for credit institutions at 2.1 above.

## 2.4 Fund Management Companies

The Central Bank of Ireland fund management companies guidance states that individuals with multiple directorships should consider the conflicts which may arise when sitting on a number of boards and the corporate interconnectivity that is created. Conflicts which may occur between individuals with full-time positions in a service provider to the board should also be considered and the most appropriate action taken.

The Deputy may wish to give additional consideration to company law requirements with regard to directorships of financial institutions, which are a matter for my colleague, the Minister for Business, Enterprise and Innovation.

The Deputy may also wish to note that the Irish Funds Industry Association issued a corporate governance code for collective investment schemes and management companies in 2012: <http://files.irishfunds.ie/1432820468-corporate-governance-code-for-collective-investment-schemes-and-management-companies.pdf>.

[1] In calculating the number of directorships held, the Central Bank excludes directorships held in the public interest on a voluntary and *pro bono* basis provided that such directorships shall not interfere with the director's ability to fulfil properly his or her role and functions as a director of an insurance undertaking. At the time of appointment, any such directorships shall be notified to the Central Bank. All directorships held within the group regardless of whether they are financial or non-financial companies shall be counted as one directorship.

[2] Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC.

## Credit Union Regulation

141. **Deputy Pearse Doherty** asked the Minister for Finance if an alternative rule based on a minimum investment grade for bank bonds will be put in place of the current severe restrictions on credit unions investing in bank bonds; and if he will make a statement on the matter. [8153/18]

**Minister for Finance (Deputy Paschal Donohoe):** In 2017, the Central Bank undertook a review of the investment framework for credit unions. In May 2017, consultation paper 109,

CP109, was published which consulted on a number of potential changes to the investment framework. CP109 outlined the Central Bank's view that any changes to the investment framework for credit unions should reflect the fact that it is the savings of credit union members, which can be withdrawn on demand, that will be invested by credit unions and that the risk profile of credit union investment portfolios should reflect this.

Taking account of the resolution framework introduced under the Banking Recovery and Resolution Directive, BRRD, CP109 outlined an intended change to the definition of bank bonds to clarify that bonds that are subordinated to any unsecured creditor including senior bank bonds issued by a credit institution do not fall within the definition of "bank bonds" set out in the regulations. It also outlined that credit unions will need to ensure that they confirm that instruments are not subordinated debt instruments prior to making an investment to ensure that they remain in compliance with investment regulations.

On 1 February 2018, the Central Bank published the feedback statement on CP109 and amending investment and liquidity regulations for credit unions. These amending regulations will commence on 1 March 2018. These regulations reflect a change to the definition of bank bonds which precludes investment by a credit union in bonds that are subordinated to any other liability of a credit institution, including senior bank bonds, in recognition of their risk profile and complexity. This preclusion for credit unions reflects the potential implications for credit unions should such instruments be written down or converted to equity upon the failure of a credit institution.

Credit unions will continue to be permitted to invest in senior bank bonds and the Central Bank understand that a number of European credit institutions are likely to continue to issue senior bonds. Additionally, as minimum requirement for own funds and eligible liabilities, MREL, 'buffers' are established it is expected that domestic credit institutions will resume issuance of senior bank bonds in the future given the lower associated funding cost relative to subordinated bank bonds.

The Central Bank has informed me that, notwithstanding the credit rating of bank bonds generally, it is not deemed appropriate for credit unions to be holders of instruments such as subordinated bank bonds specifically designed to absorb losses in a resolution scenario as it would directly expose them to burden sharing in line with EU Commission policy[1] , and has consequences for the resolvability of issuing credit institutions raising the risk of taxpayer bail outs.

[1] Communication from the Commission on the application, from 1 August 2013, of State aid rules to support measures in favour of banks in the context of the financial crisis, 'Banking Communication' (2013/C 216/01).

### **Credit Union Regulation**

142. **Deputy Pearse Doherty** asked the Minister for Finance if the existing counterpart limit of 25% in regard to credit union investment will be maintained in view of the fact there have been no regulatory issues as a result of the current rate; and if he will make a statement on the matter. [8154/18]

**Minister for Finance (Deputy Paschal Donohoe):** In 2017, the Central Bank undertook a review of the investment framework for credit unions, which indicated that there existed a significant level of concentration in credit union investment portfolios in relation to both investment product and counterparty.

In May 2017, consultation paper 109, CP109, was published which consulted on a number of potential changes to the investment framework. CP109 proposed the reduction in the counterparty limit from 25% to 20% of total investments to assist the objective of increased levels of diversification in investment portfolios.

Feedback received to the consultation indicated that credit unions did not view it as an appropriate time to reduce the counterparty limit, citing the current low interest rate environment and the exit of certain counterparties from the market as challenges to meeting a reduced counterparty limit.

Taking account of the feedback received through submissions to CP109, the Central Bank undertook further analysis on credit union sector investment counterparties to understand further the likely impact which a reduction in the counterparty limit would have. This analysis indicated that for the majority of credit unions a reduction in the counterparty limit will not pose a significant challenge.

On 1 February 2018, the Central Bank published the feedback statement on CP109 and amending investment and liquidity regulations for credit unions. These amending regulations will commence on 1 March 2018. These regulations include a reduced counterparty limit of 20% of total investments for credit unions. Transitional arrangements have been extended which will provide a period of two years from commencement of the regulations for credit unions to become compliant with the reduced counterparty limit. In addition, credit unions will be permitted to hold to maturity any fixed term investments which they hold at commencement of the regulations which result in them being non-compliant with the reduced counterparty limit.

The Central Bank have informed me that it is its view that the reduction in the counterparty limit is appropriate to assist in driving diversification in investment portfolios and, taking account of the additional counterparties which will be available to credit unions as a result of changes to the permitted classes of investments being introduced. Additionally, the changes being introduced to the liquidity framework for credit unions and the increases to concentration limits for certain permitted classes of investments will assist credit unions in meeting this requirement. Further detail on these changes is included within the feedback statement on CP109 published on the Central Bank website.

### **Credit Union Regulation**

143. **Deputy Pearse Doherty** asked the Minister for Finance if effective and proportionate regulations will be reintroduced further to section 43(5) of the Credit Union Act 1997. [8155/18]

**Minister for Finance (Deputy Paschal Donohoe):** Section 43 of the Credit Union Act, 1997 outlines the legislative requirements in relation to credit union investments. It states that a credit union shall manage its investments to ensure that those investments do not, taking account of the nature, scale, complexity and risk profile of the credit union, involve undue risk to members' savings and for that purpose, before making an investment a credit union shall assess the potential impact on the credit union, including the impact on the liquidity and financial position of the credit union. Section 43(3) provides the Central Bank with the power to make regulations in relation to investments.

The current investment regulations for credit unions are contained in the Credit Union Act 1997 (Regulatory Requirements) Regulations 2016. In 2017, the Central Bank undertook a review of the investment framework for credit unions. In May 2017, Consultation Paper 109,

CP109, was published which consulted on a number of potential changes to the investment framework. Following completion of a public and statutory consultation process, the Central Bank published a feedback statement on CP109 and amending investment and liquidity regulations for credit unions. On 1 March 2018, new investment regulations will be introduced for credit unions through the commencement of the Credit Union Act 1997 (Regulatory Requirements) (Amendment) Regulations 2018. These new investment regulations introduce three additional investment classes for credit unions, supranational bonds, corporate bonds and investments, in tier 3 Approved Housing Bodies, AHBs, along with associated limits and requirements. Investment in tier 3 AHBs has a differentiated concentration limit dependent on the asset size of the credit union.

The Central Bank has informed me that it views that these new regulations are effective and proportionate for credit unions and that there is a need for credit unions to fully understand the risks associated with all investments, ensure that they are in line with the risk appetite of the credit union and comply with all legislative and regulatory requirements.

The Central Bank has indicated that it will undertake and publish analysis of credit union sector investments, two years post commencement of the amending regulations to assess and analyse the actual impact which the changes to the investment framework have had.

### **Land Transfers**

144. **Deputy Peter Burke** asked the Minister for Finance if changes to the age limits for family transfers are being considered to mitigate higher stamp duty costs (details supplied); and if he will make a statement on the matter. [8162/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that based on the information supplied the transfer of the farm may be eligible for a stamp duty relief known as ‘consanguinity’ relief. This relief applies a reduced rate of stamp duty of 1% to transfers of farmland between certain blood relatives provided certain conditions are met. Since the enactment of the Finance Act 2017 on 25 December 2017, there is no age limit for consanguinity relief. For transfers executed prior to that date, it was a requirement that the person transferring the land be under 67 years of age. No age limit applied in relation to the person receiving the land and this continues to be the case.

In addition to being a relative of the transferor, the person to whom the land is transferred must either farm the land or lease it to someone who farms it for a period of not less than 6 years. The person farming the land must do so on a commercial basis and with a view to the realisation of profits. A further condition is that the person farming the land must devote at least 50% of his or her normal working time to farming or be the holder of one of the agricultural qualifications set out in Schedule 2, 2A or 2B to the Stamp Duties Consolidation Act (SDCA) 1999.

Another stamp duty relief known as ‘young trained farmer’ relief allows for full relief from stamp duty but imposes an age condition on the transferee. There is no relationship requirement for this relief. To qualify for this relief the transferee must, on the date of execution of the instrument of transfer, be under 35 years of age and hold one of the agricultural qualifications set out in Schedule 2, 2A or 2B to the SDCA 1999. As the transferee in this case is aged 37, a transfer of the farm would not qualify for ‘young trained farmer’ relief.

### **State Pension (Contributory)**

145. **Deputy Anne Rabbitte** asked the Minister for Finance if a case (details supplied) will be reviewed on the basis of equality; and if he will make a statement on the matter. [8389/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that the individual concerned is in receipt of the State Pension (Contributory). His wife has no separate source of income and is wholly maintained by him. She is, therefore, a “qualified adult” within the meaning of the Social Welfare Consolidation Act 2005. The individual is therefore entitled to an increase in respect of the qualified adult dependent.

Pursuant to section 19 of the Taxes Consolidation Act 1997, the State Pension (Contributory), including an increase for the qualifying adult dependent, is chargeable to income tax. Disagreement arose between the individual referred to by the Deputy and Revenue on the issue of who, for the purpose of the Taxes Acts, is chargeable to tax on the amount of the increase in respect of the qualifying adult dependent. The individual in this case contended that the qualified adult dependent should be taxed separately on the “increase” whereas Revenue contends that there is only one social welfare pension, given that the Social Welfare Act provides for an increase in the individual's pension and does not therefore provide for a separate pension for the adult dependent. As a consequence the Revenue position is that the individual is chargeable on the full amount of the pension including any increase.

The individual in question appealed the matter and an Appeal Commissioner found in his favour. Once an appeal has been determined by an Appeal Commissioner, either the taxpayer or Revenue may express “dissatisfaction” with the decision as being in error on a point of law and require the Appeal Commissioner to state and sign a case for the opinion of the High Court on the determination of the appeal. I understand that Revenue has expressed dissatisfaction in this case and that a Case Stated has been submitted to the High Court.

I am further advised by Revenue that in accordance with its customer service charter it administers the law fairly, reasonably and consistently and seeks to collect no more than the amount of tax due. Furthermore it is committed to the principle of treating all taxpayers equally. In this regard, Revenue also advises that any decision to pursue an appeal case to the courts following a determination by an Appeal Commissioner is only taken after a comprehensive analysis of the issues involved and consideration of the precedential nature of the point of law in question. It is Revenue's duty to seek to bring certainty to important points of tax law and this necessitates bringing cases to the High Court where it is of the view that a decision of an Appeal Commissioner is in error.

### **Tracker Mortgage Examination Data**

146. **Deputy Pearse Doherty** asked the Minister for Finance his views on whether it is just those that victims of the tracker mortgage scandal that employed a financial adviser may lose out on a percentage of compensation or redress in order to pay these advisers; his further views on whether the compensation and redress payable should reflect this additional cost; and if he will make a statement on the matter. [8409/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Central Bank has advised that its tracker examination is focused on ensuring that lenders provide fair outcomes for all customers impacted by tracker related failings both from a contractual and transparency perspective. As part of the examination framework, where customer detriment has been identified, the Central Bank has clearly articulated its expectations of lenders to provide appropriate redress and compensation to impacted customers in line with the Central Bank prescribed “Principles for Redress”.

Together with redress and compensation, the “Principles for Redress” also requires lenders to provide impacted customers with an additional upfront payment which they can use, if they so wish, to pay for independent advice regarding the adequacy of their lender’s offer. This additional payment is to be commensurate with the complexity of the advice required by the impacted customer depending on the individual circumstances of the impacted customer’s case. Importantly customers can also accept the redress and compensation offered and still make an appeal to the appeals panels required to be established by lenders under the “Principles for Redress”. Customers’ rights to make appeals to the Financial Services and Pensions Ombudsman and through the courts are also preserved.

### **VAT Rate Application**

147. **Deputy James Lawless** asked the Minister for Finance the reason an imported house-boat from the UK for the sole purpose of principal private residence is subject to 23% VAT in view of the fact that other mobile dwellings such as caravans, motor homes and so on are subject to 13% VAT if used as a primary dwelling; and if he will make a statement on the matter. [8457/18]

**Minister for Finance (Deputy Paschal Donohoe):** The VAT rating of goods and services is subject to EU VAT law, with which Irish VAT law must comply. The VAT Consolidation Act 2010, as amended, provides for the application of the standard rate of VAT, currently 23%, to the supply of a house boat, caravan or mobile home.

I am advised by the Revenue Commissioners that the Value-Added Tax (Refund of Tax ) (No 262) Order, 1980 provides for a refund of VAT in respect of the excess of the reduced rate of 13.5% on the purchase of a caravan, mobile home or similar structure, if used as a permanent residence and fulfils certain conditions to the satisfaction of the Revenue Commissioners as set out in the Order. The Order does not include a vessel such as a house boat and I am constrained by the requirements of EU law from expanding this Order.

### **Disabled Drivers and Passengers Scheme**

148. **Deputy Peadar Tóibín** asked the Minister for Finance his plans to review and change the criteria under which a person (details supplied) can apply for the disabled drivers and disabled passengers (tax concessions) scheme. [8489/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme provides relief from VAT and VRT on the purchase of an adapted vehicle, payment of a fuel grant, and an exemption from motor tax for persons with specific severe and permanent physical disabilities, as well as qualifying charitable organisations.

To qualify for the scheme an applicant must be in possession of a primary medical certificate. To qualify for a primary medical certificate, an applicant must be permanently and severely disabled within the terms of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994 and satisfy one of the following conditions:

- be wholly or almost wholly without the use of both legs;
- be wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs;

- be without both hands or without both arms;
- be without one or both legs;
- be wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg;
- have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

I understand and fully sympathise with any person who suffers from a serious physical disability and can't access the scheme under the current criteria. However, given the scope and scale of the scheme, any possible changes to it can only be made after careful consideration, taking into account the existing and prospective cost of the scheme as well as the availability of other schemes which seek to help with the mobility of disabled persons, and the interaction between each of these schemes.

In this regard, the Government's legislative programme for 2018 includes the Health (Transport Support) Bill to provide for a scheme to make individual payments as a contribution towards transport costs to people with severe disabilities on a low income who cannot access public transport. The legislation is being brought forward by my colleague the Minister for Health.

In summary, I have no current plans to change the medical criteria for accessing the Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme.

### **Employment Rights**

149. **Deputy Peadar Tóibín** asked the Minister for Finance the steps the Revenue Commissioners has taken to ensure that much of the self employment within the film industry is not bogus self employment; and the investigations the Revenue Commissioners has made in the past five years to ensure that those registered self employed are actually self employed. [8496/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am aware that the Joint Committee on Culture, Heritage and the Gaeltacht, which is chaired by the Deputy, has recently considered working conditions in the Irish film industry. It is clear from discussions at the committee that the issue of working conditions in the industry is quite a complex one and that self employment may suit some individuals' working arrangements.

The Deputy will be aware that earlier this year a report was delivered to myself and the Minister for Employment Affairs and Social Protection relating to "The use of intermediary-type structures and self-employment arrangements: Implications for Social Insurance and Tax Revenues". I have already indicated that I will give careful consideration to the contents of the report.

As regards tackling the problem of bogus self-employment, I am advised by Revenue that it carries out a comprehensive programme of 'outdoor' compliance operations each year across a broad range of economic sectors, including the film industry.

The various operations are selected following a comprehensive assessment of all the risk indicators involved. These can include, for example, risks identified through Revenue's own systems, data from third party sources and publicly available information.

Revenue has also confirmed that many of the operations are carried out on a multi-agency basis, which can include officials from the Department of Employment Affairs and Social Pro-

tection, DEASP, and the Workplace Relations Commission, WRC. The primary role of these joint investigation units, JIUs, is to detect non-compliance with tax and duty obligations, which includes non-operation of the PAYE system on foot of bogus self-employment.

Over the course of 2013 to 2016, inclusive, the JIU teams conducted over 12,000 such operations, which yielded in excess of €23 million in additional taxes and resulted in more than 8,000 new tax registrations. The 2017 figures are not yet fully collated but can be made available to the Deputy as soon as they come to hand.

If the Deputy or any other public representatives have information on any specific instances of suspected bogus self employment in the film industry, I would ask that they immediately inform Revenue, the DEASP and the WRC in order that each body can examine these for any non-compliance in their respective areas of responsibility.

### Written Answers Nos. 150-165

#### Vehicle Registration Data

150. **Deputy Catherine Murphy** asked the Minister for Finance the amount collected in vehicle registration tax, value added tax and customs duty for vehicles imported from outside the European Union in 2015, 2016 and 2017, by year and vehicle category, in tabular form; and if he will make a statement on the matter. [8521/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am informed by Revenue that the Vehicle Registration Tax (VRT) in respect of used vehicles imported from outside the EU in 2015, 2016 and 2017 is shown in the table. A breakdown for new vehicles is not available. Customs receipts in respect of all motor vehicles are also shown in the table below. A breakdown of Customs receipts by vehicle category is not available.

	Used Im-ports				Customs
VRT	A	B	C	M	
Category	Cars	Car de- rived vans	Commer- cial vehicles	Motor cycles	All Catego- ries
	€m	€m	€m	€m	€m
2015	2.31	0.03	0.01	0.02	15.2
2016	2.5	0.09	0.01	0.03	13.2
2017	2.15	0.04	0.01	0.03	7.8

It is not possible to provide an estimate of the VAT yield on vehicles imported from outside the EU, as the information furnished on VAT returns does not require the source of the goods to be separately identified.

#### Mortgage Interest Rates

151. **Deputy Michael McGrath** asked the Minister for Finance the principal dwelling

house average mortgage interest rate, fixed and variable, for each euro area country, in tabular form (details supplied); and if he will make a statement on the matter. [8552/18]

**Minister for Finance (Deputy Paschal Donohoe):** The most recently available statistics on interest rates charged on new mortgage business in the euro area are detailed in the table. These statistics are harmonised across the euro area, and relate to euro-denominated lending to euro area residents, broken by broad interest rate type; variable and fixed. There is no breakdown available for property type. Therefore, the table relates to rates for PDH, BTL and holiday homes.

**Table for PQ Ref No: 8552/18 for Written answer on 20/02/2018**

New business1 (%)	Total2	Variable3	Fixed
Country	2017-12	2017-12	2017-12
Austria	1.83	1.65	2.03
Belgium	2.02	1.95	2.02
Cyprus	2.52	2.53	n/a
Germany	1.79	2.04	1.76
Estonia	2.33	2.17	3.96
Spain	1.83	1.59	2.03
Finland	0.95	0.93	1.65
France	1.6	1.6	1.6
Greece	3.3	2.99	4.88
Ireland	3.06	3.02	3.10
Ireland*	3.18	3.26	3.13
Italy	1.9	1.53	2.12
Lithuania	2.07	1.96	4.95
Luxembourg	1.71	1.56	1.81
Latvia	2.57	2.36	7.11
Malta	2.83	2.94	2.56
Netherlands	2.4	1.96	2.48
Portugal	1.57	1.52	1.63
Slovenia	2.46	1.99	2.86
Slovakia	1.76	1.86	1.76
Euro area	1.84	1.68	1.88

**Notes:**

\* These rates for IE *exclude* loan renegotiations. There is limited data availability of these rates for other euro area countries. Rates available on a comparable basis include renegotiations.

1. *New business* comprises all financial contracts which specify for the first time the interest rate, including all new (re)negotiations of existing loans. Detailed definition can be found here.

2. Euro-denominated loans for house purchase; total floating rate or initial rate fixation to euro area households (percentages per annum, rates on new business)

3. Euro-denominated loans for house purchase; **floating rate or initial rate fixation of up to one year** to euro area households (percentages per annum, rates on new business)

**Source :**

- 'Total' and 'variable' rates can be downloaded from the ECB's user-friendly 'Euro area statistics' page here. Select 'loan for house purchase, total' and 'loan for house purchase, x < 1Y'. Select 'Euro area' and 'Ireland' and click 'Download'. A link will appear under the series selected, and when clicked will open an excel file with all individual euro area countries rates from current month back to 2003. The caveat on the IE rate is that it impacted by renegotiations. A more relevant comparative source for IE is found in columns D and F in Table B.2.1, found here.

- 'Fixed' rates by euro area country can be downloaded from here. A more relevant comparative source for IE is found in columns D and F in Table B.2.1, found here.

- Specific rates for Ireland by property type are available in Table B.3.1 of the Central Bank of Ireland Retail Interest tables here, for which there are no comparative euro area rates.

### **Brexit Issues**

152. **Deputy Micheál Martin** asked the Minister for Finance his views on the warning from the European Commission to all European Union, EU, companies regarding the significant border friction and costs after the UK leaves the EU's valued added tax area; and his plans to prepare Irish companies for same. [8183/18]

**Minister for Finance (Deputy Paschal Donohoe):** The VAT implications for Irish traders of the UK's departure from the EU will depend on the terms of any EU – UK Agreement concerning the relationship between the EU and the UK, including during any transition period. In the event that traders importing goods from the UK are required to make a customs declaration on importation then VAT will become payable at that time together with any other import duties. However, there is a facility to defer payment of import duties, including VAT, to the middle of the month following importation. The Revenue Commissioners will provide information and support for business as details of any new arrangements are decided.

### **Tax Code**

153. **Deputy Michael McGrath** asked the Minister for Finance the reason proprietary directors do not receive credit for PAYE paid when calculating a late filing charge; his plans to review same; and if he will make a statement on the matter. [8566/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that a proprietary director is a director of a company who is the beneficial owner of, or is able either directly or indirectly to control, more than 15% of the ordinary share capital of the company. As an office holder, a director is taxable on his or her directorship income under Schedule E and is subject to deductions under the PAYE system.

A director is a 'chargeable person' for income tax purposes and is obliged to submit an income tax return each year, notwithstanding the fact that all of his/her income may have been taxed at source under the PAYE system.

I am further advised that section 1084 of the Taxes Consolidation Act 1997 imposes a surcharge on any tax payer for the late filing of a tax return.

In the case of a proprietary director, the surcharge is based on the income tax liability of the director before any credit for PAYE tax paid by the director. The absence of this provision would render the surcharge an ineffective deterrent to late filing by directors.

## Tax Compliance

154. **Deputy Willie Penrose** asked the Minister for Finance the number of persons that paid tax in each of the past ten years as casual workers; if the Revenue Commissioners have specific practices and procedures to deal with the tax compliance responsibilities of casual workers and their employers; if so, the practices and procedures in this regard; if the normal PAYE rules including rules relating to cessation of employment apply to casual workers; if casual workers are self identified as such to the Revenue Commissioners; if not, if other information is also relied upon; if he and the Revenue Commissioners have satisfied themselves that the data provided to them accurately reflects the nature and extent of casual work in the economy; and if he will make a statement on the matter. [8636/18]

**Minister for Finance (Deputy Paschal Donohoe):** The remuneration of employees, including casual workers, is chargeable to tax under ‘Schedule E’ and is subject to deduction at source under the Pay as You Earn (PAYE) system, which employers are legally obliged to operate in accordance with Chapter 4 Part 42 of the Taxes Consolidation Act 1997.

I am advised by Revenue that because casual workers are subject to the PAYE tax deduction system on the same basis as all other employees, including in regard to cessation of employment, their details are not separately distinguished. As a consequence, it is not possible to extract specific data on the tax paid by casual workers or analyse their impact on the economy in the manner requested by the Deputy.

The tax compliance situation in respect of casual workers is examined as part of Revenue’s overall tax compliance programme for employers and employees. For example, during 2017 Revenue completed 27,753 employer level and 12,751 employee level compliance interventions that generated additional yield of €62.4m and €12.8m respectively.

The Deputy will be aware that Revenue is in the process of modernising the PAYE system, which will come into effect from 1 January 2019. The new arrangements will facilitate the flow of pay and tax information from employer payroll systems to Revenue in a seamless and real time environment. The data flows will include information in regard to employee start and cessation dates, which will in turn assist in further analysing casual worker trends.

## Departmental Meetings

155. **Deputy Joan Burton** asked the Minister for Finance the meetings between staff of the Revenue Commissioners or his Department with staff working for the European Commissioner for Competition, Ms Vestager, between 2 January 2017 and 14 February 2018; the specific issue or piece of legislation under discussion or dispute; the names and grades of the staff representing Ireland at each meeting; the staff attending on behalf of the Commission at each meeting; and if he will make a statement on the matter. [8653/18]

**Minister for Finance (Deputy Paschal Donohoe):** There is ongoing engagement, including formal meetings, between relevant officials at grades ranging from Assistant Principal Officer to Assistant Secretary in the Department of Finance and the Revenue Commissioners with relevant officials in DG Competition on State aid matters of mutual interest across the entire Department.

The Deputy will appreciate that any such discussion with DG Competition must by its nature be a confidential process between Ireland and the Commission. It is not therefore appropriate to comment on the detail of any meetings held or the individual officials from the

Department of Finance or the Revenue Commissioners who participate in such engagements.

### **Departmental Properties**

156. **Deputy Róisín Shortall** asked the Minister for Finance the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of or part-ownership of or under the control of both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8665/18]

**Minister for Finance (Deputy Paschal Donohoe):** In response to the Deputy's question, my Department manages and controls the shared accommodation needs of both the Department of Finance and Department of Public Expenditure and Reform in respect of Departmental staff occupying accommodation within the State's buildings portfolio. My Department is not involved in any direct rental of buildings occupied by staff. Departmental accommodation needs are provided for by the Office of Public Works via the OPW's Property Management Services Section. In that regard, OPW are separately providing details in respect of properties falling within the remit of the OPW Commissioners.

I am advised that none of the bodies under the aegis of my Department has vacant habitable dwelling units or vacant derelict residential dwelling units in their ownership or part ownership or under their control.

### **Tracker Mortgage Examination**

157. **Deputy Michael McGrath** asked the Minister for Finance if banks (details supplied) involved in the tracker mortgage examination have set a limit to the amount of compensation their independent appeals panel can sanction for a person by way of compensation; if so, the limit in this regard; the reason such a limit is in place; the number of times the appeals panel has recommended a level of compensation above this limit; the response of the bank in those cases; the views of the Central Bank on this issue; and if he will make a statement on the matter. [8696/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Central Bank has advised that it is not in a position to comment on lender specific supervisory information due to confidentiality requirements under Central Bank legislation.

However, in a more general way the Central Bank advises that its Tracker Examination Framework requires all lenders to identify all impacted mortgage customers and to address customer detriment in line with the Central Bank's "Principles for Redress". These redress principles, along with various supplemental guidance, clearly set out the Central Bank's expectations of lenders to provide appropriate redress and compensation to affected customers where tracker mortgage related issues are identified. An important part of the Examination Framework is the establishment of Independent Appeals Panels so that customers have further recourse options if they are dissatisfied with any aspect of the redress and compensation offers made by lenders.

The Central Bank has set out guidance for the governance, process and operation of the Appeals Panels. The guidance (please see relevant links:

#### **Redress principles link**

*<https://www.centralbank.ie/docs/default-source/consumer-hub-library/tracker-issues/ap->*

*pendix3-tracker-mortgage-examination-redress-principles.pdf?sfvrsn=4.*

### **Appeals guidance link**

*<https://www.centralbank.ie/docs/default-source/consumer-hub-library/tracker-issues/tracker-mortgage-examination-appeals-process-guidelines-dec2016.pdf?sfvrsn=4>*

provides, inter alia, that where a lender decides to impose limits on the powers of Appeals Panels:

- that lenders will inform customers of such limits;
- that limits on the powers of Appeals panels must be reasonable and must not seek to undermine the independence of the Appeal Panel to make awards of additional redress and;
- where the Appeals Panel determines an award is greater than the limit specified is warranted given the specific circumstances of the case, the Appeals process must provide for a mechanism where such awards can be made. (e.g. refer to lender for sign-off by the lender's Tracker Steering Committee/Board).

Nevertheless, in respect of the lenders in which I have a shareholding interest the following information has been provided to me by those lenders:

**PTSB** - "The governing rules for both the Customer Appeals Panel (CAP) and the Independent Review Panel (IRP) include the limits applicable to each panel and the process to apply in awarding amounts in excess of these limits:

- The CAP can direct the Bank to pay an amount of additional compensation to a customer up to €35,000. In the event that the CAP feels that a customer has suffered a serious or severe detriment as a result of the Bank's failures which justifies an award over €35,000, then the CAP can instead of making an award, refer the appeal to the IRP for a determination as the IRP has a higher awarding limit (detailed below);

- The IRP can direct the Bank to make payment of compensation up to a sum of €50,000 (excluding the compensation amount offered in the Redress and Compensation Offer) for non-loss of ownership customers (i.e. legal customers and those referred by the CAP above);

- For Loss of Ownership customers, the IRP can direct the Bank to pay an amount of additional compensation to a customer up to €250,000. If the IRP determine that a loss of ownership customer is entitled to an award in excess of €250,000 then they issue an IRP Recommendation that the Bank should pay an additional amount exceeding €250,000. The IRP Recommendation of any amount in excess of €250,000 must be approved by the PTSB Board before this excess payment is made to the customer. To date no such cases have arisen."

**Bank of Ireland** - "The appeals panel commenced its work in January. There is no upper limit on the amount of compensation that may be awarded. There is a Governance structure in place which does involve thresholds within which the Appeals Panels can operate without reference to the Tracker Steering committee. To date, there have been no instances to date where the Panels have recommended compensation in excess of the thresholds."

**AIB** - "The Independent Appeals Panel established by AIB, can award additional compensation (inclusive of the original Redress and Compensation payment) of up to €300,000 (if the mortgaged property is a home) or up to €150,000 (if the mortgaged property is a buy-to-let investment property). AIB will review any awards in excess of the limit on a case by case basis."

## **Public Services Card**

158. **Deputy John Curran** asked the Minister for Public Expenditure and Reform his plans for the future extension of the mandatory use of the public services card; and if he will make a statement on the matter. [8164/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Public Services Card (PSC), and its online counterpart MyGovID, is the Government's standard personal identity verification scheme, and it is core to delivering valuable public services to the people who need them in a secure and efficient manner. The Department of Employment Affairs and Social Protection is the lead implementation body for the production of the Public Services Card, the MyGovID electronic identity service, and the SAFE 2 identity registration process which underpins both via their network of Intreo offices. My Department works closely with the Department of Employment Affairs and Social Protection to govern the development of policy and manage the integration of the PSC and MyGovID into appropriate services provided by the Public Service.

In order to ensure services are provided to the right person, to protect personal data, and to support efficient service delivery by using a single, standard identity verification scheme across the public service, a growing number of public service providers are requiring that proof of identity is underpinned by the SAFE 2 identity verification standard. SAFE 2 is the highest level of citizen identity assurance available to public service bodies, and it is a matter for each to decide how the SAFE 2 identity verification standard is to be utilised for their individual services.

Over the course of the past year, my Department and the Department of Employment Affairs and Social Protection have worked with a number of public bodies to integrate the Public Services Card and MyGovID, improving access to and security of their services. Currently, the Public Services Card and MyGovID underpin access to social welfare entitlements, first time adult passport applications, citizenship applications, Revenue services and driver theory test applications.

My Department along with the Department of Employment Affairs and Social Protection continues to engage with Departments to assist with the integration of the PSC and MyGovID into services in line with the schedule set out in the eGovernment Strategy 2017 - 2020, published last year.

## **Departmental Staff Recruitment**

159. **Deputy John McGuinness** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 121 of 29 November 2017, the process by which external members of the top level appointments committee, TLAC, are appointed; the qualifications and skill sets sought in this regard; the level of professional human resources qualifications of each member; the rationale behind the decision to have two ex-officio members; the skill sets required by the two Secretaries General appointed; the process by which they were selected and appointed; the attendance record of each member; the number of occasions when a split decision occurred in terms of an appointment; the way in which such a decision is dealt with; the number of persons appointed to vacancies that had no connection with the civil of public service out of the 615 appointments; and if he will make a statement on the matter. [8475/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I would direct the Deputy to my answer to PQ 52475/17 of 6th December 2017.

“The Top Level Appointments Committee (TLAC) operates in an independent manner and strictly on the basis of open competition and merit. TLAC is responsible for determining its own procedures and remit, subject to Government decisions as appropriate. All TLAC interviews are conducted by sub-panels of the Top Level Appointments Committee each comprising two Secretaries General, two external members and chaired by the TLAC Chairperson.

The process for the appointment of internal and external members to TLAC is undertaken by the Chair of TLAC and the Secretary General of the Department of Public Expenditure & Reform, with input from the Secretary General of the Department of the Taoiseach.

The criteria for selection of external and internal TLAC members includes experience in HR; Senior Management leadership experience; Public Service management experience; functional experience in Strategy, Operations, HR, Finance, IT, Legal; Corporate Services; or other relevant senior functional experience.

All final interviews are conducted by sub-panels of the Committee, each comprising two civil service and three external members and chaired by an external member. There is adequate rotation among the members in the composition of boards.

Since early 2007 when the policy for open competitions for Assistant Secretary and Deputy Secretary and equivalent posts was first introduced, circa thirty six people were appointed from outside the civil service.”

### **Homeowners Voluntary Relocation Scheme Data**

160. **Deputy Peter Burke** asked the Minister for Public Expenditure and Reform the number of persons that applied for the voluntary homeowners relocation scheme in 2017 in County Roscommon; the number of applications that were successful; and if he will make a statement on the matter. [8589/18]

**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 once-off Voluntary Homeowners Relocation Scheme for those primary residential properties that flooded between 4th December, 2015 and 13th January, 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 homeowner’s 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, indi-

vidual 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 is working with each of the Local Authorities, using their extensive and detailed local knowledge, to consider if homes that have been flooded during the event may benefit from a known or possible engineering solution. A total of 75 homes are currently under consideration in this category.

Where it has been established that there is no viable engineering solution at this stage, the Local Authorities have contacted homeowners known to have flooded during the period in question, asking them to make contact with the OPW for information on the Scheme and they are given an opportunity to formally create an Expression of Interest.

In addition, homeowners had the opportunity to express an interest in the Scheme directly with the Office of Public Works, before 28th July 2017. To date, a total of 77 expressions of interest have been received by the OPW.

All Expressions of Interest are assessed at Stage 1 to determine whether or not the home meets all of the criteria for eligibility to the Scheme. Those homes that meet the criteria are invited to a meeting following which they may be requested to make an application form to progress for consideration at Stage 2 of the process. Where they do not meet the criteria, homeowners are notified that their home will receive no further consideration for the Scheme.

The numbers of homes within the process are changing regularly as homeowners make contact with the OPW and as assessments completed. The most up-to-date position is as follows:

- The OPW met with 8 homeowners in December 2017.
- A further 17 homeowners have confirmed attendance at meetings with the OPW, commencing during the week beginning 19th February, 2018.

Given that the overall number of homes currently under consideration for the Scheme is relatively low, there is a possibility that individual homeowners could be identified by providing data on a County level. In the event that numbers drop as the process evolves, there will be an even greater risk of identifying individual homeowners associated with this process. For that reason, it is not possible to provide figures at County level as requested by the Deputy.

### **Legislative Programme**

161. **Deputy Dara Calleary** asked the Minister for Public Expenditure and Reform when legislation to increase the compulsory retirement age for public servants will be published; the timeframe for the legislation to pass in Dáil Éireann; and if he will make a statement on the matter. [8087/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I refer the Deputy to my reply to Parliamentary Question No. 53517/2017 on 14 December 2017.

The legislation is on the list of priority legislation for publication in the Spring/Summer Session 2018.

### **Public Sector Staff Remuneration**

162. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform when the completed report provided for in section 11 of the Public Service Pay and Pensions Act 2017 on the issue of pay equality for public servants will be published; and if he will make a statement on the matter. [8092/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I refer the Deputy to my answer to PQ Ref: 2339/18 on the 18th January 2018.

### **Flood Relief Schemes Status**

163. **Deputy Éamon Ó Cuív** asked the Minister for Public Expenditure and Reform if the flood relief works for Caherlea and Lisheenavalla as part of the Clare river Claregalway drainage scheme have been completed; if not, the timeframe for same; if additional works are planned in this area; if so, the details of the proposed works; and if he will make a statement on the matter. [8282/18]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** Following extensive flooding in County Galway as a result of the November 2009 flooding event, a Joint Working Group, comprising of OPW and Galway County Council officials was set up to identify flood mitigation measures for the region. A major scheme of works on the Clare River was recommended, in addition to some advance works, including the construction of flood eyes at Crusheeny Bridge and at Claregalway Bridge.

Works in the Caherlea / Lisheenavalla area commenced with the replacement of the existing bridge at Crusheeny by OPW as part of the advance works associated with the flood relief scheme in 2012.

Further works in this area include;

- Channel widening works commenced in mid-April 2017 from 1.3km upstream of Crusheeny Bridge to immediately downstream of Crusheeny Bridge to form a two-stage channel. Works are due to be completed in Autumn 2018.

- Maintenance works on the Islandmore Drain are due for completion in Spring 2018.

- Construction of an embankment along the southern bank of the Clare River from 1.3 km upstream of Crusheeny Bridge to the Islandmore Drain; to include the installation of a non-return valve on the discharge from the Islandmore drain is now complete.

- Works on the construction of the Carnmore/Cashla flood alleviation pipeline are due to commence later in 2018.

It is envisaged that the Claregalway Flood Relief Scheme will be substantially complete in early 2019.

### **Office of Public Works Properties**

164. **Deputy Fergus O'Dowd** asked the Minister for Public Expenditure and Reform the vacant Office of Public Works properties that may be suitable for an organisation (details supplied). [8359/18]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin**

**Boxer Moran):** I am advised by the Commissioners of Public Works that there is currently no vacant property in Drogheda that would be available for use by the St. John's Ambulance Group.

### **National Development Plan**

165. **Deputy Micheál Martin** asked the Minister for Public Expenditure and Reform if he will report on the launch of the national development plan. [8182/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** On 16 February last, the Government launched the National Development Plan (NDP) 2018 - 2027 following a special Cabinet meeting at the Institute of Technology in Sligo. The NDP comprises an investment programme of €116 billion, of which €91 billion relates to Exchequer capital investment and the balance of €25 billion is State-backed investment by commercial State Owned Enterprises and other State bodies.

This NDP adopts a new approach to public capital investment through the strict alignment which has been achieved with the objectives and priorities of the new spatial strategy set out in the new National Planning Framework (NPF). This represents a marked departure from the unconnected and uncoordinated approach between spatial strategy and public investment policy over the first half of the last decade which contributed to the development of some of the major challenges that the NDP and NPF are designed to address, including securing greater regional balance, supporting economic growth and development of rural communities and meeting climate change objectives.

The Deputy may wish to note some of the major reforms and innovations in terms of public capital investment introduced in the NDP including:-

- the adoption of a long-term (i.e. 10 year) strategic approach to public capital investment;
- a sustained increase in public investment to meet infrastructural needs;
- the establishment of four new Funds to target urban and rural renewal, climate action and 'disruptive technologies'; and
- the establishment of a new National Regeneration and Development Agency to help to drive growth and renewal in towns and cities across the country.

Further details on all these aspects of the NDP can be found in the Plan itself.

The NDP includes many new projects which were not contained in the previous 2015 Capital Plan, for example the M20 Cork to Limerick road, the New Hospital for Cork, BusConnects Programmes for Cork, Dublin and Galway and a major investment programme across the cultural institutions.

It is also very important to note that the NDP provides a coherent long-term funding framework for the delivery of the projects and programmes named in the Plan, including those previously identified in other sectoral strategies and policies but, in respect of which, funding for their delivery was not previously identified. In the Public Investment Management Assessment carried out by the IMF, on my request, for Ireland last July, the IMF highlighted the existence of plans which were not joined up on a cross-sectoral basis or with the resources to implement as a weakness in Ireland's public management investment system. In the NDP, therefore, Government have made a commitment of specific resources to deliver identified investment priorities explicitly knitted into the NPF objectives.

### Departmental Properties

166. **Deputy Róisín Shortall** asked the Minister for Public Expenditure and Reform the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership or part ownership of, or under the control of, both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8670/18]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** The Commissioners of Public Works, on behalf of the State, manage a large and diverse property portfolio of over 2,500 properties. These range from office accommodation to heritage properties, visitor centres, Garda stations, among others. As is typical of such large portfolios, there will always be a number of properties that are vacant, but retained, at any given time because of their future strategic development value.

At present, there are in the region of 11 dwellings that are currently vacant (details are in the table). These properties are in poor condition and not currently suitable for residential occupation.

In addition, there are a limited number of sundry residential dwellings that are intrinsic to the estates of National Parks and Gardens managed by the Office of Public Works. In general, these are allocated to staff where there is a requirement for officials to be present on the ground. There are a number of these currently vacant due to the poor condition of the properties.

There are also a number of former Garda Station properties that have to be retained pending the outcome of a review of closed Garda stations to be overseen by the Policing Authority.

#### OPW Non Operational Vacant Dwellings

	County	Property	Property Type	Year of Last Use
1	Cork	Crosshaven	Coastguard Cottage	1995
2	Cork	Crosshaven	Coastguard Cottage	2005
3	Cork	Crosshaven	Coastguard Cottage	Pre 1983
4	Cork	Crosshaven	Coastguard Cottage	Pre 1983
5	Cork	Crosshaven	Coastguard Cottage	Pre 1983
6	Cork	Crosshaven	Coastguard Cottage	Pre 1983
7	Cork	Crosshaven	Coastguard Cottage	1996
8	Cork	Blarney	Garda Residence	2010
9	Cork	Buttevant	Garda Residence	2011
10	Offaly	Kinnitty	Garda Residence	N/A

	County	Property	Property Type	Year of Last Use
11	Tipperary	Dromard House, Templemore	Residence	N/A

### Catchment Flood Risk Assessment and Management Programme

167. **Deputy Seán Barrett** asked the Minister for Public Expenditure and Reform when he expects the final plans of the draft flood risk management programme for at-risk areas to be approved, implemented and adopted by local authorities; if the Carysfort and Maretimo works are one of the at-risk areas included in this plan; and if he will make a statement on the matter. [8784/18]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** The core strategy for addressing areas at potentially significant risk from flooding is the Office of Public Works (OPW) Catchment Flood Risk Assessment and Management (CFRAM) Programme. The Programme, which is being undertaken by engineering consultants on behalf of the OPW working in partnership with the local authorities, involves the production of predictive flood mapping for each location, the development of preliminary flood risk management options and the production of Flood Risk Management Plans.

The CFRAM Programme focussed on 300 Areas for Further Assessment (AFAs) including 90 coastal areas, mainly in urban locations nationwide, identified as being at potentially significant risk of flooding. The proposed feasible measures, both structural and non-structural, identified for AFAs are outlined in the Flood Risk Management Plans.

The Draft Flood Risk Management Plans were published for public consultation in 2016 and a significant volume of submissions were received for consideration. In Summer 2017, the OPW finalised all Plans and each Plan was submitted to the Department of Public Expenditure and Reform (D/PER) for an independent review of the environmental assessments. Having now received the outcomes of the independent review of the environmental assessments for the Flood Risk Management Plans, the Commissioners of Public Works will in the coming weeks submit the Flood Risk Management Plans to the Minister for Finance and Public Expenditure and Reform for approval.

Following approval by the Minister for Finance and Public Expenditure and Reform, the Commissioners will send a copy of the Plans to the local authorities for their consideration, in accordance with the statutory requirements.

The Carysfort-Maretimo area has been studied as part of the East CFRAM Programme. The proposed measures include a series of flood defence walls and five offline storage areas. The height of the walls will be on average between 0.8m and 1.4m respectively and a total length of 250m.

### Flood Relief Schemes Status

168. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform the status of plans for a flood relief scheme (details supplied) in County Cork; the stage the project is at; when work will commence; the estimated cost of the scheme; and if he will make a statement on the matter. [8792/18]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin**

**Boxer Moran):** I am advised that the planning approval has been received for the Douglas (incl Togher) flood relief scheme. The scheme is being advanced by Cork County Council and during this stage, detailed tender documents will be finalised and the procurement process for a civil works contractor will be progressed.

The possibility of carrying out enabling works is being examined. This may involve the diversion of a 600mm watermain as advance works to mitigate the risk of clashing with a live watermain during construction. If necessary such enabling works may commence this Summer. The current estimated costs for this scheme is €13m. The scheme is being funded from within the allocated €430 million under the Government Capital Spending Plan 2016 – 2021. Further information is available on the project website [www.DouglasFRS.ie](http://www.DouglasFRS.ie).

### **Public Sector Pay**

169. **Deputy Jan O’Sullivan** asked the Minister for Public Expenditure and Reform when the pay review for public servants will conclude; and if he will make a statement on the matter. [8799/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** There is no general pay review for public servants underway. The Public Service Stability Agreement (PSSA) was agreed last year for the period 2018 to 2020.

The PSSA however does provide for a more comprehensive examination, by the Public Service Pay Commission, of underlying difficulties in recruitment and retention in sectors and employment streams of the public service where difficulties have been identified.

It has been agreed that the Commission will focus on the Health sector areas identified in 2017 (i.e. Nursing, Consultants and Non Consultant Hospital Doctors) with a view to finalising an interim report on these issues by end Q2 2018.

Separately the Agreement also provides for an examination of the remaining salary scale issues in respect of post January 2011 recruits at entry grades. Under the Public Service Pay and Pensions Act 2017, which implements the terms of the agreement, a report will be submitted to the Oireachtas on this element of the Agreement.

### **National Educational Psychological Service Data**

170. **Deputy Catherine Murphy** asked the Minister for Education and Skills the number of educational psychologists; the number of vacancies that are unfilled by county, in tabular form; and if he will make a statement on the matter. [8106/18]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy may be aware my Department’s National Educational Psychological Service (NEPS) provides educational psychological support to all primary and post-primary schools. This involves direct support in the event of a critical incident, access to national and regional support and development work to build school capacity to support students, access to a NEPS psychologist for responses to queries arising, and access to individual pupil casework via a NEPS psychologist or through the Scheme for the Commissioning of Psychological Assessments. (SCPA).

I can inform the Deputy that during 2017 my Department worked actively with the Public Appointments Service (PAS) to fill 11 NEPS psychologist vacancies nationally from a recruitment panel established for this purpose and to recruit an additional 11 psychologists allowed in

Budget 2017 expanding NEPS overall numbers to 184 w.t.e. posts.

I can further inform the Deputy that currently, there are 4 vacant posts. Candidates have been identified for two of these vacancies and start dates agreed, the remaining two vacancies are being pursued with PAS. I intend to fill these 2 vacancies as soon as possible.

In relation to the Deputy's question I can clarify that NEPS psychologists are not, per se, assigned by county but work with a regional and local office structure serving the needs of schools in their immediate vicinity. I attach therefore for the Deputy's information a breakdown of NEPS staff count (headcount and whole-time equivalent) by Region and Office location along with the sites of the current vacancies.

The Deputy may be aware also under the provisions of Budget 2018 that NEPS psychologist numbers will expand by another 10 posts from the start of the new academic year. Plans for the filling of these posts are currently being developed by my Department.

**NEPS Staffing Count by Region 14/2/2018**

NEPS Region	Office	Head Count	W.T.E. (*)	Vacancy
Dublin (Nth.)	Clondalkin Office	6	5.8	
	James Joyce St. Office	23	20.8	
Dublin (Sth.) / Mid Leinster	Dun Laoghaire Office	17	16.5	
	Clondalkin Office	6	5.8	1
	Naas Office	10	8.5	1
Mid-Munster	Clonmel Office	5	4.6	
	Cork Office	22	19.0	1
N-East	Cavan Office	5	4.8	
	Drogheda Office	10	8.2	1
	Navan Office	7	6.4	
N-West	Letterkenny Office	8	6.8	
	Mullingar Office	8	7.9	
	Sligo Office	4	3.4	
S-East	Kilkenny Office	7	6.5	
	Portlaoise Office	5	4.9	
	Waterford Office	6	5.6	
	Wexford Office	7	6.3	
South West	Ennis Office	7	6.4	
	Limerick Office	10	9.0	
	Tralee Office	6	5.8	
West	Castlebar Office	6	6.0	
	Galway Office	12	11.3	

NEPS Region	Office	Head Count	W.T.E. (*)	Vacancy
	Roscommon Office	2	1.8	
No Region	Head Office Dublin	2	2.0	
Grand Total		201	184.1	4

(\*) Whole-time Equivalent (w.t.e.) taking into account effect of work-sharing and parental leave

### School Management

171. **Deputy Thomas Byrne** asked the Minister for Education and Skills the requirements in place for children to have their lunch indoors in schools. [8081/18]

**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 Rules for National Schools provide for a midday recreation interval of one half-hour.

The arrangements within the recreation interval for pupils to eat their lunch are a matter for each board of management to determine. My Department has not issued guidelines to schools in this regard. In the event that a parent has concerns regarding these arrangements the parent should raise these concerns with the Board of Management in question.

### Teachers' Remuneration

172. **Deputy Michael McGrath** asked the Minister for Education and Skills his policy in respect of pay equality for teachers who joined the public service since 2012; and if he will make a statement on the matter. [8093/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The public service agreements have allowed a programme of pay restoration for public servants to start. I negotiated together with my colleague the Minister for Public Expenditure and Reform, a 15-22% pay increase for new teachers. The agreements to date have restored an estimated 75% of the difference in pay for more recently recruited teachers and deliver full equality at later points in the scale.

As a result of the changes I negotiated together with my colleague the Minister for Public Expenditure and Reform, the current starting salary of a new teacher is €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, at a cost of over €200 million across the public service.

Differential pay scales were introduced by the then Government in 2010. 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 for 2018 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.

A commitment is included in the Public Service Stability Agreement 2018-2020 to consider the issue of newly qualified pay within 12 months of the commencement of the Agreement. That process has now commenced with a first meeting on 12 October 2017. The three teacher unions attended that first meeting.

In addition, the Public Service Pay and Pensions Act 2017 provides that within 3 months of the passing of the Act, my colleague the Minister for Public Expenditure and Reform will prepare and lay before the Oireachtas a report on the cost of and a plan in dealing with pay equalisation for new entrants to the public service.

### **Student Grant Scheme Administration**

173. **Deputy Robert Troy** asked the Minister for Education and Skills if an overpayment refund will not be requested by SUSI in the case of a person (details supplied). [8138/18]

**Minister for Education and Skills (Deputy Richard Bruton):** In accordance with the general policy and principle regarding the recovery of debt as set out in the Student Support Act 2011, all student grant overpayments are liable to be repaid to the Exchequer. SUSI implements a flexible repayment policy with minimum instalment amounts and timeframes that are designed to be as student-friendly as possible. SUSI actively manages all overpayments as debts due to the State on this basis and continues to engage with students to seek their recovery. The repayments policy is published to the SUSI website at [www.susi.ie](http://www.susi.ie).

Grant applications are subject to extensive quality controls and system checks within the SUSI assessment process. Grant renewal applications are also reviewed on a continuous basis. As part of this process, it can come to attention of SUSI that an incorrect rate of grant was awarded in a prior year, or that the circumstances that determine a student's eligibility have changed. In all of these cases, the original grant application is reviewed and a revised decision is issued.

I have been advised that the student to which the Deputy refers, submitted grant applications for the 2012-13 and 2013-14 academic years. Following a review of the student's grant applications, the original grant awarded for both application years was revised based on a review of reckonable income in line with the income threshold provisions of the Student Grant Schemes.

*Question No. 174 withdrawn.*

### **Summer Works Scheme Applications**

175. **Deputy Peter Burke** asked the Minister for Education and Skills the status of an application by a school (details supplied); and if he will make a statement on the matter. [8149/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I can confirm to the Deputy that the school in question applied for funding under the Summer Works Scheme (Category 6), to provide a roof over each of the school's courtyards.

The scheme is designed to address necessary and immediate works; funding is not made available for projects unless considered by the Department to be essential. In view of the scale of demand, nearly 50% of schools have applied for inclusion under the scheme and having regard to the constrained funding position, my Department advised the school that funding could not be provided for the works sought.

Almost €80 million has been approved to date under the Summer Works Scheme, in respect of over 640 school projects in categories 1 - 6.

### **Student Grant Scheme Administration**

176. **Deputy Robert Troy** asked the Minister for Education and Skills if an anomaly whereby SUSI is allowed a specific write off pertaining to overpayments made to certain persons will be examined (details supplied); the reason for the discrepancy; and the selection process in determining which persons must repay and which do not. [8150/18]

**Minister for Education and Skills (Deputy Richard Bruton):** SUSI operates a comprehensive set of processes and controls to manage the assessment process and to minimise the risk of incorrectly awarding grants. However, the nature of the assessment process undertaken by SUSI means that there is a risk that some students may be awarded maintenance grants and/or fee grants for which they are not eligible.

Where overpayments do occur, SUSI treats the overpayment as a debt to the Exchequer and seeks to ensure that all such payments are recovered from the student. This approach is consistent with the general policy and principle regarding the recovery of debt, as set out in the Student Support Act 2011.

When an overpayment is identified, SUSI will write to the student to inform him/her of the decision to vary the grant amount and to advise that recovery (repayment) of the overpayment will be necessary. A further letter will then issue to formally advise of the overpayment amount and to request repayment. This letter includes a Grant Repayment Option Form which requests details of the preferred repayment option.

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

Where an individual applicant has had an appeal turned down in writing by an appeals officer in SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal may be submitted to the independent Student Grants Appeals Board within the required timeframe. Such appeals can be made by the appellant on line via [www.student-grantappeals.ie](http://www.student-grantappeals.ie).

Some difficulties were encountered by SUSI in its first year of operations when processes and procedures were being rolled out for the first time. In light of the circumstances in which these overpayments incurred, the approval of the Department of Public Expenditure and Re-

form was obtained for write-off of these specific overpayments as an exceptional measure in March 2016.

Since 2013, SUSI has made significant improvements to its internal control systems and procedures to enhance control and reduce the potential of future overpayments occurring. These include comprehensive training for new staff as well as updates for existing staff on new scheme rules, and improved quality control procedures including random sample checking of ongoing grant applications by SUSI's Quality Assurance Team. SUSI has also strengthened data sharing processes with other relevant agencies such as the Department of Social Protection (DSP) and the Revenue Commissioners, as a means of ensuring significantly improved accuracy when assessing grant eligibility.

### **Departmental Legal Cases**

177. **Deputy Maurice Quinlivan** asked the Minister for Education and Skills if some of the seven settlements made as part of the ex gratia scheme set up following a judgment (details supplied) were a result of physical abuse only. [8152/18]

**Minister for Education and Skills (Deputy Richard Bruton):** In responding to an PQ earlier this year, concerning the type of abuse suffered by the individuals concerned, I stated that it was inappropriate for me to comment on the type of abuse suffered by an individual. Firstly, this data is personal data and secondly, it is data that I do not and should not have access to given that the State Claims Agency is mandated to deal with school child sexual abuse litigation being taken against the State.

### **Teachers' Remuneration**

178. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if an anomaly (details supplied) with regard to the payment of substitute teachers will be examined; and if he will make a statement on the matter. [8156/18]

**Minister for Education and Skills (Deputy Richard Bruton):** It is a matter for the organisations to which the Deputy refers to arrange payment to teachers and substitute teachers in accordance with approved rates of pay. My Department has no direct involvement as the payrolls are operated by the organisations concerned.

The Deputy may wish to note that my Department is establishing the ESBS Centre to deliver a number of shared services to the education sector. The first shared service to be established will be for the delivery of payroll and travel and subsistence claims processing for the 16 Education and Training Boards. It is anticipated that this project will come on-stream on a phased basis commencing in Quarter 4 of 2018.

### **Teacher Redeployment**

179. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills further to Parliamentary Question No. 184 of 12 December 2017, when a decision will issue; and if he will make a statement on the matter. [8163/18]

**Minister for Education and Skills (Deputy Richard Bruton):** 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.

Circular 0068/2017 advises that my Department intends to notify teachers of the outcome of their applications by 30th April 2018 or as soon as possible thereafter.

### **Schools Building Projects Status**

180. **Deputy Eoin Ó Broin** asked the Minister for Education and Skills the status of a funding application for a new school building by a school (details supplied); when the project will progress to the next stage of the process; and when he expects the construction of the new school to commence. [8202/18]

**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 Construction Programme.

The next stage involves the preparation of the project brief. This is part of the preparatory work required to facilitate the progression of the project into the architectural planning process and my Department will be in further contact with the school in this regard.

### **Special Educational Needs Data**

181. **Deputy Pearse Doherty** asked the Minister for Education and Skills the number of schools which have three or more special classrooms for children with special educational needs and-or low incidence disabilities and which are without an administrative principal; the names and addresses of the schools, in tabular form; and if he will make a statement on the matter. [8207/18]

182. **Deputy Pearse Doherty** asked the Minister for Education and Skills the number of schools which have three or more special classrooms for children with special educational needs and-or low incidence disabilities and which have administrative principal status; the names and addresses of the schools, in tabular form; and if he will make a statement on the matter. [8208/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 181 and 182 together.

The criteria used for the allocation of teachers to primary schools is published annually on the website of the Department of Education and Skills. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the previous 30 September. The staffing schedule operates in a clear and transparent manner and treats all similar types of schools equally irrespective of location.

Staffing arrangements for the 2018/19 school year are set out in circular 0010/2018 which is available on my Department's website.

Questions - Written Answers

Ordinary, Gaelscoileanna and Gaeltacht schools require an enrolment of 176 pupils (113 pupils if operating a specialist autism unit) for administrative principal status with lower enrolment thresholds for DEIS schools.

County	Roll No.	School name	Address Line 1	Address Line 2	Enrolment September 2017
Cavan	14073G	Castletara N.S.	Ballyhaise	Co. Cavan	182
Cavan	17625L	Cnoc An Teampaill	Virginia	Co. Cavan	155
Cavan	18059J	Bailieboro N.S.	Bailieboro	Co. Cavan	306
Cavan	19608V	Mullagh Central N.S.	Mullagh	Ceannanas Mor	367
Clare	15042A	Ennis N.S.	Ennis	Co. Clare	618
Clare	17957N	Ennis Convent Inf N.S.	Ennis	Co. Clare	178
Cork	00512D	Midleton Convent N S	Midleton	Co. Cork	541
Cork	04186N	S N Bhiorainn	Berrings	Cork	216
Cork	05508O	St. Columba's Girls N.S. & Facility for Deaf Children	Dughlas	Corcaigh	412
Cork	08393P	S N Rath Dubh	Grenagh	Cork	303
Cork	09161W	Convent Of Mercy	Bantry	Co. Cork	240
Cork	12015F	Liscarrol N S	Mallow	Co. Cork	176
Cork	13450F	Bunscoil Rinn An Chabhlaigh	Cobh	Co. Cork	727
Cork	13828F	Douglas B.N.S.	Douglas	Cork	378
Cork	14000C	St Mary's Of The Aisle	Bishop Street	Cork	308
Cork	15597W	Macroom B.N.S.	Macroom	Co. Cork	186
Cork	16159D	Mallow Con N S	Mallow	Co. Cork	308
Cork	17152R	S N Cnoc Sceach	Clanna Caoilte	Chorcai	189
Cork	17600S	S N Na Scairte Leithe	Saleen Cloyne	Midleton	426

County	Roll No.	School name	Address Line 1	Address Line 2	Enrolment September 2017
Cork	17868O	Scoil Freastogail Muire	Fermoy	Co. Cork	311
Cork	18217B	Scoil Padre Pio N S	Churchfield	Cork City	263
Cork	18487H	S N Naomh Mhuire	Fearann	Chorcai	163
Cork	18734V	Realt Na Maidine	Ballyphehane	Cork	119
Cork	19415K	Scoil An Athar Tadhg	Carraig Na Bhfear	Chorcaigh	338
Cork	19977G	Bandon Boys Ns	Bandon	Co. Cork	222
Cork	20006A	Gaelscoil Mhichil Ui Choileain	Sraid Na Scoile	Cloich Na Coillte	340
Cork	20310D	Carrigaline ETNS	Kilnagleary	Carrigaline	428
Cork	20336V	Midleton ETNS	Market Green	Midleton	460
Cork	20477Q	St. Patrick's BNS	Skibbereen	Co. Cork	221
Donegal	11843O	S N Neill Mor	Killybegs	Donegal	187
Donegal	16349I	S N An Droim Mor	An Droim Mor	Killygordon	223
Donegal	17728V	S N Talamh Na Coille	Talamh Na Coille	Letterkenny	487
Donegal	19963S	Scoil Aodh Rua & Nuala	Dun Na Ngall	Donegal	248
Donegal	19967D	Scoil Iosagain	Buncrana	Donegal	769
Dublin	17055T	S.N. Naomh Mhuire	Saggart	Dublin	706
Dublin	17732M	Scoil Chiarain	Ascal Ui Choileain	Domhnach Cairne	136
Dublin	18726W	S N Seosamh Na Mbrathar	Fairview	Dublin 3	129
Dublin	18968A	St. Malachys B.N.S.	Edenmore	Raheny	179
Dublin	19321B	Our Lady Good Counsel G.N.S.	Johnstown	Dun Laoghaire	453
Dublin	19535U	Brackentown Senior N.S.	Brackentown	Swords	608

Questions - Written Answers

County	Roll No.	School name	Address Line 1	Address Line 2	Enrolment September 2017
Dublin	19569O	Neillstown N.S.	St. Peter Apostle Ns	Neillstown	299
Dublin	19578P	St. Helens Junior N.S.	St. Helens Junior N.S.	Martello	353
Dublin	19611K	Scoil Naomh Colmcille	Newbrook Rd	Donaghmede	149
Dublin	19755L	Sacred Heart N.S.	Huntstown	Mulhuddart	842
Dublin	19765O	St Thomas Senior N.S.	Jobstown	Tallaght	428
Dublin	19939V	Scoil Naisi-unta An Dea Aoire	Whitehall Road	Churchtown	204
Dublin	20064O	Our Lady Of Consolation N.S.	Collins Ave East	Donnycarney	240
Dublin	20092T	St.Ultan's Primary School	Cherry Orchard Avenue	Dublin 10	414
Dublin	20282B	Bracken ETNS	Castlelands	Balbriggan	398
Dublin	20348F	Holywell ETNS	Swords	Co. Dublin	616
Dublin	20384J	Powerstown ETNS	Powerstown Road	Tyrrelstown, Dublin 15	230
Galway	12250P	Scoil Mhuire Primary Sch	Dublin Rd.	Tuam	188
Galway	13914V	Scoil Naomh Iosef	Rathun	Bearna	247
Galway	16943U	Niochlas N S	An Cladach	An Gaillimh	309
Galway	17282H	Scoil Na Mbraithre	Tuam	Co. Galway	247
Galway	19401W	S N Caitriona Sois	Renmore	Galway	402
Galway	19468I	Sn Caitriona Sinsear	Renmore	Galway	388
Galway	20000L	Galway ETNS	Thomas Hynes Rd.	Newcastle	390
Galway	20042E	Scoil An Ch-roi Naofa	Ballinasloe	Co. Galway	260
Kerry	14952L	Muire Gan Smal	Castleisland	Co. Kerry	130
Kerry	19512I	St. Olivers Ns	Ballycasheen	Killarney	735

County	Roll No.	School name	Address Line 1	Address Line 2	Enrolment September 2017
Kildare	16705E	Scoil Phad-raig Naofa	An Tom Ard	Baile Atha I	567
Kildare	18288B	Scoil Mhichil Naofa	Athy	Co. Kildare	641
Kildare	18515J	Prosperous N.S.	Naas	Co. Kildare	531
Kildare	19675N	St Brigids N.S.	Kilcullen	Co. Kildare	683
Kildare	20114D	Scoil Bhríd	Old Town	Sallins Road, Naas	676
Kildare	20271T	Scoil Na Naomh Uilig	Station Road, Newbridge	Co. Kildare	589
Kilkenny	17854D	S N Padraig Naofa	De La Salle	Kilkenny	367
Kilkenny	19626A	St Canices Central N.S.	Grange Road	Kilkenny	677
Laois	19750B	Scoil Mhuire	Abbeyleix	Laois	329
Limerick	17951B	Scoil O Curain B	Newcastlewest	Limerick	266
Limerick	20175A	Limerick City East ETNS	Mungret College	Mungret	314
Longford	19279F	S N Naomh Treasa	Clontumpher	Ballinalee	316
Longford	20124G	St Marys N.S	Edgeworthstown	Edgeworthstown	359
Louth	14207B	Sn Chill Sarain	Chill Sarain	Baile An Ghearlanaigh	195
Louth	20294I	Aston Village ETNS	Dunlin Street	Aston Village Drogheda	411
Louth	20339E	Réalt Na Mara School	Dundalk	Co. Louth	449
Mayo	18712L	S N Cnoc Ruscaighe	Westport	Co. Mayo	204
Meath	05630L	Scoil Mhichil Na Bua-chaili	Scoil Na Mbrathar	Patrick Street	313
Meath	16646O	St Marys Convent N S	Trim	Meath	613
Meath	20179I	St. Stephen's N.S.	Johnstown	Navan	836
Monaghan	19162H	Threemile-house N S	Threemile-house	Co. Monaghan	122
Monaghan	19469K	Naomh Oliver Plunkett	Loch Morn	Castleblayney	229

Questions - Written Answers

County	Roll No.	School name	Address Line 1	Address Line 2	Enrolment September 2017
Monaghan	20120V	Scoil Chroi Ro Naofa	Clones	Co. Monaghan	264
Offaly	15656M	Ballykilmurry N S	Ballykilmurry	Tullamore	215
Offaly	18797W	S N Naomh Seosamh	Arden View	Tullamore	414
Offaly	20267F	Scoil Bhríde Primary School	Edenderry	Co. Offaly	617
Offaly	20273A	S.N. Char- taigh Naofa	An Raithean	Tullamore	197
Roscommon	12754U	S.N. Cnoc An Samhraidh	Ath Luain	Co. Roscom- mon	245
Roscommon	13757I	Tarmon N.S.	Castlerea	Co. Roscom- mon	141
Roscommon	18571T	S N Cnoc An Chrocaire	Cnoc An Chrocaire	Co. Roscom- mon	145
Sligo	19974A	Scoil Eoin Naofa	Sraid An Teampaill	Sligeach	264
Tipperary	16344V	St. Mary's Jnr B.N.S.	St. Flannan's St., Nenagh	Tipperary	160
Waterford	13635R	Ballyduff N S	Kilmeaden	Waterford	232
Westmeath	20188J	Mullingar ETNS	Rathgowan	Mullingar	413
Wexford	08221J	St Senans National Sch	Templeshan- non	Enniscorthy	460
Wexford	15420G	Ballycanew N S	Ballycanew N S	Gorey	197
Wexford	16605A	Kilrane N S	Kilrane	Co. Wexford	314
Wexford	17450C	S N Mhaod- hoig	Poll Fothair	Fiodh Ard	153
Wexford	19739N	Scoil Mhuire Coolcotts	Scoil Mhuire	Coolcotts	610
Wexford	20003R	St Aid- ans Parish School	Enniscorthy	Co. Wexford	855
Wexford	20214H	Gorey ETNS	Kilnahue Lane	Carnew Rd Gorey	440
Wicklow	17181B	St. Josephs N.S.	Templerainey	Arklow	646
Wicklow	20178G	Wicklow ETNS	Hawkstown Road	Wicklow Town	377

County	Roll No.	School name	Address Line 1	Address Line 2	Enrolment September 2017
Wicklow	20278K	Newtown-mountkenedy Primary School	Netown-mountkenedy	Co. Wicklow	349
Wicklow	20470C	St Michaels and St Peters Junior School	Arklow	Co. Wicklow	460

County	Roll No.	School name	Address Line 1	Address Line 2	Enrolment September 2017
Donegal	18219F	Sn Chonaill	Machaire Chlochair	Bun Beag	73
Wicklow	10111O	Lacken Mxd N.S.	Lacken	Blessington	96

### School Funding

183. **Deputy Pearse Doherty** asked the Minister for Education and Skills if the calculation method used for determining the auxiliary service grant payable to schools takes into account factors which may result in individual schools incurring additional costs and overheads such as those associated with the presence of special classrooms and so on; and if he will make a statement on the matter. [8217/18]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department provides funding to all recognised schools by way of per capita grants.

The two main grants for primary are the Capitation grant to cater for day to day running costs such as heating, lighting, cleaning, insurance, general up-keep etc. and the Ancillary Services grant to cater for the cost of employing ancillary services staff.

Enhanced rates of the Capitation grant are paid in respect of pupils with special educational needs who attend special schools or special classes attached to mainstream schools. The Ancillary Services grant payment is based on pupil enrolments in mainstream schools. However, payments to Special Schools are based on the number of authorised fulltime teaching staff approved by the Department so as to compensate for lower enrolment numbers.

At second-level, a Special Class Grant of €191 per pupil is paid in respect of pupils who have been psychologically assessed as having a mild or moderate general learning disability and participating in NCSE approved special classes.

The following links are the most recent circulars published on my Department's website in relation to capitation related grants.

[www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0078\\_2017.pdf](http://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0078_2017.pdf)

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

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

*Questions - Written Answers*  
**Schools Site Acquisitions**

184. **Deputy Brendan Howlin** asked the Minister for Education and Skills the position regarding the acquisition of a site and provision of a new school (details supplied) in County Wexford; when he expects the project to proceed; and if he will make a statement on the matter. [8240/18]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy may be aware, the project to which he refers was announced as part of my Department's Six Year Capital Programme in 2015.

Officials in my Department are working closely with officials from the relevant local authority under the Memorandum of Understanding in relation to the acquisition of a suitable permanent location for the school to which the Deputy refers.

A number of potential site options have been identified and these are currently under consideration, in consultation with the local authority. Given the commercial sensitivities associated with land acquisitions generally I am not in a position to comment further at this time.

**Pension Provisions**

185. **Deputy James Lawless** asked the Minister for Education and Skills whether the eligibility of a person (details supplied) will be examined regarding the spouses and children's pension scheme; and if he will make a statement on the matter. [8296/18]

186. **Deputy James Lawless** asked the Minister for Education and Skills whether a person's service (details supplied) will count toward pension entitlements; and if he will make a statement on the matter. [8297/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 185 and 186 together.

The person referred to by the Deputy is a former employee of Kildare and Wicklow Education & Training Board (KWETB). Relevant employees of the ETB are members of the Education and Training Board Teachers Superannuation Scheme, or the Education Sector Superannuation Scheme, both of which are statutory pension schemes administered by each ETB on behalf of its members. Queries regarding employee pension benefits for these members are dealt with by the relevant ETB which in this case is KWETB.

Officials in my Department contacted KWETB regarding the person concerned and I understand work is underway to address the queries raised, and they will respond directly to the person concerned.

**School Enrolments**

187. **Deputy Peadar Tóibín** asked the Minister for Education and Skills whether a place for a person (details supplied) in the special care unit of a school in September 2018 will be assured. [8321/18]

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

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

The enrolment of a child in 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.

It is the responsibility of the managerial authorities of all schools to implement an enrolment policy in accordance with the Education Act, 1998. 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. Under section 15 (2) (d) of the Education Act 1998, each school is legally obliged to publish its enrolment policy.

Section 29 of the Education Act 1998, provides parents with an appeal process where a board of management of a school or a person acting on behalf of the Board refuses enrolment to a student. Where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under Section 29 of the Education Act 1998 to appeal that decision to either the relevant Educational Training Board or to the Secretary General of this Department.

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

The NCSE's SENO responsibility includes planning and co-ordinating the provision of education and support services to children with special educational needs, including supporting children and parents in identifying school placement options and resource needs. Each SENO works in an assigned local area with parents, schools, teachers, psychologists, health professionals and other staff who are involved in the provision of services in that area for children with special educational needs.

In dealing with parents of children with special educational needs, SENOs support children and their parents in identifying school placement options and resource needs; keeping parents informed of what resourcing decisions are being made on their child's behalf. The SENO will also discuss any concerns that parents have about the present or future educational needs of their child. Contact details for SENOs is available at <http://ncse.ie/seno-contact-list>.

The NCSE has advised that the local SENO is working with the school, HSE representatives and the parent to secure a school placement for the child referred to by the Deputy.

### **School Enrolments Data**

188. **Deputy Kathleen Funchion** asked the Minister for Education and Skills the rationale behind the decision to place a restriction on five schools (details supplied) for enrolments for junior infant classes to up to half a stream for 2018-2019; and if he will make a statement on the matter. [8327/18]

190. **Deputy Joan Burton** asked the Minister for Education and Skills the rationale for the

reported restriction and limit of the number of children permitted to be enrolled in educate together national schools; the locations in which this restriction is in place; the reason the restriction was introduced; and if he will make a statement on the matter. [8381/18]

201. **Deputy Timmy Dooley** asked the Minister for Education and Skills the reason he has instructed his Department officials to advise some educate together schools to reduce intake to half a stream in the coming years; and if he will make a statement on the matter. [8599/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 188, 190 and 201 together.

As the Deputies may be aware, the 2012 Report of the Advisory Group to the Forum on Patronage and Pluralism in the Primary Sector recommended that demand for patronage diversity should be met in areas of stable population by divesting patronage of existing schools where there is evidence of parental demand for change.

In this context, in 2012/13, my Department undertook surveys of parental preferences in 43 areas of stable population to establish the level of demand for a wider choice in the patronage of primary schools. These areas were all stable in terms of population growth, so no new school places were required. However sufficient demand for more choice emerged in 28 areas, including in Tramore, New Ross, Trim, Tuam and Castlebar.

In the majority of the 28 areas surveyed where sufficient demand emerged, the level of parental demand for a wider choice indicated a size of a four classroom school being required to accommodate such a level of demand.

Under the patronage divesting process, a school could be opened where a school building became, or was due to become available as a result of an amalgamation/closure of an existing school. In some areas, in responding to demand for diversity where existing patrons were unable make school properties available, the Department also included an examination of properties held in public ownership.

In order to facilitate the opening of these schools, their initial establishment, as with most new schools, has been in temporary start-up accommodation, pending a permanent school building being made available. All schools, irrespective of their location, have to operate within their available accommodation and manage annual pupil intake accordingly.

The initial establishment of these schools as four-classroom schools and the need to be cognisant of managing the available accommodation has been reflected in my Department's engagement with the patron body of the schools, Educate Together. Indeed, a case has been submitted by Educate Together to my Department to further expand Tramore ETNS, New Ross ETNS, Trim ETNS, Tuam ETNS and Castlebar ETNS and this is currently under consideration.

My Department is currently carrying out nationwide demographic exercises at primary and post-primary level to identify areas of demographic growth and determine where additional school accommodation is needed in order to plan for school provision nationwide and this work is almost complete. In this context, the outcome of the nationwide demographic exercises will input into consideration of the case submitted by Educate Together.

I have announced a new Patronage Reconfiguration process, which will accelerate the delivery of multi-denominational and non-denominational schools, to reach 400 live schools by 2030. Unlike the previous process, this plan will focus on live transfers, so that a school which transfers under this process would not be reliant on temporary accommodation.

## **Brexit Issues**

189. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills his plans to meet formally with his UK counterpart in the context of the impact of Brexit on education; and if he will make a statement on the matter. [8351/18]

**Minister for Education and Skills (Deputy Richard Bruton):** Consultation has been fundamental to my Department's preparations for Brexit. I have attached particular importance to engagement at political and institutional level on our Brexit agenda. Last year I met my former UK counterpart, Justine Greening MP and I look forward to an occasion in the near future to meet her successor, the recently appointed Secretary of State for Education, Damian Hinds MP to continue our bilateral engagement on issues of common concern, including Brexit.

I have also had meetings with the former Minister of State for Exiting the EU, David Jones MP, the UK's Opposition Spokesperson on Brexit, Keir Starmer MP, as well as members of the All Party Parliamentary Group on the Irish in Britain.

I attended the Education Council in Brussels last week and participated in policy debates, one of which will address the European Council conclusion from December on the proposed European Education Area. At this event I met with the head of the UK government delegation Nick Gibb MP, Minister of State for School Standards, and took the opportunity to raise Brexit issues with him and to contribute positively to the debate on how Europe can remain at the forefront of excellence in education and research.

Officials in my Department continue to work closely with their counterparts in the Department for Education, London on a range of issues including establishing a shared understanding between Ireland and the United Kingdom of the rights to access education in each other's jurisdictions which are facilitated and supported by the Common Travel Area (CTA) and associated rights arrangements.

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

## **Teaching Council of Ireland**

191. **Deputy Michael McGrath** asked the Minister for Education and Skills if a person (details supplied) in County Cork will be paid for each day they worked and at the full rate. [8391/18]

**Minister for Education and Skills (Deputy Richard Bruton):** All teachers must be registered with the Teaching Council and the payment of the qualified rate of pay is dependent on that registration.

On an exceptional basis there is provision for schools to employ an unregistered person. The details are outlined in Circulars 31/2011 and 52/2013 issued by my Department. In that situation, an unregistered person will be paid the unqualified rate of pay and they may work up to a maximum of five consecutive days in a row.

The person referred to by the Deputy was not registered with the Teaching Council at the time of her employment in January 2018 and was paid correctly under the terms of Circular 52/2013.

192. **Deputy Thomas Byrne** asked the Minister for Education and Skills the costs incurred by his Department for the eight page feature on the action plan on education 2018 in a newspaper (details supplied). [8473/18]

**Minister for Education and Skills (Deputy Richard Bruton):** Following consultation between the Department of the Taoiseach and Ministers and Secretaries General of Departments, a set of priority information campaigns was compiled. Cabinet subsequently approved the agreed priority information campaigns which included the Action Plan for Education 2018.

A team from the Department of the Taoiseach worked with a team from the Department of Education on the launch of the Action Plan for Education. This work included the production of a video, social media support and a content partnership with a national daily newspaper. While the cost was not met by my Department, I understand it amounted to €8,600 excluding VAT.

### **Creative Ireland Programme**

193. **Deputy John Curran** asked the Minister for Education and Skills the schools that are involved in the pilot scheme for the creative schools initiative; and if he will make a statement on the matter. [8484/18]

**Minister for Education and Skills (Deputy Richard Bruton):** On 12 February, I, along with Minister for Culture, Heritage and the Gaeltacht, Josepha Madigan and the Arts Council, launched Creative Schools, a central initiative of the Government's Creative Ireland Programme, which puts the arts and creativity at the heart of children's and young people's lives.

Up to 150 primary and post-primary schools across the country will participate in the pilot and work with artists, creative practitioners and educators to develop their own unique programme of arts and creative work, connecting them to the full range of local and regional cultural resources and opportunities.

In addition, all participating schools will also receive a further range of supports including a once-off grant and training for teachers in the school.

Applications for Creative Schools will open on the 20th of February and participating schools will be announced in May 2018. Work will begin in schools in the selected schools in September 2018.

I encourage all primary and post-primary schools to apply to participate in this initiative. We are looking to include a wide range of schools, with a broad national spread.

### **Schools Site Acquisitions**

194. **Deputy Jack Chambers** asked the Minister for Education and Skills the status of the development and location for a school (details supplied); and if he will make a statement on the matter. [8494/18]

**Minister for Education and Skills (Deputy Richard Bruton):** Officials in my Department are working closely with officials in the relevant local authority under the Memorandum of Understanding for the acquisition of school sites with a view to securing a suitable location for the school to which the Deputy refers.

My Department is working to advance the site acquisition process for the school in ques-

tion as quickly as possible and the school patron will be informed of the permanent location once a site has been acquired.

Once a suitable site has been secured, a project to provide permanent accommodation for the school will be progressed into the architectural planning process.

### DEIS Review

195. **Deputy Catherine Connolly** asked the Minister for Education and Skills the number of additional schools and pupils included in the programme as a result of the review of DEIS published in January 2017; and if he will make a statement on the matter. [8547/18]

196. **Deputy Catherine Connolly** asked the Minister for Education and Skills the purpose of the identification model in relation to DEIS; the date on which the update of the identification model will be available; and if he will make a statement on the matter. [8548/18]

197. **Deputy Catherine Connolly** asked the Minister for Education and Skills if a school (details supplied) previously excluded will be reconsidered for inclusion in the scheme further to the publication of the identification model in relation to DEIS; and if he will make a statement on the matter. [8549/18]

198. **Deputy Catherine Connolly** asked the Minister for Education and Skills further to Parliamentary Question No. 61 of 1 February 2018, the status of the assessment of all schools in relation to the DEIS programme; when it will be completed; if a school (details supplied) that was previously excluded will be reconsidered for inclusion in the scheme; and if he will make a statement on the matter. [8550/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 195 to 198, inclusive, together.

We have, for the first time, introduced an objective, statistics based model for deciding which schools merit inclusion in the DEIS Programme, so that all stakeholders can have confidence that we are targeting extra resources at those schools with the highest concentrated levels of disadvantage.

The key data sources used in the DEIS identification process are the DES Primary Online Database (POD) and Post-Primary Online (PPOD) Databases, and CSO data from the National Census of Population as represented in the Pobal HP Index for Small Areas which is a method of measuring the relative affluence or disadvantage of a particular geographical area. Variables used in the compilation of the HP Index include those related to demographic growth, dependency ratios, education levels, single parent rate, overcrowding, social class, occupation and unemployment rates. This data is combined with pupil data supplied by schools, anonymised and aggregated to small area, to provide information on the relative level of concentrated disadvantage present in the pupil cohort of individual schools.

A detailed document explaining the methodology used in the Identification process is also available on the Department's website at [www.education.ie/en/Schools-Colleges/Services/DEIS-Delivering-Equality-of-Opportunity-in-Schools-/DEIS-Identification-Process.pdf](http://www.education.ie/en/Schools-Colleges/Services/DEIS-Delivering-Equality-of-Opportunity-in-Schools-/DEIS-Identification-Process.pdf).

The purpose of the Identification Model is to assess all schools, both primary and post-primary, to identify levels of disadvantage among the pupil cohort of each individual school. The identification model is applied in a uniform way across the entire school system. 79 schools were included in DEIS for the first time and 30 schools were identified as needing extra sup-

ports which were allocated with effect from September 2017. These schools were those identified as having the highest levels of disadvantage in the pupil cohort of the school. A list of these schools is available on the Department's website at [www.education.ie/en/Schools-Colleges/Services/DEIS-Delivering-Equality-of-Opportunity-in-Schools-/DEIS-Plan-2017-New-DEIS-Schools-List.pdf](http://www.education.ie/en/Schools-Colleges/Services/DEIS-Delivering-Equality-of-Opportunity-in-Schools-/DEIS-Plan-2017-New-DEIS-Schools-List.pdf).

The current status is that an update of the identification model is currently underway. This will take account of updated school data, as provided by schools for the current school year, combined with the Pobal HP Index of Deprivation, based on Small Area Population statistics derived from the 2016 National Census. It is envisaged that this process will be completed by the end of Quarter 1 this year.

Should this exercise reveal that any school which did not qualify for DEIS in 2017, including the school referred to by the Deputy, meets the criteria applicable to schools with the highest concentration of disadvantage based on the updated information then additional schools may be included subject to available resources.

### DEIS Eligibility

199. **Deputy Kathleen Funchion** asked the Minister for Education and Skills the reason a school (details supplied) has not been awarded extra resources under the DEIS scheme; when it will be awarded the extra resources; and if he will make a statement on the matter. [8558/18]

**Minister for Education and Skills (Deputy Richard Bruton):** We have, for the first time, introduced an objective, statistics based model for deciding which schools merit inclusion in the DEIS Programme, so that all stakeholders can have confidence that we are targeting extra resources at those schools with the highest concentrated levels of disadvantage.

The key data sources used in the DEIS identification process are the DES Primary Online Database (POD) and Post-Primary Online (PPOD) Databases, and CSO data from the National Census of Population as represented in the Pobal HP Index for Small Areas which is a method of measuring the relative affluence or disadvantage of a particular geographical area. Variables used in the compilation of the HP Index include those related to demographic growth, dependency ratios, education levels, single parent rate, overcrowding, social class, occupation and unemployment rates. This data is combined with pupil data supplied by schools, anonymised and aggregated to small area, to provide information on the relative level of concentrated disadvantage present in the pupil cohort of individual schools.

A detailed document explaining the methodology used in the Identification process is available on the Department's website at [www.education.ie/en/Schools-Colleges/Services/DEIS-Delivering-Equality-of-Opportunity-in-Schools-/DEIS-Identification-Process.pdf](http://www.education.ie/en/Schools-Colleges/Services/DEIS-Delivering-Equality-of-Opportunity-in-Schools-/DEIS-Identification-Process.pdf).

It is important to note that schools included in DEIS with effect from September 2017 are those whose level of disadvantage has been identified as those schools serving the highest concentrations of disadvantage among their pupil cohort. Schools which have not been included at this stage are those which have not been identified as having the highest levels of concentrated disadvantage amongst their pupil cohort, under the new identification model.

It is also important to note that this is the first step in a process and the fact that a school has not been included now does not preclude its inclusion at a later date, should the assessment indicate a level of disadvantage that warrants additional supports.

An update of the identification model is currently underway. This will take account of up-

dated school data as provided by schools for the current school year combined with the Pobal HP Index of Deprivation, based on Small Area Population statistics derived from the 2016 National Census. It is envisaged that this process will be completed by the end of Quarter 1 this year.

Should this exercise reveal that any school, including the school referred to by the Deputy, which did not qualify for DEIS in 2017 meets the criteria applicable to schools with the highest concentration of disadvantage based on the updated information then additional schools may be included subject to available resources.

### **Schools Site Acquisitions**

200. **Deputy Joan Burton** asked the Minister for Education and Skills if his attention has been drawn to the space constraints at the temporary site for a school (details supplied); if his attention has been further drawn to the concerns that parents have in relation to the existing site and its capacity to accommodate additional streams; the progress his Department has made in securing a permanent site for the school; and if he will make a statement on the matter. [8592/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The school to which the Deputy refers opened in temporary accommodation in September 2017.

Under the Memorandum of Understanding for the acquisition of school sites, the Department has sought the assistance of the relevant local authority in identifying a suitable location for the school. Such a site has been identified and my Department is currently engaged with the relevant stakeholders with a view to progressing matters. The school patron will be informed of this proposed location as soon as it is possible to do so.

Once the current discussions in relation to the site are concluded it is envisaged that, subject to no issues arising, the project to provide permanent accommodation for the school in question will be progressed into the architectural planning process.

In the interim, my Department understands there is sufficient accommodation for the school referred to by the Deputy for the academic year commencing September 2018.

*Question No. 201 answered with Question No. 188.*

### **Schools Building Projects Status**

202. **Deputy James Browne** asked the Minister for Education and Skills the position regarding a building project for a school (details supplied); and if he will make a statement on the matter. [8602/18]

**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 Construction Programme.

The school authority in question is currently addressing legal matters associated with the site portfolio and my Department will continue to liaise with the school in the context of the progress that the school is making in relation to these matters.

### **Schools Building Projects Status**

203. **Deputy James Browne** asked the Minister for Education and Skills the position regarding the construction of an extension to a school (details supplied); and if he will make a statement on the matter. [8603/18]

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

I wish to advise the Deputy that a school site visit, by my Department's technical staff, has taken place, in the context of progressing the school project concerned. Schedules of accommodation, for purposes of the school's project brief, are currently being devised and my Department will be in further contact with the school authorities when these have been finalised.

### **Schools Building Projects Status**

204. **Deputy James Browne** asked the Minister for Education and Skills the status of plans to construct an extension to a college (details supplied); and if he will make a statement on the matter. [8604/18]

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

In the context of progressing the project, a school site visit, by my Department's technical staff, has been undertaken. The next step includes devising the schedules of accommodation, for purposes of the school's project brief and this process is in train. When this has been finalised, my Department will be in further contact with the school authorities.

### **National Literacy and Numeracy Strategy**

205. **Deputy Jan O'Sullivan** asked the Minister for Education and Skills the details of action number 73 in section 4.4 of the action plan for education 2018; if an upskilling pathways plan will be completed in time to secure funding under the EU upskilling pathways initiative in order to support adults with low literacy skills; and if he will make a statement on the matter. [8638/18]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** In December 2016, the EU Council adopted the Upskilling Pathways: New Opportunities for Adults Recommendation which aims to help adults acquire literacy, numeracy and digital skills to develop a broader set of skills through progressing towards an upper secondary qualification or equivalent. The recommendation envisages that implementation will build on existing national arrangements and existing financial frameworks. There is no additional funding available beyond that already allocated in the current funding round.

My Department has been considering the recommendation and is planning for its implementation. Arrangements are being made to establish an inter-agency steering group to collaborate on the development of an implementation plan under the recommendation. A report on arrangements will be made to the European Commission this year.

### **Schools Building Projects Status**

206. **Deputy Fiona O'Loughlin** asked the Minister for Education and Skills the status of the agreed new build of a school (details supplied) in County Kildare; and if he will make a statement on the matter. [8647/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The building project for the school to which the Deputy refers is at an advanced stage of architectural planning, Stage 2b – Detailed Design, which includes the applications for Planning Permission, Fire Cert and Disability Access Cert and the preparation of tender documents. All statutory approvals have been obtained.

The Design Team is currently finalising the stage 2b documentation and expects to submit the finalised Stage 2b Report to my Department shortly.

Upon receipt and review of this outstanding documentation my Department will revert to the Board of Management with regard to the further progression of the project at that time

### **Schools Building Projects Status**

207. **Deputy Fiona O'Loughlin** asked the Minister for Education and Skills the status of and timeframe for a new school (details supplied) in County Kildare; and if he will make a statement on the matter. [8649/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The project referred to by the Deputy has been devolved for delivery to Kildare and Wicklow Education and Training Board (KWETB).

My Department has received a Stage 2B submission and this is currently being examined. As soon as this examination is completed and found to be in order my Department will be in contact with KWETB in relation to the project's progression to tender and construction.

### **Schools Building Projects Status**

208. **Deputy Fiona O'Loughlin** asked the Minister for Education and Skills the status of an extension for a college (details supplied); and if he will make a statement on the matter. [8650/18]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy is aware, a building project for the school to which she refers is included in my Department's 6-Year Construction Programme. In the context of progressing the building project, my Department has undertaken a site visit to the school.

The building project will be devolved to Kildare Wicklow Education Training Board (KWETB) for delivery and my Department will be engaging with KWETB shortly in this regard.

### **Summer Works Scheme Applications**

209. **Deputy Fiona O'Loughlin** asked the Minister for Education and Skills the status of

the funding that was agreed for a school (details supplied); and if he will make a statement on the matter. [8651/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The school referred to by the Deputy was allocated a grant in May 2017 for a mechanical upgrade under my Department's Summer Works Scheme. In September 2017 the school authority sought approval to use the allocated funding to carry out roof repairs instead and approval in principle was granted subject to details of the proposed works and costings being submitted.

The requested information was received on 8 February 2018 and is currently being assessed. My Department will be in contact with the school authority as quickly as possible.

### **Departmental Properties**

210. **Deputy Róisín Shortall** asked the Minister for Education and Skills the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of or part ownership of or under the control of both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8663/18]

**Minister for Education and Skills (Deputy Richard Bruton):** There are no vacant habitable dwelling units or vacant derelict residential dwelling units in my ownership.

The information sought by the Deputy in regard to bodies under the aegis of my Department is not routinely collated by my Department. Officials are making enquiries with the aegis bodies and will respond to the Deputy as soon as possible

### **Schools Establishment**

211. **Deputy John Curran** asked the Minister for Education and Skills if provision will be made for a new second level school in the area of Saggart and Citywest in view of the population and of new housing developments under way; and if he will make a statement on the matter. [8675/18]

212. **Deputy John Curran** asked the Minister for Education and Skills if an analysis has been carried out as to the requirements for a second level school in the Saggart and Citywest area of County Dublin; and if he will make a statement on the matter. [8676/18]

213. **Deputy John Curran** asked the Minister for Education and Skills if he is satisfied that a school (details supplied) will have sufficient capacity to cater for pupils in future years from three new feeder schools; and if he will make a statement on the matter. [8677/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 211 to 213, inclusive, together.

As the Deputy may be aware, in order to plan for school provision and analyse the relevant demographic data, my Department divides the country into 314 school planning areas. My Department uses a Geographical Information System (GIS) to identify where the pressure for school places across the country will arise. The GIS uses data from a range of sources, including the Central Statistics Office, Ordnance Survey Ireland, the Department of Social Protection and my Department's own databases. With this information, my Department carries out nationwide demographic exercises at primary and post-primary level to determine where additional

school accommodation is needed.

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

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

For school planning purposes, the Saggart and Citywest areas reside within the Tallaght and Newcastle-Rathcoole School Planning Areas.

The new 1,000 pupil post-primary school referred to by the Deputy in the Kingswood area of Tallaght opened in September 2016 to serve the needs of the students in the school planning area, which includes the Citywest area and a building project for this school is commenced construction in August 2017.

In addition, a new post-primary school is due to open in 2018 in the Firhouse/Oldbawn school planning area, which is adjacent to the Tallaght area. When fully developed, this school will provide 1,000 pupil places.

Nationwide demographic exercises involving all school planning areas, including Tallaght and Newcastle-Rathcoole, which will determine where additional school accommodation will be needed in the future, is currently ongoing and this work is almost complete.

### **Departmental Advertising**

214. **Deputy Thomas Byrne** asked the Minister for Education and Skills the costs incurred by his Department for the eight-page feature on the action plan on education 2018 in a newspaper (details supplied) on 14 February 2018. [8679/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The Action Plan for Education 2018 provides a roadmap to achieve the ambition to make the Irish Education and Training service the best in Europe by 2026 and to transform peoples' lives and to help everyone achieve their potential in life. Almost one quarter of our population are learners and there is a huge level of interest in the work of the education and training service due to its widespread impact.

Following consultation between the Department of the Taoiseach and Ministers and Secretaries General of Departments, a set of priority information campaigns was compiled. Cabinet subsequently approved the agreed priority information campaigns which included the Action Plan for Education 2018. A team from the Department of the Taoiseach worked with a team from the Department of Education on the launch of the Action Plan for Education. This work included the production of a video, social media support and a content partnership with a national daily newspaper. While the cost was not met by my Department, I understand it amounted to €8,600, excluding VAT.

### **School Enrolments**

215. **Deputy Danny Healy-Rae** asked the Minister for Education and Skills the steps he

will take to address the problem in which a school (details supplied) has a waiting list to enrol new pupils in September 2018 and will not be able to enrol all students; if temporary units will be provided to resolve this difficulty to allow all students attend their chosen school; and if he will make a statement on the matter. [8690/18]

**Minister for Education and Skills (Deputy Richard Bruton):** In order to plan for school provision and analyse the relevant demographic data, my Department divides the country into 314 school planning areas. Nationwide demographic exercises involving all school planning areas at primary and post-primary level, which will determine where additional school accommodation will be needed in the future, is ongoing at the moment and it is anticipated that decisions based on the review will be announced in the coming weeks.

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. My Department is aware that there is existing pupil capacity among schools in the school planning area where the school to which he refers is located.

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.

## **Brexit Issues**

216. **Deputy Stephen S. Donnelly** asked the Minister for Education and Skills if his Department has conducted an analysis on the way in which Brexit may impact on higher education collaboration between the United Kingdom and Ireland; if so, the findings of the analysis; and if he will make a statement on the matter. [8709/18]

**Minister for Education and Skills (Deputy Richard Bruton):** Contingency planning at both a domestic and an EU level is focused on three areas: preparing for a no-deal scenario or so-called "disorderly Brexit"; preparing for a transition period based on the "status quo"; and preparing for the future EU-UK relationship.

While the outcome of the December European Council and the move on to Phase 2 has lessened the likelihood of a disorderly Brexit, very detailed work on a 'no-deal' or 'worst-case-scenario' is advancing intensively through the cross-Departmental coordination structures chaired by the Department for Foreign Affairs and Trade. This work is also informed by ongoing stakeholder engagement. Separately, a new preparedness unit in the Commission is considering EU-level responses.

All this work provides a baseline scenario for the policies and sectors impacted, which can then be adapted as appropriate in light of developments in the EU-UK negotiations. In this regard, it is welcome that the direction of travel is now firmly towards achieving a “status quo” transition period. Agreement on a “status quo” transition will provide certainty to individuals and businesses while also aiming to avoid any cliff edge effects between the UK leaving the EU and a future relationship agreement coming into force. The period will provide time for businesses and citizenship to prepare for the UK’s withdrawal from the EU based on the outcome of the negotiations on the framework for the EU’s future relationship with the UK. In this respect, the expectation is that the European Council will adopt additional Guidelines at its meeting on 22-23 March 2018 on the framework for the future EU-UK relationship. These guidelines – as well as further clarity on the UK position, which has been sought by the European Council – will provide a clearer picture of the direction of travel in the negotiations.

The Government’s contingency planning framework is firmly grounded in the extensive work and outreach that has already been undertaken by individual Departments and agencies, as well as by stakeholder organisations, academics and others. My own Department contributed fully to the preparation of the education components of that framework.

Our work has been facilitated by the International Unit of my Department which, under the leadership of an Assistant Secretary General, has been given overall responsibility for co-ordinating our response to Brexit. In discharging its Brexit-related functions, the International Unit participates in the Inter-Departmental Senior Officials Group which oversees the coordination of the Government’s response to the outcome of the UK referendum, and supports the Cabinet Committee on the European Union including Brexit. This is further underpinned by the Unit’s active engagement with other Departments in Brexit Workgroups on Brexit Coordination; the Economy and Sectoral Issues; the Common Travel Area; and the Island of Ireland Working Group.

The International Unit also chairs the Education and Research Subgroup under the Economy and Sectoral Issues strand of co-ordination. The Subgroup includes relevant areas within the Department and relevant Agencies of the Department and other Departments/Agencies. Meetings of the Education and Research Subgroup of the Economy and Trade Group took place on 28th October 2016, 15th February; 24th May and 9th October 2017 and most recently focused on stakeholder consultations input and research collaboration. A further meeting is planned for early 2018.

My Department has been working closely with a number of organisations, and in particular with the Higher Education Authority, in Brexit planning for the higher education sector. The HEA has published a Brexit issues paper and has held meetings with the HEIs to discuss ongoing planning and issues with them as the process develops. We will continue to engage in this important aspect of planning and research work, and during 2018 will maintain our extensive engagement with stakeholders across the sector, which has been fundamental to my Department’s preparations for Brexit since late 2016.

While Brexit presents numerous challenges, it is likely to bring opportunities too. Funding of €1.5m was provided in Budget 2017 to attract researchers to Ireland, as part of our strategic response to Brexit. This €1.5m is again available in 2018.

Under the Action Plan for Education 2018 we will enhance our strategy to attract world-leading researchers to Ireland in the context of Brexit. In partnership with enterprise/employers, and in line with Innovation 2020 targets, we will increase the enrolment of postgraduate researchers and grow the number of programmes to support postdoctoral researchers. In this way, we will grow a vibrant research community and address economic demands.

The above themes will be explored in a paper currently being drafted between officials in my Department and the Higher Education Authority who are leading on the paper. The purpose of the paper is to outline the importance of Brexit for the Irish higher education research system. It will identify significant issues arising and will propose strategic actions with regard to talent, research and relationships to maximise competitive advantage for Ireland in this area post-Brexit.

A further joint stakeholder dialogue on research and innovation with the Department of Business, Enterprise and Innovation is being planned for the end of April 2018 in Dublin.

This follows on from the recent publication by the Royal Irish Academy of reports on All-Island aspects of Research that make recommendations to take forward initiatives to support all-island research collaborations and networking.

We will continue to seek opportunities in existing and high potential markets to increase the numbers of international students and partnerships for our higher education sector as we implement the International Education Strategy. We will also seek to maximise the opportunities from North-South cooperation and our continuing key relationship with the UK.

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

217. **Deputy Robert Troy** asked the Minister for Education and Skills if provision will be made for an ASD unit and three additional classrooms further to his visit to a school (details supplied); if DEIS 2 status will be awarded. [8730/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I can confirm that the school referred to by the Deputy submitted an application to my Department for capital funding to construct an ASD Unit and additional resource teaching rooms.

I wish to advise the Deputy that the school does not have the approval of the National Council for Special Education to establish an ASD Unit as there is sufficient provision for such special needs accommodation in the area currently. In addition, an ASD Unit is being provided in the new school development for Coosan National School that is currently under construction. In the circumstances, the school in question was advised that an ASD Unit was not warranted.

The Department considers that the school has sufficient existing accommodation for resource teaching purposes. Grant was therefore not approved and the school was advised accordingly.

I understand that the school has held DEIS Band 2 status since September 2006.

### **Education Centre Network**

218. **Deputy Willie O’Dea** asked the Minister for Education and Skills when the building unit of his Department will consider and approve the proposal for a new building which was submitted by a centre (details supplied) in October 2017; and if he will make a statement on the matter. [8782/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I can confirm to the Deputy that my Department is in receipt of a capital application from the Educational Centre in question. This application is being considered in the context of the need to prioritise available budgets towards the provision of essential classroom accommodation. My Department expect

to be in contact with the Educational Centre, in question, shortly.

### **Education Centre Network**

219. **Deputy Willie O’Dea** asked the Minister for Education and Skills if the teacher education section of his Department will provide financial assistance to a centre (details supplied) to find a temporary solution to its parking problems while it is awaiting a response to its proposal for a new site and building; and if he will make a statement on the matter. [8783/18]

**Minister for Education and Skills (Deputy Richard Bruton):** There are 21 full time and 9 part time Education Centres. The Education Centre network provides a national infrastructure for the delivery of Continuing Professional Development (CPD) for teachers and Centres. Every centre has a locally elected Management Committee and a Director appointed on secondment.

My Department is the main funder of Education Centres through direct budget allocations for administrative staff pay and operating costs and local courses. In 2017, the Department provided funding of €436,948 to Limerick Education Centre and a similar level of funding will be provided in 2018.

Limerick Education Centre has been situated in the Limerick and Clare ETB, Marshal House, Dooradoyle building since 2011 and shares the car park with the ETB. The Centre has advised the Department that since September 2017 it has been experiencing car parking difficulties and has submitted a proposal with long term and interim solutions.

Officials of my Department are working with the Centre to see how best its needs can be met in this important area.

### **Redundancy Payments**

220. **Deputy Michael Moynihan** asked the Minister for Education and Skills the reason an application for redundancy by a person (details supplied) in County Cork was not approved by his Department; if this decision will be reconsidered; and if he will make a statement on the matter. [8794/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I wish to advise that my Department is not in a position to sanction a redundancy application by the person concerned as a redundancy situation does not arise. This was communicated by my Department to the employer of the person concerned on the 31 January 2018.

### **Teachers’ Remuneration**

221. **Deputy Jan O’Sullivan** asked the Minister for Education and Skills the timeframe for the restoration of pay equality for newer entry teachers; and if he will make a statement on the matter. [8795/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The public service agreements have allowed a programme of pay restoration for public servants to start. I negotiated together with my colleague the Minister for Public Expenditure and Reform, a 15-22% pay increase for new teachers. The agreements to date have restored an estimated 75% of the dif-

ference in pay for more recently recruited teachers and deliver full equality at later points in the scale.

As a result of the changes I negotiated together with my colleague the Minister for Public Expenditure and Reform, the current starting salary of a new teacher is €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, at a cost of over €200 million across the public service.

Differential pay scales were introduced by the then Government in 2010. 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 for 2018 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.

A commitment is included in the Public Service Stability Agreement 2018-2020 to consider the issue of newly qualified pay within 12 months of the commencement of the Agreement. That process has now commenced with a first meeting on 12 October 2017. The three teacher unions attended that first meeting.

In addition, the Public Service Pay and Pensions Act 2017 provides that within 3 months of the passing of the Act, my colleague the Minister for Public Expenditure and Reform will prepare and lay before the Oireachtas a report on the cost of and a plan in dealing with pay equalisation for new entrants to the public service.

### **Apprenticeship Programmes**

222. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which efforts continue to be made to create apprenticeship opportunities under various trades; the degree to which specific shortages have been identified; and if he will make a statement on the matter. [8807/18]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** Apprenticeship is a demand driven educational and training programme, which aims to develop the skills of an apprentice in order to meet the needs of industry and the labour market. Consequently, the number of apprentices being registered is determined by employers within each sector. My Department is committed to supporting the increased registration of apprentices across all sectors. New apprenticeship registrations have risen from 2,698 in 2014 to 4,843 in 2017, which represents an increase of almost 80%.

As the Deputy is aware, the Government is currently expanding the range of apprenticeships on offer to meet the identified skill needs of industry. Arising from our first call for apprenticeship proposals in 2015 eleven new apprenticeships have been developed in a wide range of sectors, including financial services, engineering, ICT and accounting. Further new apprenticeships are to be submitted for validation to Quality and Qualifications Ireland (QQI) shortly and, subject to successful validation, are expected to get underway in 2018.

In addition, arising from last year's second call for proposals, I recently announced 26 new programmes for further development into national apprenticeships across a wide variety of sectors including construction, engineering, horticulture and agriculture. These new programmes, once developed, will add to and complement the range of apprenticeships currently on offer in developing the skill needs of our economy.

### **Garda Equipment**

223. **Deputy Róisín Shortall** asked the Minister for Justice and Equality the number of mouthpieces for a device (details supplied) used for each month since the introduction of the device, in tabular form; and if he will make a statement on the matter. [8185/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I have requested a report from An Garda Síochána in relation to the statistics requested by the Deputy and I will be in contact with the Deputy directly on receipt of a Garda report.

### **Commencement of Legislation**

224. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality when all sections of the Children and Family Relationships Act 2015 will be enacted; the timeframe for full enactment; his views on whether there are barriers impinging on the rights of same-sex married partners and their children prior to enactment of all sections; and if he will make a statement on the matter. [8332/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Children and Family Relationships Act 2015 was enacted on 6 April 2015 but has not yet been fully commenced. The Children and Family Relationships Act 2015 (Commencement of Certain Provisions Order) 2016 (S.I. No. 12 of 2016) commenced the bulk of the Act with effect from 18 January 2016. That Commencement Order brought provisions of Parts 1, 4, 5, 6, 7, 8, 12 and 13 of the Act into operation. The Children and Family Relationships Act 2015 (Commencement) Order 2017 (S.I. No. 355 of 2017) commenced part of section 47(c) of the Act with effect from 31 July 2017 and the Children and Family Relationships Act 2015 (Commencement) (No. 2) Order 2017 (S.I. No. 474 of 2017) commenced provisions of the Act relating to adoption by civil partners and cohabiting couples with effect from 2 November 2017.

Part 10 of the Act, which amended the Passports Act 2008, was commenced by the Minister for Foreign Affairs and Trade on 1 July 2015.

Part 11 of the Act, which related to adoption, was not commenced and was repealed by section 2(2) of the Adoption (Amendment) Act 2017, which came into operation on 19 October 2017, as provided for by the Adoption (Amendment) Act 2017 (Commencement) Order 2017 (S.I. No. 443 of 2017). The provisions in Part 11 have been incorporated into the Adoption (Amendment) Act 2017, for which the Minister for Children and Youth Affairs is responsible.

Section 177 of the Act, which amended section 2 of the Adoptive Leave Act 1995, has not yet been commenced due to technical issues, which have now been resolved. The Department is currently reviewing the section to ensure that there are no further outstanding issues. It is expected that the section will be commenced in due course.

Parts 2 and 3 of the Children and Family Relationships Act 2015 provide for parentage through donor-assisted human reproduction (DAHR). I understand that the “barriers” the Deputy is referring to are centred around the issue of the recognition of parentage for same-sex couples and their children which is dealt with under Part 2 of the Act. The Minister for Health has responsibility for commencement of Parts 2 and 3 of the Act.

Where a couple have a child through assisted human reproduction treatment which took place prior to the commencement of these provisions and other than in accordance with them, the social parent will not be recorded on the child’s birth certificate from the outset, as parentage continues to be assigned under current law. However, when Parts 2 and 3 of the Act are brought into force by the Minister for Health, and depending on the particular circumstances, it may be possible for couples to seek a declaration under section 21 of the Act that the spouse, civil partner or cohabitant of the birth mother is the other parent of the child (with all of the parental responsibilities that entails), and ultimately to have a new birth certificate issued reflecting that legal parentage.

Other provisions of the Act which relate to DAHR have not yet been commenced as they are linked to Parts 2 and 3. The commencement of the provisions of the Act which are related to Parts 2 and 3 will be co-ordinated with the commencement of those Parts by the Minister for Health.

Part 9 of the Act provides for a number of amendments to the Civil Registration Act 2004. No provision of Part 9 has yet been commenced. Some sections cannot be commenced until Parts 2 and 3 are brought into operation by the Minister for Health. Other sections are dependent on provisions of the Civil Registration (Amendment) Act 2014 being commenced and my Department is liaising with the Department of Employment Affairs and Social Protection in relation to scheduling the commencement of these sections.

### **Court Accommodation Refurbishment**

225. **Deputy Mary Butler** asked the Minister for Justice and Equality the status of the project to refurbish and extend the historic courthouse in Waterford city; the timeframe for it to be completed; the timeframe for the first sitting; and if he will make a statement on the matter. [8135/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy is aware, under the provisions of the Courts Service Act 1998 management of the courts, including the provision of accommodation for court sittings, is the responsibility of the Courts Service, which is independent in exercising its functions.

However, in order to be of assistance to the Deputy, I have had inquiries made and the Courts Service has advised that Waterford Courthouse is one of seven courthouses nationwide which are currently being delivered as part of a Public Private Partnership under the Government’s Infrastructure Stimulus programme.

The Courts Service has informed me that works at Waterford Courthouse are now substantially complete and the courthouse is expected to be handed over to the Courts Service within the next couple of weeks. Court sittings will commence a short time thereafter following the

move from the temporary courthouse at Grace Dieu in Waterford. The newly extended and refurbished courthouse will provide significantly improved facilities for all court users in Waterford.

New or refurbished courthouses have already been completed at Drogheda, Letterkenny, Wexford and Limerick and the Courts Service has also advised that refurbished and extended courthouses at Cork and Mullingar are expected to be completed by early summer 2018.

### **Road Traffic Offences**

226. **Deputy Noel Rock** asked the Minister for Justice and Equality the steps he will take to address the problem of young persons and others driving scramblers (details supplied); the further steps he will take to address the lack of enforcement of road traffic legislation; the status of his Department's engagement with An Garda Síochána on this issue; and his plans to draw up a strategy to address this issue. [8144/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Deputy will be aware that I am very concerned in relation to the serious public safety issues associated with the misuse of scramblers and quad bikes, and my concerns are on the public record of this House. A multi-agency approach is required to tackle this anti-social issue effectively. To facilitate this, I have written to the following State agencies in order to ascertain whether there are additional legislative or other solutions which can assist in dealing with this serious issue more comprehensively: Departments of Transport, Tourism and Sport, Housing, Planning, and Local Government, and Culture, Heritage and the Gaeltacht; An Garda Síochána; and the Office of the Revenue Commissioners.

Following the receipt of responses from all agencies concerned, my Department wrote to all bodies again on 14 February 2018 to confirm the scheduling of a meeting later this month (28 February) to discuss the misuse of scramblers and quad bikes. This meeting will be chaired by my Department and the purpose of the meeting will be to identify more effective possible solutions and determine responsibility and timeframes for implementation.

The Deputy will already be aware that, under the Road Traffic Acts, any member of An Garda Síochána is empowered to stop a mechanically propelled vehicle in a public place and demand production of a driver licence or learner permit. In addition, Gardaí may inspect the vehicle for compliance with vehicle standards legislation, which makes it an offence to drive without reasonable consideration, drive carelessly, or drive dangerously. The Garda authorities also have powers of seizure, detention, storage and disposal of vehicles under road traffic legislation. I am further informed that the use of quad bikes and scramblers in public parks and open spaces is strictly prohibited by the local authorities under the Parks and Open Spaces Bye-Laws 2011.

Despite the existing road traffic and other relevant legislation available in this area, the Garda authorities have indicated that there are issues of safety involved in enforcement of these laws which are best addressed through a multi-agency approach as referred to above. I am informed that Gardaí are working with local authorities, including park authorities, to examine other solutions, such as engineering solutions. Enhanced fencing and bike gates are examples of engineering measures taken to restrict access to parks.

I will continue to promote cross-agency engagement in relation to this important public safety issue.

### **Garda Data**

227. **Deputy John Curran** asked the Minister for Justice and Equality the number of gardaí stationed at Clondalkin, Lucan, Ronanstown, Ballyfermot and Rathcoole in January 2014, 2015, 2016, 2017 and 2018, in tabular form; and if he will make a statement on the matter. [8167/18]

228. **Deputy John Curran** asked the Minister for Justice and Equality the number of community gardaí stationed at Clondalkin, Lucan, Ronanstown, Ballyfermot and Rathcoole in January 2014, 2015, 2016, 2017 and 2018; and if he will make a statement on the matter. [8168/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I propose to take Questions Nos. 227 and 228 together.

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.

As the Deputy will be aware the Garda Stations of Ballyfermot, Clondalkin, Lucan, Rathcoole and Ronanstown form part of the Dublin Metropolitan Region (DMR) West Division. I am informed by the Commissioner that the strength of the DMR West Division on 31 December 2017, the latest date for which information is readily available, was 672 of which 64 are designated as Community Gardaí. There are also 26 Garda Reserves and 52 Garda civilian staff attached to the DMR West Division. When appropriate, the work of local Gardaí is supported by a number of Garda national units such as the National Bureau of Criminal Investigation, the Armed Support Units, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau.

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 of whom 137 have been assigned to the DMR West Division. 19,18,14 and 9 of this cohort have been assigned to Clondalkin, Ronanstown, Ballyfermot and Lucan Garda Stations respectively. I am informed that Rathcoole Garda Station is not a training station therefore new probationer Gardaí are not allocated to it. However, it is important to note that the allocation of probationer Gardaí to a Divisional training station facilitates the reassignment of Gardaí to other stations within the Division, if required, by the Divisional Officer.

I am pleased to say that Garda numbers, taking account of retirements, increased to 13,551 at the end of 2017 - a net increase of over 600 since the end of 2016.

I am also pleased that funding is in place to maintain this high level of investment in the Garda workforce to ensure that the vision of an overall workforce of 21,000 by 2021 remains on track. This year a further 800 new Garda Recruits will enter the Garda College. Also 800 Garda trainees are scheduled to attest during the year which will see Garda numbers, taking account of projected retirements, reach 14,000 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 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 DMR West Division.

In relation to the number of “Community Gardaí “ it is important to recognise that community policing is not a specialist role in An Garda Síochána; rather it is the case that all Gardaí have a role to play in community policing in carrying out their duties. The official categorisation as a “Community Gardaí” simply refers to those who are exclusively assigned to building relationships with local communities including through the giving of talks to schools, community groups and others. It is a matter for the Divisional Chief Superintendent to determine the optimum distribution of duties among the personnel available to him or her having regard to the profile of the area and its specific needs.

I am assured by the Commissioner that the Garda National Model of Community Policing plays a key part in responding to crime by taking into account and responding to local conditions and needs. Overall the Model advocates a partnership based, pro-active, community-orientated style of policing. It is focused on crime prevention, problem-solving and law enforcement, with a view to building trust and enhancing the quality of life of the entire community. Clear objectives are set, such as high visibility in the community, ease of contact by members of the public, and enhanced support for crime prevention strategies.

As part of the Community Policing Model An Garda Síochána work in partnership with local communities, to prevent and deter crime through initiatives such as Neighbourhood Watch, Community Alert, Text Alert and the Garda Schools Programme as well as through more formal structures such as Joint Policing Committees.

The Community Policing Model also places a strong emphasis on Crime Prevention and within each Garda Division, where there are specialist Crime Prevention Officers (CPOs), who are trained to encourage, promote and advise on crime prevention within communities. In addition, the National Community Policing Office, attached to the Garda Community Engagement Bureau, captures best practice in community policing initiatives and disseminates these practices through its communication network.

I have previously stated that I welcome the strong emphasis that the Commissioner’s Modernisation and Renewal Programme 2016-2021 places on developing and supporting the community policing ethos of the organisation and enhancing the current delivery model so that Gardaí spend more time in the community, gaining public confidence and trust and providing a greater sense of security. It will result in the introduction of multi-skilled Community Policing Teams in every District. In terms of progress on this important initiative, I am informed that a draft Community Policing Framework which outlines the manner in which Community Policing Teams will be established has been completed and is subject to internal review before being approved by the Garda Executive for implementation.

For the Deputy’s information I have set out in tabular form the total number of Gardaí and the number of Gardaí categorised as Community Gardaí attached to Ballyfermot, Clondalkin, Lucan, Rathcoole and Ronanstown Garda stations as of 31 December in each of the years 2014-2017 the latest date for which figures are readily available.

Questions - Written Answers

Ballyfermot Garda Station			
	Community Gardaí	Gardaí	Total
2014	9	76	85
2015	7	79	86
2016	4	81	85
2017	7	76	83

  

Clondalkin Garda Station			
	Community Gardaí	Gardaí	Total
2014	7	82	89
2015	8	79	87
2016	7	87	94
2017	7	90	97

  

Lucan Garda Station			
	Community Gardaí	Gardaí	Total
2014	6	68	74
2015	6	67	73
2016	6	68	74
2017	6	64	70

  

Rathcoole Garda Station			
	Community Gardaí	Gardaí	Total
2014	1	22	23
2015	1	20	21
2016	2	17	19
2017	1	13	14

  

Ronanstown Garda Station			
	Community Gardaí	Gardaí	Total
2014	6	85	91
2015	10	84	94
2016	7	84	91
2017	9	78	87

**Garda Data**

229. **Deputy Jim O’Callaghan** asked the Minister for Justice and Equality the number of vacant positions within An Garda Síochána in the Dublin metropolitan region; when it is expected these vacancies will be filled; and if he will make a statement on the matter. [8195/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate, the Garda Commissioner 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. Where a deficiency in resources is identified the matter is considered fully and addressed accordingly. As you will appreciate, in order to deliver an effective policing service, it is essential that Garda management have the flexibility to deploy Garda resources to meet operational policing needs and address critical issues as they arise.

I am informed by the Commissioner that the overall strength of the Dublin Metropolitan Region (DMR) as of the 31 December 2017 was 3,485. When appropriate, the work of local Gardaí in the DMR is supported by a number of Garda national units, the National Bureau of Criminal Investigation, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau.

In addition, at the request of the Commissioner in 2016, the Government moved decisively to strengthen Garda resources to deal with gang-related crime in the Dublin area. Funding was approved for the establishment of a dedicated Armed Support Unit (ASU) for the DMR in order to enhance armed support capability in Dublin and to free up the resources of the Emergency Response Unit. Following a selection and training process, the ASU for the DMR became fully operational in December 2016 and is providing armed cover in the DMR on a 24 hour basis. Members of the ASU are highly trained and equipped with a variety of non-lethal and lethal weapons and perform high visibility armed checkpoints and patrols throughout the DMR.

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 of whom 719 or 45% have been assigned to the DMR. I am pleased to say that Garda numbers, taking account of retirements, increased to 13,551 at the end of 2017 - a net increase of over 600 since the end of 2016.

I am also pleased that funding is in place to maintain this high level of investment in the Garda workforce to ensure that the vision of an overall workforce of 21,000 by 2021 remains on track. This year a further 800 new Garda Recruits will enter the Garda College. Also 800 Garda trainees are scheduled to attest during the year which will see Garda numbers, taking account of projected retirements, reach 14,000 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 in 2018.

In relation to the filling of vacancies in the supervisory ranks I am advised by the Commissioner that there are currently competitions in train for promotion to the ranks of Sergeant and Inspector. I am assured by the Commissioner that following completion of these competitions the needs of all Garda Divisions including the DMR Divisions will be fully considered when determining the allocation of successful candidates. As the Deputy will be aware the Policing Authority has responsibility for making appointments to the senior ranks of Superintendent, Chief Superintendent and Assistant Commissioner, having undertaken selection competitions.

## **Liquor Licensing Laws**

230. **Deputy Mick Wallace** asked the Minister for Justice and Equality if his Department has been contacted by officials of the Revenue Commissioners regarding concerns related to the implementation of liquor licensing regulations in each of the years from 2010 to 2017 and to date in 2018; and if he will make a statement on the matter. [8204/18]

231. **Deputy Mick Wallace** asked the Minister for Justice and Equality the number of times An Garda Síochána have been contacted by officials of the Revenue Commissioners regarding concerns related to the implementation of liquor licensing regulations in each of the years 2010 to 2017 and to date in 2018. [8205/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I propose to take Questions Nos. 230 and 231 together.

I can advise the Deputy that this request for information is currently being examined by my Department with a view to identifying any relevant records. I have also requested a report from the Garda authorities in relation to the matter.

I will contact the Deputy directly when all the material is to hand.

## **Probate Applications**

232. **Deputy James Lawless** asked the Minister for Justice and Equality if there are delays in the waiting times for the grant of probate applications; the status of a grant of probate application by a person (details supplied); and if he will make a statement on the matter. [8212/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Probate Office is an office of the High Court and management of the courts is the responsibility of the Courts Service, which is independent in exercising its functions under the Courts Service Act 1998.

However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that waiting times in the Probate Office for a Grant of Probate are currently 16 weeks for applications made by solicitors on behalf of clients and approximately 40 weeks for personal applications.

As the Deputy is aware, all applications are assessed on the basis of the date on which they are lodged, an approach which provides fairness and equity to all applicants. Priority is given to probate applications where there is a particular urgency or in extenuating circumstances. In such cases, it is open to applicants to bring the matter to the attention of the Probate Office.

As the Deputy will appreciate all applications for Grants in deceased persons' estates are made on foot of a number of mandatory legal documents which must be furnished by the applicants. These require detailed checking by the Probate Office to ensure that the estate of the deceased person is administered correctly and in accordance with the law. Where a person opts to apply for a Grant personally, without the assistance of a solicitor, the process requires significant extra support from the Probate Office.

The Courts Service has advised that it is aware of the lengthy waiting times for probate applications, particularly personal applications, to the Probate Office and is working to improve the situation. Additional resources have been provided to the Probate Office to address the current delays. The Courts Service has also advised that it is currently finalising a full review of the probate system and it is anticipated that a report with recommendations for the modernisation

of the process will now be presented early this year.

The Courts Service has also informed me that enquiries cannot be made into the status of a grant of probate application as sought by the Deputy without the date of death of the deceased person in question and an indication of on whose behalf the information is being sought in order to adhere to data protection requirements.

### **Prison Building Programme**

233. **Deputy Clare Daly** asked the Minister for Justice and Equality further to Parliamentary Question Nos. 101 and 102 of 22 June 2017, if the information is now available; and if so, if same will be provided. [8238/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I can confirm to the Deputy that the information is at an advanced stage of being collated and will be provided as soon as possible.

### **Garda Stations**

234. **Deputy Billy Kelleher** asked the Minister for Justice and Equality the opening date for a new Garda station in an area (details supplied); the number of gardaí that will be stationed there; the opening hours of the station; and if he will make a statement on the matter. [8242/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate, the programme of replacement and refurbishment of Garda accommodation is progressed by the Garda authorities working in close cooperation with the Office of Public Works (OPW), which has the responsibility for the provision and maintenance of Garda accommodation and I, as Minister, have no direct role in the matter.

The Deputy will be aware that the development of a new Garda station for Glanmire is included in the Garda Station Building and Refurbishment Programme 2016-2021, which is an ambitious 5 year programme, based on agreed Garda priorities, designed to benefit over 30 locations.

I understand from the Garda authorities that the project is currently at tendering stage which is being managed by the OPW. I am informed that the OPW is not yet in a position to be definitive as to when the contract will be placed. It is anticipated, however, that construction works will take up to 9 months following the award of the contract.

As to the question of opening hours and assignment of personnel to the proposed station, the Deputy will appreciate that this is a matter for the Garda Commissioner to determine in due course having regard to available resources and operational needs as identified by local Garda management.

### **Naturalisation Applications**

235. **Deputy Richard Boyd Barrett** asked the Minister for Justice and Equality the reason it has taken in excess of four years to make a decision on the application of a person (details supplied) for naturalisation; and if he will make a statement on the matter. [8279/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the processing of the application for a certificate of naturalisation from the person referred to by the Deputy is ongoing and will be submitted to me for decision as expeditiously as possible.

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

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

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.

### **Refugee Data**

236. **Deputy John Lahart** asked the Minister for Justice and Equality the number of Syrian refugees who have arrived here in each of the years since 2011; and if he will make a statement on the matter. [8280/18]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** As the Deputy is aware, the Irish Refugee Protection Programme (IRPP) was established by Government Decision on 10 September 2015 in direct response to the humanitarian crisis that developed in Southern Europe as a consequence of mass migration from areas of conflict in the Middle East and Africa.

Under this programme, the Government has pledged to accept a total of 4,000 persons into the State. Of these, 2,622 were to be by means of the EU relocation mechanism established by two EU Council Decisions in 2015 to assist Italy and Greece. It should be noted that Ireland voluntarily opted into the two EU Council Decisions on Relocation (2015/1523) and (2015/1601), which provided for the relocation of 160,000 asylum seekers from Italy and Greece throughout the EU. However, this mechanism was unable to deliver the numbers allocated under the relevant Council Decisions as insufficient numbers of asylum seekers were registered in both Greece and Italy.

A further 1,040 persons were to come to Ireland under the UNHCR-led refugee resettlement programme, currently focussed on resettling refugees from Lebanon, and the balance through a variety of mechanisms.

The following table lists the number of Syrian refugees who were brought to Ireland under the UNHCR-led refugee resettlement programme from the Lebanon in each year since 2011. It should be noted that 2011 pre-dates the establishment of the IRPP. These persons were granted refugee status before their arrival in Ireland. Hundreds more are also scheduled to arrive in 2018 under this mechanism.

Year	Number
2011	0
2012	0
2013	0
2014	89
2015	149
2016	335
2017	261
2018	0
Total	834

The following table lists persons who applied for Asylum/International Protection in Ireland, giving Syria as their country of origin. Since 2016, the majority of these have been relocated to Ireland from Greece under the EU relocation programme.

Year	Total Number of applications to IPO	Number of Syrians admitted to the State under EU Council Decisions 2015/1523 and 2015/1601
2011	9	0
2012	15	0
2013	38	0
2014	25	0
2015	74	0
2016	244	190
2017	545	502
2018*	56	55
Total*	1,006*	747*

\* Figure as of 11 February 2018.

Approximately two hundred more asylum seekers will arrive from Greece under the relocation mechanism in the coming weeks and months.

In order to fill the shortfall left by the lower than anticipated numbers arriving under the relocation mechanism, I intend that Ireland will use the long established programme refugee mechanism in partnership with UNHCR, and I have already made additional pledges to that effect, as well as the new Family Reunification Humanitarian Admission Programme (FRHAP), in order to ensure that Ireland delivers on its commitment to accept 4,000 persons.

### Garda Deployment

237. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality the number of community gardaí in Ballymun station in each of the years 2008 to 2018, inclusive; and if the number will be increased to deal with the increased level of gun crime in the area. [8289/18]

**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 advised that local Garda management are making every effort to deal with problems arising in the Ballymun area and that a number of measures have been put in place, including additional high-visibility patrols, support from the public order unit and operations by the local drug unit and these will continue into the future.

I am informed by the Commissioner that the strength of Ballymun Garda Station on 31 December 2017, the latest date for which information is readily available, was 113 of which 8 are designated as Community Garda. There are also 7 Garda Reserves and 8 Garda civilian staff attached to the Ballymun Garda Station. When appropriate, the work of local Gardaí is supported by a number of Garda national units such as the National Bureau of Criminal Investigation, the Armed Support Units, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau.

In addition, at the request of the Commissioner in 2016, the Government moved decisively to strengthen Garda resources to deal with gang-related crime in the Dublin area. Funding was approved for the establishment of a dedicated Armed Support Unit (ASU) for the DMR in order to enhance armed support capability in Dublin and to free up the resources of the Emergency Response Unit. Following a selection and training process, the ASU for the DMR became fully operational in December 2016 and is providing armed cover in the DMR on a 24 hour basis. Members of the ASU are highly trained and equipped with a variety of non-lethal and lethal weapons and perform high visibility armed checkpoints and patrols throughout the DMR Divisions including the DMR North.

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 29 have been assigned to Ballymun Garda Station. I am pleased to say that Garda numbers, taking account of retirements, increased to 13,551 at the end of 2017 - a net increase of over 600 since the end of 2016.

I am also pleased that funding is in place to maintain this high level of investment in the Garda workforce to ensure that the vision of an overall workforce of 21,000 by 2021 remains on track. This year a further 800 new Garda Recruits will enter the Garda College. Also 800 Garda trainees are scheduled to attest during the year which will see Garda numbers, taking account of projected retirements, reach 14,000 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 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 relation to the number of “Community Gardaí “ it is important to recognise that community policing is not a specialist role in An Garda Síochána; rather it is the case that all Gardaí have a role to play in community policing in carrying out their duties. The official categorisation as a “Community Garda” simply refers to those who are exclusively assigned to building relationships with local communities including through the giving of talks to schools, community groups and others. It is a matter for the Divisional Chief Superintendent to determine the optimum distribution of duties among the personnel available to him or her having regard to the profile of the area and its specific needs.

I am assured by the Commissioner that the Garda National Model of Community Policing plays a key part in responding to crime by taking into account and responding to local conditions and needs. Overall the Model advocates a partnership based, pro-active, community-orientated style of policing. It is focused on crime prevention, problem-solving and law enforcement, with a view to building trust and enhancing the quality of life of the entire community. Clear objectives are set, such as high visibility in the community, ease of contact by members of the public, and enhanced support for crime prevention strategies.

As part of the Community Policing Model An Garda Síochána work in partnership with local communities, to prevent and deter crime through initiatives such as Neighbourhood Watch, Community Alert, Text Alert and the Garda Schools Programme as well as through more formal structures such as Joint Policing Committees.

The Community Policing Model also places a strong emphasis on Crime Prevention and within each Garda Division, where there are specialist Crime Prevention Officers (CPOs), who are trained to encourage, promote and advise on crime prevention within communities.

In addition, the National Community Policing Office, attached to the Garda Community Engagement Bureau, captures best practice in community policing initiatives and disseminates these practices through its communication network.

I have previously stated that I welcome the strong emphasis that the Commissioner’s Modernisation and Renewal Programme 2016-2021 places on developing and supporting the community policing ethos of the organisation and enhancing the current delivery model so that Gardaí spend more time in the community, gaining public confidence and trust and providing a greater sense of security. It will result in the introduction of multi-skilled Community Policing Teams in every District. In terms of progress on this important initiative, I am informed that a draft Community Policing Framework which outlines the manner in which Community Policing Teams will be established has been completed and is subject to internal review before being approved by the Garda Executive for implementation.

For the Deputy’s information, I have provided in tabular form, in the following document, the total strength and Community Gardaí strength of Ballymun Garda Station as of 31 December 2008 to 31 December 2017 the latest date for which figures are readily available, as provided by the Commissioner.

Ballymun Garda Station			
	Community Gardaí	Gardaí	Total
2008	10	102	112
2009	10	120	130
2010	15	113	128
2011	15	98	113
2012	12	106	118

Ballymun Garda Station			
2013	10	108	118
2014	8	106	114
2015	6	118	124
2016	6	111	117
2017	8	105	113

### Commissions of Investigation

238. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality when he plans to begin the process of a commission of investigation to examine the handling of the investigation of a person (details supplied). [8319/18]

253. **Deputy Micheál Martin** asked the Minister for Justice and Equality the status of the establishment a commission of inquiry into the allegations against a person (details supplied); and if he will make a statement on the matter. [8747/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I propose to take Questions Nos. 238 and 253 together.

The Government is committed to establishing the facts in this case and accordingly decided in May 2017 to establish a Commission of Investigation. The advice of the then Attorney General was that there would be severe delays if the Commission were to be established at that time while legal matters were outstanding, including ongoing investigations into further offences, and a concern that evidence, adduced at a Commission or required to be disclosed to potential witnesses under the Commissions of Investigation Act 2004 may impact upon future prosecutions. This decision was communicated directly to the lawyers for victims involved at the time.

I am advised that the criminal investigations have resulted in the Director of Public Prosecutions bringing 99 further charges against Bill Kenneally. The DPP, of course, operates independently of Government.

I am anxious to establish the Commission and in this regard I have had discussions with the Attorney General while my officials are working intensively with their counterparts in the AG's office to find a clear, workable solution which will allow for the formal establishment of a Commission of Investigation in a way which does not impact upon any current or future criminal prosecutions.

This is a high priority for me and I am acutely aware of the pain and suffering that has been endured by the victims. Once a clear, workable, legally sound path to the establishment of the Commission is agreed with the Attorney General's Office, I will meet with the victims at the earliest possible opportunity to brief them on the new proposals.

### Leave to Remain

239. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if consideration will be given to an application for stamp 4 leave to remain in the case of a person (details supplied); and if he will make a statement on the matter. [8382/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I would refer the Deputy to my response to his Parliamentary Question No. 214 on 14 December 2017. I am advised by

the Irish Naturalisation and Immigration Service (INIS) of my Department that the situation remains unchanged.

INIS has received a request for permission to remain in the State by the person concerned. However, this case is among a number of cases which are currently being held by my Department pending the outcome of the appeal to the Supreme Court of the Court of Appeal judgment in *Luximon v. Minister for Justice and Equality* which was heard in the Supreme Court on 30 November 2017. A decision will issue in this case when the matters before the Courts have been finalised.

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

### **Garda Civilian Staff**

240. **Deputy Clare Daly** asked the Minister for Justice and Equality his views on the delays being experienced by persons who have been offered positions as clerical workers in An Garda Síochána (details supplied); and if he will make a statement on the matter. [8387/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As provided for in the Garda Síochána Act 2005, the civilian staff of An Garda Síochána are Civil Servants of the State and the Garda Commissioner is the Appropriate Authority (within the meaning of the Civil Service Commissioners Act 1956 and the Civil Service Regulation Acts 1956 to 1996) for these staff.

As the Deputy will appreciate, given the nature of the functions of An Garda Síochána, it is necessary for checks secondary and in addition to vetting to be carried out on persons considered for employment in An Garda Síochána.

These checks can take time to complete for a variety of reasons depending on the individual case. However every effort is made to expedite this process to the greatest extent possible and to ensure that there is no undue delay arising.

### **Garda Civilian Staff**

241. **Deputy Michael McGrath** asked the Minister for Justice and Equality the plans of An Garda Síochána in regard to the 1,500 posts identified for civilianisation by the Policing Authority; and if he will make a statement on the matter. [8388/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Government approved an ambitious combined five-year reform and high level workforce plan for An Garda Síochána in July 2016. The plan which is underway through the vehicle of the Garda Commissioner's Modernisation and Renewal Programme 2016-2021 includes a commitment to achieving a medium term target of 20% civilians by 2021, in effect a doubling of civilian staff to 4,000 over the term of the programme. This is to be achieved through twin policies of "civilian by default" and redeployment. "Civilian by default" refers to the filling of new posts other than operational policing posts and non-operational policing posts that become vacant by civilian

staff unless policing expertise is required.

In relation to the redeployment policy this is informed by Garda Inspectorate's "Changing Policing in Ireland" report which estimated that approximately 1,500 Gardaí may be suitable for re-deployment. The Government's plan aims to return as many of these Gardaí as possible to front-line duties over the next five years.

An Garda Síochána is currently working on the development of a redeployment plan in respect of the 1,500 target and has identified a target of approximately 160 for redeployment in the first part of 2018. However, in relation to redeploying Gardaí, I would emphasise that this is not something that can be done overnight. It is important that this is done fairly and that it takes account of individual circumstances including the length of time that a Garda has been away from the front-line and the reasons behind it. Some Gardaí may, for example, be on light duties following an injury in the course of their work while others may have been assigned to administrative duties early in their policing careers and may need refresher training to support their transition to front-line duties. Garda management is working to develop a model that will take account of these issues.

It is important that these issues are bottomed out at this stage as this will, I believe, facilitate more Gardaí being deployed to frontline policing duties in the medium to longer term. It will be a major change for the organisation and it is important that it is well-managed so that members and civilian staff embrace it rather than resist it. This will assist in ensuring the development of a culture of sworn members and civilians working together seamlessly each making a valuable contribution to the delivery of effective policing services.

I will be meeting the Garda Commissioner in the coming days with regard to progress on the reform plan and I will be stressing the importance of, and the need to accelerate, civilianisation including redeployment during 2018.

Civilianisation including redeployment will not happen overnight but as I have made clear, the implementation of the ambitious reform programme, including civilianisation, must continue and, indeed, must move at a greater pace, to ensure the best possible policing services to the people of Ireland.

### **Family Law Cases**

242. **Deputy Anne Rabbitte** asked the Minister for Justice and Equality when a case (details supplied) will be heard; and the protocol and timeframe for hearing ceases in which family disputes and welfare issues are raised. [8427/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will be aware, under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service, which is independent in exercising its functions. Furthermore, the scheduling of court cases and the allocation of court business are matters for the Presidents of the Courts and the presiding judges who are, under the Constitution, independent in the exercise of their judicial functions.

However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has advised that it would not be appropriate to comment in relation to an individual case before the Courts. The Courts Service has informed me that the Presidents of the Courts monitor waiting times and workload across all court lists and seek to ensure the optimum use of court time and judicial resources. Wherever possible, the Presidents target additional judicial resources at the areas of greatest need.

In terms of timeframes generally, domestic violence applications are prioritised in all District Courts throughout the country. Applications such as Protection Orders are prioritised in the District Court and are usually granted where the Court so decides on the date the application is made to the Court. Typically interim barring orders, which are also an emergency application, are also made ex parte and granted on the date of application. There are, therefore, no delays in dealing with such applications. Applications for Barring Orders are prioritised within court lists and a decision is generally made on such applications on the first listing date. Where adjournments occur they are generally granted at the request of one or both parties.

The Courts Service has advised that delays in the hearing of cases can arise from a number of factors, some of which can be outside the control of the courts and the Courts Service, for example, the unavailability of a witness or vital evidence, delays in the furnishing of reports or because the parties and/or legal practitioners are not ready to proceed on allocated dates. This gives rise to adjournments which can have an impact on the time taken to complete the hearing of a case and on the number of cases which can be disposed of in a court sitting. Most adjournments are sought by parties to a case.

The Government is committed to significant reform of the courts, including the establishment of a family law court structure that is streamlined, more efficient, and less costly. My Department is currently working on the General Scheme of a Family Court Bill which will aim to streamline family law court processes, clarify jurisdictional issues and provide for a set of guiding principles to help ensure that the Family Court will operate in a user-friendly and efficient manner. The intention is to establish a dedicated Family Court within the existing court structures. The Family Court Bill will support the provisions in the Mediation Act 2017 by encouraging greater use of alternative dispute resolution to assist in more timely resolution of family law cases.

### **Commencement of Legislation**

243. **Deputy Michael McGrath** asked the Minister for Justice and Equality when the commencement order for all Parts, except Part 4, of the Civil Liability (Amendment) Act 2017 will be signed (details supplied); and if he will make a statement on the matter. [8485/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The position is that, following the making of necessary Rules of Court, I expect to be in a position to commence all Parts, except Part 4, of the Civil Liability (Amendment) Act 2017 in the coming weeks. Part 4 of the Act, which deals with the issue of open disclosure of patient safety incidents, will be the subject of a separate commencement order by the Minister for Health.

### **Statutory Instruments**

244. **Deputy Michael McGrath** asked the Minister for Justice and Equality when a statutory instrument that would provide for a pre-action protocol under the Legal Services Regulation Act 2015 will be signed; and if he will make a statement on the matter. [8486/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will be aware, under Part 15 of the Legal Services Regulation Act 2015, provision is made for the issue of regulations for the use of pre-action protocols in clinical negligence actions. It also provides that I, as Minister, shall consult with a number of relevant stakeholders prior to the making of such regulations specifying the terms of the proposed pre-action protocol.

As part of that exercise, my Department circulated a Draft Protocol along with the relevant provisions of the 2015 Act to 34 stakeholders under the terms of the 2015 Act in September 2017. A total of 20 responses have been received, one within the past week.

Based on my Department's detailed consideration of those responses received, including in conjunction with the Office of the Attorney General, a revised version of the initial Draft Protocol is being finalised. On that basis, I would expect the commencement of Part 15 of the 2015 Act and the issue of the relevant regulations for a pre-action protocol being made under it to be completed during the period of April-May this year.

### **Legislative Programme**

245. **Deputy Michael McGrath** asked the Minister for Justice and Equality when the Garda Síochána (compensation) Bill will be published and passed; and if he will make a statement on the matter. [8487/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Deputy will be aware that the proposed Garda Síochána (Compensation) Bill will repeal and replace the Garda Síochána (Compensation) Acts 1941 and 1945, which provide for a scheme of compensation in relation to members of An Garda Síochána who are maliciously injured in relation to the performance of their duties as such members.

I wish to inform the Deputy that, on 9 May 2017, the Government approved the drafting of the proposed legislation based on the General Scheme of the Bill which is available on my Department's website ([www.justice.ie](http://www.justice.ie)).

The Scheme is currently with the Office of Parliamentary Counsel for drafting of the relevant legislation.

### **Ministerial Functions**

246. **Deputy Michael McGrath** asked the Minister for Justice and Equality if he is empowered under the Civil Liability and Courts Act 2004 to set a rate of return or to set a methodology to define a rate of return in respect of claims made against the State; if so, when a rate of return under the Act will be enabled; and if he will make a statement on the matter. [8488/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The position is that Section 24(1) of the Civil Liability and Courts Act 2004 gives the Minister for Justice and Equality the power to prescribe by regulation "the discount rate that shall apply for the purposes of the assessment of damages in respect of future financial loss". To date the power has not been exercised by a Minister. Instead the rate has been set at the discretion of the Courts. The Deputy will be aware that Section 24(3) of the 2004 Act also stipulates, in any event, that a court may apply a discount rate other than the rate prescribed under subsection (1) if it considers that the application of the rate prescribed would result in injustice being done.

The discount rate represents the average 'real rate of return' that a 'prudent investor' could achieve on an award. The size of the award is 'discounted' by the percentage return that the plaintiff can expect to make by investing the award.

In the case of *Gill Russell v HSE*, the Court of Appeal upheld the determination of the High Court that the discount rate of 3% then being applied by the courts to personal injury lump sum awards was too high for cases involving significant long-term care needs and instead set the

rate at 1% for future care costs (to take account of the likelihood that care costs would be higher than inflation) and at 1.5% for other future pecuniary losses (to include future loss of earnings).

My Department has already commenced examination of this issue in consultation with the Department of Finance and the State Claims Agency, taking into account the judgments in the case of Gill Russell v HSE, and the recent discount rate changes in England and Wales.

Officials have engaged with counterparts from HM Treasury to discuss their experiences of reviewing and setting the discount rate in the UK. The State Claims Agency has also carried out some analysis on this subject. A key outcome of this process will be whether regulations should be brought forward to set the discount rate and if so at what rate should they be set.

I do not, on the basis of the decision in the Gill Russell case, propose to introduce regulations to set the discount rate at this stage. However, in conjunction with the Department of Finance and the State Claims Agency, I shall be reviewing legislative developments in the UK on this issue and will give consideration to their applicability or otherwise in an Irish context.

### **Garda Deployment**

247. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality the number of gardaí of each rank attached to Sundrive and Terenure Garda stations for each of the past ten years. [8579/18]

248. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality the number of probationary and newly-commissioned gardaí that have been stationed at Sundrive and Terenure Garda stations in the past four years. [8580/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I propose to take Questions Nos. 247 and 248 together.

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.

The Deputy will be aware that Sundrive Road and Terenure Garda Stations are located in the Dublin Metropolitan Region (DMR) South Division. I am informed by the Commissioner that the strength of the DMR South Division on 31 December 2017 was 532. There are also 20 Garda Reserves and 36 Garda civilian staff attached to the DMR South Division. When appropriate, the work of local Gardaí is supported by a number of Garda national units such as the Armed Support Units, National Bureau of Criminal Investigation, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau.

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 118 have been assigned to the DMR South Division with 16 and 14 assigned to Sundrive Road and Terenure Garda Stations respectively. I am pleased to say that Garda numbers, taking account of retirements, increased to 13,551 at the end of 2017 - a net increase of over 600 since the end of 2016.

I am also pleased that funding is in place to maintain this high level of investment in the Garda workforce to ensure that the vision of an overall workforce of 21,000 by 2021 remains on track. This year a further 800 new Garda Recruits will enter the Garda College. Also 800 Garda trainees are scheduled to attest during the year which will see Garda numbers, taking account of projected retirements, reach 14,000 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 in 2018.

In so far as the allocation of newly attested Gardaí is concerned, this is a matter for the 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 classroom 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.

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 DMR South Division.

For the Deputy's information I have set out in tabular form the strength by rank of Terenure and Sundrive Road Garda stations as provided by the Commissioner, in each of the years 2007-2017.

TERENURE GARDA STATION STRENGTH 2007-2017					
-	SUPT	INSP	SGT	GDA	TOTAL
2017	1	3	5	68	77
2016	1	3	13	62	79
2015	1	3	12	70	86
2014	-	3	14	74	91
2013	1	3	14	78	96
2012	1	3	15	79	98
2011	1	5	15	78	99
2010	1	6	16	82	105
2009	1	5	14	86	106
2008	1	6	16	85	108
2007	1	6	18	76	101

  

SUNDRIVE ROAD STRENGTH 2007-2017			
-	SGT	GDA	Total

SUNDRIVE ROAD STRENGTH 2007-2017			
2017	5	54	59
2016	8	54	62
2015	7	57	64
2014	8	54	62
2013	9	57	66
2012	10	57	67
2011	11	60	71
2010	11	66	77
2009	9	70	79
2008	11	70	81
2007	11	67	78

### Court Judgments

249. **Deputy Noel Grealish** asked the Minister for Justice and Equality the number of cases of compensation for personal injury that have been struck out of court in the past five years due to the case being deemed fraudulent; the number of these cases subsequently referred to An Garda Síochána for investigation; the number of persons convicted of insurance fraud in each of the past five years; and if he will make a statement on the matter. [8610/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy is aware, under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service, which is independent in exercising its functions, which include the provision of information on the courts system.

However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that statistics are not compiled in such a way as to provide the information requested by the Deputy. I have requested the Courts Service to examine the requirements, including system development and resource issues, needed to enable the compiling of such statistics going forward.

The Deputy will also wish to be aware that the issue of fraud in the personal injuries litigation area is being examined as part of the ongoing work of the Cost of Insurance Working Group, which is chaired by my colleague Minister of State Michael D'Arcy. In January 2018, the Working Group produced its Report on the Cost of Employer and Public Liability Insurance which includes a number of specific recommendations in relation to insurance fraud in the personal injuries area including the production of statistics on complaints, investigations, prosecutions and convictions.

### Employment Rights

250. **Deputy Fergus O'Dowd** asked the Minister for Justice and Equality if a reply will issue to correspondence from a person (details supplied) in relation to the right of asylum seekers to work; and if he will make a statement on the matter. [8624/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Government had two options to respond to the Supreme Court Judgment which acknowledges that a constitutional right to seek employment exists where no temporal limit is set for the processing of protection

applications. It could have responded narrowly to this judgment by setting a temporal limit. Instead it decided to opt-in to the EU (recast) Reception Conditions Directive bringing Ireland into line with our EU partners and place the entire system on a legislative basis, which will be subject to EU oversight. This is a significant and important reform, not only in addressing the issue of labour market access but also extending to children's rights, rights for unaccompanied minors, vulnerable people, new appeals processes, healthcare and education provision.

During the course of the debate in the Joint Oireachtas Committee on Justice & Equality, and in both the Seanad and the Dáil, I outlined the proposal and rationale for opting into the EU (recast) Reception Conditions Directive under the terms of Protocol 21, annexed to the EU Treaties. I also outlined the compliance process involved with the EU Commission which they require, and which will take four months to complete.

Because of this timeframe, it was necessary to address the situation that will exist from the 9th February until the opt-in process is completed. During this interim period, those seeking international protection will have access to the labour market through the existing employment permit regime in the same manner as other Third Country nationals. In addition to accessing the employment permits regime, the Government decided to offer early certainty to those seeking self-employment from February 9th and prior to any confirmation of our opt-in. In this regard, I used my executive power to provide an additional access for qualified applicants to engage in self-employment on terms that can be mirrored in a permanent scheme once the process of compliance with the Directive is completed with the EU Commission.

I am satisfied that the interim arrangements, which removed the temporal limit of access to the workplace, is in keeping with the decision of the Supreme Court. My colleague the Minister for Business, Enterprise and Innovation has responsibility for the employment permits regime including the criteria, terms and applicable fees. I understand that generally, any fees accompanying such access are usually paid by the employer.

I would stress that the interim scheme is designed to be of very short duration until the opt-in process is completed. Once this happens, access to the labour market will be underpinned by EU law. I expect that this permanent scheme will provide for a broader access to the labour market for qualified applicants – the details of which will be worked out and announced in the coming months taking all factors into account.

I am confident that this progressive approach by Government, which for the first time will see many elements of our protection process subject to EU law and verification by the EU Commission, will be a further major effective and reforming step as we seek to improve the standards of our reception conditions for those seeking international protection in Ireland.

### **Property Registration**

251. **Deputy Seán Haughey** asked the Minister for Justice and Equality if he has received representations to facilitate infrastructure projects such as aviation fuel pipelines by changing property ownership legislation relating to cases in which some property owners have their lands registered to the centre of the road; his plans to amend existing legislation in this context; and if he will make a statement on the matter. [8639/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I note that the question raised by the Deputy relates to policy issues regarding property registration and as such responsibility for this matter does not fall under the aegis of my Department. Legislation regarding the registration of property is governed by the Registration of Title Act 1964 and the Registration

of Deeds and Title Act 2006.

Policy and legislative responsibility in relation to property registration, including responsibility for the Property Registration Authority, was transferred to the Minister for Housing, Planning and Local Government under Statutory Instrument No. 574 of 2017 – the Property Registration Authority (Transfer of Departmental Administration and Ministerial Functions) Order, 2017 with effect from 1 January 2018. Accordingly, the issues raised in the Deputy's Question are a matter for the Minister for Housing, Planning and Local Government.

### **Departmental Properties**

252. **Deputy Róisín Shortall** asked the Minister for Justice and Equality the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of or part ownership of or under the control of both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant; and if he will make a statement on the matter. [8669/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I wish to advise the Deputy that the majority of properties occupied by my Department and its agencies are owned or leased on its behalf by the Office of Public Works (OPW).

I can confirm that my Department has no vacant habitable or derelict dwelling units in its ownership. Details in respect of agencies under my remit have been requested and will be forwarded to the Deputy as soon as possible.

*Question No. 253 answered with Question No. 238.*

### **Garda Deployment**

254. **Deputy Micheál Martin** asked the Minister for Justice and Equality the number of Garda inspectors in Cork city and county; the vacancies in this regard; and if he will make a statement on the matter. [8748/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate, the Garda Commissioner 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. Where a deficiency in resources is identified the matter is considered fully and addressed accordingly.

Appointments to the rank of Inspector are a matter for the Garda Commissioner under section 14 of Garda Síochána Act 2005.

I am advised by the Commissioner that the overall strength of the Inspector rank was 270 as of 31 December 2017, the latest date for which figures are available. I am further advised by the Commissioner that there is currently a competition in train for promotion to the rank of Inspector with the aim of bringing the strength to 300 as agreed under the Employment Control

Framework. I am assured by the Commissioner that following completion of this competition the needs of all Garda Divisions including the Cork Divisions will be fully considered when determining the allocation of Garda Inspectors.

### **Garda Station Closures**

255. **Deputy Micheál Martin** asked the Minister for Justice and Equality to outline the status of the review of reopening Garda stations; and if he will make a statement on the matter. [8749/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Deputy will appreciate that the Garda Commissioner is primarily responsible for the effective and efficient use of the resources available to An Garda Síochána, including responsibility for the formulation of proposals in relation to the opening and closing of Garda stations. As Minister, I have no direct role in the matter.

As the Deputy will be aware, the Programme for a Partnership Government commits to a pilot scheme to reopen 6 Garda stations, both urban and rural, to determine possible positive impacts that such openings will have on criminal activity, with special emphasis on burglaries, theft and public order.

The Government noted the Garda Commissioner's final report, which was published on 19 December 2017 and is available on my Departments website at [www.justice.ie](http://www.justice.ie). The report contains a recommendation that the six Garda stations to be included in the pilot comprise Rush, Co. Dublin, Ballinspittle, Co. Cork, Bawnboy, Co. Cavan, Leighlinbridge, Co. Carlow, Donard, Co. Wicklow, and Stepaside, Co. Dublin.

I understand that the Commissioner has written to the Office of Public Works to progress the matter. Once the specification has been agreed, the works will go to tender and will commence when the procurement process has been finalised.

### **Departmental Reform**

256. **Deputy Micheál Martin** asked the Minister for Justice and Equality if he and his officials have met the overseeing reform group that was appointed to oversee the implementation of the Toland report; if regular meetings will be held; if a process has been agreed; and if he will make a statement on the matter. [8751/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** Both the acting Secretary General of my Department and I have met with the Chair of the Change Implementation Group. In line with its terms of reference, the Group will assess progress in implementing the recommendations of the Toland Report as well as review the culture of the Department and examine the relationship between the Department and An Garda Síochána. I expect that there will be regular meetings throughout this process.

The Group is asked to provide progress reports to the Government and the Oireachtas and the first of these is due at the end of June, with quarterly reports thereafter. I, as Minister for Justice and Equality, will then review arrangements and provide a progress report and recommendations for any further action in the first quarter of 2019.

## Garda Vetting of Personnel

257. **Deputy Willie O’Dea** asked the Minister for Justice and Equality if his attention has been drawn to the fact that a number of programmes that involve giving assistance to vulnerable young persons and special needs children on an occasional basis have been discontinued due to the host organisations wrongly interpreting the Children and Vulnerable Persons Act 2016; the action he will take to clarify the situation to enable these interactions to resume; and if he will make a statement on the matter. [8780/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** Employment vetting is carried out by An Garda Síochána primarily in accordance with the provisions of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016. The Deputy will understand that the primary purpose of the employment vetting carried out by the Garda National Vetting Bureau is to seek to ensure the safety of children and vulnerable adults.

In accordance with the legislation, registered organisations must obtain vetting for all persons seeking employment and volunteers, where the relevant work or activities of the position sought involves regular access to children or vulnerable adults. The requirements in this regard are set out in the legislation.

The Deputy will appreciate that it is of course a matter for individual organisations to ensure their compliance with the Act.

## Immigration Data

258. **Deputy Clare Daly** asked the Minister for Justice and Equality further to Parliamentary Question Nos. 122, 124, 125 and 127 of 7 December 2017, if the information requested will be provided. [8787/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** In the Parliamentary Questions referred to, the Deputy sought information regarding Operation Gull dating back to 2008, as well as statistics relating to detentions, refusals of leave to land, and deportations.

In my original responses, I committed to exploring this matter further, and to getting in touch with you again.

It remains the case that An Garda Síochána have advised that gathering much of the data you have requested would require the expenditure of a disproportionate and inordinate amount of Garda resources and time. However, it has been possible to collate the following data relating to the top 10 nationalities refused permission to enter the State and the numbers for each of those 10 nationalities, overall numbers deported and the numbers transferred to another Member State under the Dublin Regulations.

Persons Refused Leave to Land (RLTL) for the years 2015, 2016 & up to 1st September 2017.

Ref No.	Nationality	2015	2016	1st Sep-17	Total
1	Brazilian	360	509	280	1149
2	Albanian	336	429	247	1012
3	South African	293	302	146	741
4	Pakistani	217	176	76	469

Ref No.	Nationality	2015	2016	1st Sep-17	Total
5	Chinese	180	109	48	337
6	American	176	257	129	562
7	Nigerian	159	118	52	329
8	Afghan	143	175	68	386
9	Malawian	134	17	4	155
10	Unknown**	127	127	98	352
Totals	-	2125	2219	1148	5492

\*\* Persons who were Refused leave to land, but confirmation of the country of origin could not be established.

Deportation & Transfer Orders successfully executed for the years 2015, 2016 & up to 1st September 2017

Year	Deportations*	Transfers
2015	251	19
2016	428	42
2017	140	56

\* Figures for deportations include those who left of their own volition.

I have referred this follow-up response to An Garda Síochána so that any further information they may have relevant to these matters can be provided by direct reply.

### Equine Industry

259. **Deputy Clare Daly** asked the Minister for Business, Enterprise and Innovation if she will report on the large number of employment legislation contraventions in the equine sector arising from inspections by the Workplace Relations Commission in 2017; and if she will make a statement on the matter. [8461/18]

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** In 2017, the Workplace Relations Commission (WRC) initiated a compliance and enforcement campaign within the equine sector generally, including the horse racing industry.

Over the course of the year (Phase I) some 74 employers were identified and 73 inspections had been carried out for the purposes of checking compliance with, among other requirements, national minimum wage rates, employment permit obligations and working hours provisions including those relating to rest breaks, leave, public holiday and Sunday work entitlements.

During Phase 1 of the WRC campaign some 228 contraventions were detected. Of these:

- 29% related to work records,
- 25% related to a failure to grant Sunday, Public Holiday or Annual Leave entitlements,
- 16% related to terms of employment,
- contraventions of working hours, rest provisions and payslip provisions each accounted for 8%,
- 7% of contraventions involved a failure to pay National Minimum Wage rates or contracted amounts.

Some contraventions were also detected under Employment Permits and Protection of Young Persons legislation.

Just under half of the 74 cases opened under Phase I were completed before the end of 2017 and the associated 102 contraventions addressed. The remainder are in process.

Contraventions are initially drawn to the attention of employers by means of a Contravention Notice. Where the employer does not demonstrate compliance within the time limits imposed by the Inspector, and, depending on the legislation involved, the matter may be escalated in terms of the issue of Compliance or Fixed Payment Notices and/or the initiation of prosecution proceedings.

The WRC's activities in the equine sector also include an awareness and educational programme and engagement with stakeholders with the overall objective of achieving employment rights compliance. A Working Group, comprising the WRC, Horse Racing Ireland, Horse Sport Ireland and the Irish Thoroughbred Breeders Association, was established in October, 2017 on the recommendation of the WRC. This is with a view to collaborating and engaging with employers in the industry on measures to enhance compliance, including the production of a guide for equine employers on employment rights and obligations. The Group expects to launch this Guide before the end of March 2018.

The WRC is currently examining the outcomes from Phase I of its campaign. This examination will inform the scope and content of operations under Phase II which is expected to commence shortly.

### **National Minimum Wage**

260. **Deputy Clare Daly** asked the Minister for Business, Enterprise and Innovation if her attention has been drawn to the situation in the UK in which a national minimum wage compliance scheme has identified and secured payment of arrears of pay amounting to at least £400 million for underpayments of minimum wage to overnight workers in the social care sector; if the Labour Inspectorate here has identified a similar issue; if so, the level of underpayments of minimum wage identified in this sector in each of the years 2010 to 2017 and to date in 2018; and the arrangements that have been put in place to secure full redress for such underpayments on behalf of the employees affected. [8778/18]

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** The Deputy will appreciate that I am not in a position to comment on a national minimum wage compliance scheme operating in another jurisdiction.

I should point out that policy responsibility for the social care sector comes within the remit of the Minister for Health who, I understand, has previously commented on the particular issue of overnight workers in the social care sector. The Minister confirmed in the context of a parliamentary question in May 2017 that social care staff employed in the public health service are subject to the requirements of the European Working Time Directive as transposed into Irish law by the Organisation of Working Time Act 1997.

In 2014, the Labour Court issued a recommendation in 2014 that confirmed that time spent on sleepovers should be acknowledged as constituting working time and that staff should be paid at a rate that is equal to the national minimum hourly rate. It is my understanding that the Department of Health, the HSE, Social Care employers and unions are participating in a conciliation process on this issue which is independently chaired by the conciliation services of the Workplace Relations Commission (WRC).

The WRC comes within the remit of my Department and is responsible for compliance with employment rights legislation generally. Inspectors from the WRC routinely carry out inspections in all employment sectors, including the social care sector, with a view to checking for and enforcing employment rights compliance by employers.

The WRC carries out inspections of employer employment records:

- In response to complaints received of alleged non-compliance with relevant employment rights legislation;
- As part of compliance campaigns which focus on compliance in specific sectors or specific pieces of legislation, or
- As routine inspections, which act as a control measure.

The WRC's aim is to achieve voluntary compliance with employment law through the provision of education and awareness, inspection of employers' employment records and enforcement where necessary. While every effort is made to secure compliance, some employers either refuse or fail to rectify the breaches identified and/or pay money due to their employees. These cases are referred for prosecution.

The following is the outturn of inspections activities in the broader sector from 2014 to 2018. The figures for the sector were not captured separately prior to 2014.

#### Inspections in Health Nursing and Childcare Sector

	No. of Inspections	Unpaid Wages Recovered
2014	88	€32,250
2015	83	€67,043
2016	73	€156,071
2017	78	€200,198
2018	4	€0

### Workplace Relations Commission

261. **Deputy Clare Daly** asked the Minister for Business, Enterprise and Innovation her plans to enhance the ability of the Workplace Relations Commission's inspection services to proactively pursue widespread breaches of basic employment rights with particular reference to measures (details supplied). [8779/18]

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** I want to assure the deputy that my Department works in close co-operation with the Workplace Relations Commission (WRC) to ensure that the WRC has sufficient capacity and mechanisms available to it to assist in the effective enforcement of employment law.

This builds on the significant reform package put in place in the employment rights enforcement area that was voted through the Oireachtas in the Workplace Relations Act 2015.

I note that in 2017, the WRC was successful in recouping some €1.75m in underpaid wages for employees which is up 16% on the amount collected in the previous year. Also in 2017, the WRC issued 122 compliance notices requiring rectification of breaches detected under certain employment rights. This included, where appropriate, the payment of any unpaid or underpaid

annual leave/public holiday entitlements. In that context, I am satisfied that the current enforcement regime of employment rights legislation being pursued by the WRC is working well.

As the deputy will be aware, the WRC was established on 1 October 2015 under the Workplace Relations Act 2015. Inspectors of the WRC carry out inspections of employer records with a view to determining compliance with employment rights legislation. These inspections arise:

- in response to complaints received of alleged non-compliance with relevant employment rights legislation;
- as part of compliance campaigns which focus on compliance in specific sectors or specific pieces of legislation, or
- as routine inspections, which act as a control measure.

In the first instance the WRC makes every effort, through the conduct of information and awareness campaigns, to secure voluntary compliance with employment law. Where this constructive and proactive approach does not work and employers either refuse or fail to rectify the breaches identified and/or pay money due to their employees, the WRC will progress these cases through the prosecution route.

In relation to the specific issues raised, the deputy will be aware that the WRC is an independent, statutory body. Therefore, it conducts its functions independently, having regard to applicable law, as to how best to achieve effective compliance with employment rights legislation. This includes such remedial activities as the restitution of unpaid wages by non-compliant employers. Where an employer does not make good the wages owed the WRC initiates criminal proceedings in the District Court.

As regards workers' annual leave and public holiday entitlements, under Section 28 of the Workplace Relations Act 2015, WRC inspectors are empowered to issue a Compliance Notice to employers found in breach of annual leave/public holiday entitlements. The notice requests rectification of the breach or breaches detected including, where appropriate, the payment of any unpaid or underpaid annual leave/public holiday entitlements. I note that in 2017, of the 122 compliance notices issued by the WRC requiring rectification of breaches detected under certain employment rights, 105 related to matters pertaining to employee's entitlements under the Organisation of Working Time Act 1997.

On the issue of appropriate penalties under employment law, this is a matter for the Department of Employment Affairs and Social Protection which now has responsibility for employment rights legislation and policy, including the Minimum Wage Act.

Provisions in legislation governing employment permits serve to protect the employment rights of migrant workers as statutory employment rights and protections apply to migrant workers in exactly the same manner as they do to native Irish workers. On application by either employer or employee, the employment permit is granted to the employee; and the permit contains a statement of the entitlements of the migrant worker including their remuneration, and a summary of the principle employment rights of employees.

The WRC Inspectors' powers under the Employment Permits Acts are not considered to interfere with the effective discharge of their duties or prejudice in any way the authority and impartiality which are necessary for inspectors in their relations with employers and workers as set out in Article 3(2) of the Inspection Convention of the ILO.

## **Labour Activation Measures**

262. **Deputy James Lawless** asked the Minister for Business, Enterprise and Innovation the details of her Department's review into the work permit regime; when she expects this review to be completed; and if she will make a statement on the matter. [8241/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The State's economic migration policy is to promote the sourcing of labour and skills needs from within the workforce of the State and other EEA states. Where specific skills prove difficult to source within the State and EEA, an employment permit may be sought by an employer to hire a non-EEA national. As the State approaches full employment, labour as well as skills needs are beginning to manifest and as a consequence, consideration of the State's approach to the accessibility of the employment permit regime for lower skilled workers in certain sectors and occupations is appropriate.

Economic migration alone is not a sustainable long-term solution to skills and labour shortages and indeed can, in some circumstances, help to perpetuate those shortages in the economy. The development of particular skills in the resident labour force can depend upon a judicious deployment of economic migration as a supplementary rather than a primary source of those skills, and adjustments must be made with this in mind.

While there is some anecdotal evidence of a tightening labour market in some sectors, the fact remains that there are 238,000 on the live register, and with a potential pool of 18 million unemployed in the EU 28. Thus my Department needs to be prudent in considering whether to open up the labour market to unskilled non-EEA workers on wage levels at or just above the national minimum wage.

In this context, I have asked my officials to undertake a review of the economic migration policies which underpin the current employment permits system, to ensure it is fully supportive of Ireland's emerging labour market needs, be they skills or labour shortages in certain sectors.

An Inter-Departmental Group has been established to inform the review and it is made up of relevant State Departments, including Departments of Public Expenditure and Reform; Justice and Equality; Housing Planning and Local Government; Agriculture, Food and the Marine; Health; Transport, Tourism and Sport; Education and Skills; Employment Affairs and Social Protection. .

The review process will also include a public consultation, with feedback sought from relevant stakeholders and interest groups. The group met for the first time on 9 February last and I have asked that a report be submitted to me before the end of June.

## **Brexit Staff**

263. **Deputy Fergus O'Dowd** asked the Minister for Business, Enterprise and Innovation the number of information officers available in her Department to deal with Brexit queries from the general public and members of the Houses of the Oireachtas; if her Department will consider appointing such information officers (details supplied); and if she will make a statement on the matter. [8383/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** While my Department does not have designated information officers to deal specifically with Brexit queries, I am satisfied that there are existing supports available for dealing with queries

submitted from the general public and members of the Houses of the Oireachtas. In this regard, my Department is committed to maintaining and improving its commitment to, and delivery of, the highest standards of quality customer service across its full remit.

The Press Office deals with all queries from the media. This office also informs the public via the media and social media about all policies, functions and activities of the Department.

My Office and the Offices of the Ministers of State, act in a liaison capacity between sections within the Department, and with other Government Departments and relevant public bodies, to provide information to the general public and members of the Houses of the Oireachtas.

Individuals can also contact the Department about any of its activities at [info@dbei.gov.ie](mailto:info@dbei.gov.ie).

Given the wide mission my Department has, the UK's decision to leave the European Union continues to impact significantly on all Divisions across my Department as well as our family of Agencies. In this context, officers across all policy areas may deal with Brexit related queries depending on the nature of the query.

To coordinate and represent the Departmental and Agencies response to Brexit and to support me in my position at the Cabinet Committee dealing with Brexit, a dedicated Brexit Unit was established in my Department in 2016. This Unit is led at Assistant Secretary level within the EU Affairs and Trade Policy Division. The Assistant Secretary is supported by a staff complement of seven (one Principal Officer, three Assistant Principal Officers, two Higher Executive Officers and one Clerical Officer). The Unit also leads on engagement with a broad range of stakeholders to inform and validate our response to Brexit.

Staff expertise has also been drawn from across a number of different policy areas and they have been assigned to additional postings across the whole Department that have been most impacted by Brexit.

We are continually prioritising the Brexit challenges and will actively keep the staffing requirements under review through workforce planning. We will also continue to invest in our staff to ensure service delivery and quality customer services.

### **Job Losses**

264. **Deputy Brendan Smith** asked the Minister for Business, Enterprise and Innovation the actions taken by her and the State's industrial development agencies to prevent job losses at a manufacturing plant (details supplied); and if she will make a statement on the matter. [8565/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I am disappointed with the announced redundancies at the company. At a time when the country as a whole is moving towards full employment, that does not make it any easier for any person who finds themselves faced with redundancy. It also underlines that though the economy overall is performing well, there are challenges out there that require every company to make sure it is competitive and is capable of satisfying the needs of their customers.

According to the company, the objective of the announcement is to improve the overall competitiveness of the site and to future proof it so that it can continue to operate effectively in Monaghan.

The company envisages that post this process, the site will be better prepared to continue

to supply and sustain their commercial opportunities in the market place where they currently have a strong position. The formal consultation process began a month ago and is ongoing. The company envisages that the redundancies will be achieved on a voluntary basis.

I would strongly urge the parties to continue their extensive engagement locally with a view to reaching a resolution to the satisfaction of both employees and the company.

I will certainly work with my colleague, Minister for Employment and Social Protection, Regina Doherty, to ensure that redundant workers are given the support they need to find alternative employment. I would hope that alternative employment can be found quickly in the region. My own objective, as Minister for Business, Enterprise and Innovation and as a local representative, is to ensure that new job opportunities are created in the local area.

The national economic picture is strong and in fact the numbers on the live register in Monaghan are down by 15% in the last year alone. But I am very conscious that more needs to be done. I will be working, together with my Department and agencies to ensure there is an even greater focus on the border and in particular on counties like Monaghan and Cavan.

The North-East/North-West Regional Action Plan for Jobs is the key policy response for supporting employment growth in the region. The core objective of the Plan is to have a further 28,000 at work in the region by 2020. Importantly, the Plan has been embraced by public and private sector bodies in the region and over 90% of the Plan's actions are on track to be delivered. In terms of impact, more than 12,000 more people are in employment in the Border region since the Plan commenced.

### **Workplace Relations Commission**

265. **Deputy Róisín Shortall** asked the Minister for Business, Enterprise and Innovation the number of legacy adjudication complaints initially submitted to the Rights Commissioner Service of the Labour Relations Commission and the Equality Tribunal which were to receive a hearing by the adjudication service of the Workplace Relations Commission as of 31 December 2017; and the equivalent figures for 31 December in each of the years 2014 to 2016. [8593/18]

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** The establishment of the Workplace Relations Commission (WRC) created a more streamlined structure for the submission of employment rights and equality complaints. All first instance complaints are now submitted to the WRC, whereas before they could be submitted to the Rights Commissioner Service in the Labour Relations Commission (LRC), the Equality Tribunal, or the Employment Appeals Tribunal.

On establishment of the WRC on 1 October 2015, it assumed responsibility for some 3,965 combined legacy complaints of the Equality Tribunal and the Rights Commissioners. Currently, 3,670 or 93% of the legacy caseload that the WRC assumed have been dealt with.

At the end of 2014, the Equality Tribunal had 1,426 complaints on hand. A corresponding figure is not available for Rights Commissioner cases although the service received 9,800 complaints that year. By the end of 2016, the legacy caseload was reduced by 60% to 1,628.

At year end 2017, the legacy caseload of 3,965 complaints assumed by the WRC in October 2015 has reduced to just 295.

Of the outstanding 295 cases, legacy complaints from the Rights Commissioner service totals just five cases which cannot be processed further at this point pending decisions of the

High Court.

Of the 290 legacy complaints from the Equality Tribunal, a number of these cases cannot be processed further by the WRC at this point as they are pending decisions of other courts. In a number of other cases, decisions of the WRC are either pending or have hearing dates assigned over the next two month period. It is expected that all of these cases before the WRC will be processed to completion in the near future.

It should be noted that over the same period, the Adjudication Service of the WRC has received some 28,500 new complaints. Within this number, c. 92% of these current complaints are being fully processed, i.e. a decision is given on a complaint or it is otherwise resolved, in six months or less, where no postponement requests or late submissions.

### Workplace Relations Commission

266. **Deputy Róisín Shortall** asked the Minister for Business, Enterprise and Innovation the sum of unpaid wages recovered by the Workplace Relations Commission in 2017 by area and sector. [8594/18]

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** The Workplace Relations Commission (WRC)'s aim is to achieve voluntary compliance with employment law through the provision of education and awareness, inspection of employers' employment records and enforcement where necessary. While every effort is made to secure compliance, some employers either refuse or fail to rectify the breaches identified and/or pay money due to their employees. These cases are referred for prosecution.

Details of the amount of unpaid wages recovered by the WRC in 2017 by area and by sector are provided in the following table.

County	Unpaid Wages Re-covered	Sector	Unpaid Wages Re-covered
CARLOW	80,048	AGRICULTURE	56,229
CAVAN	12,312	CONSTRUCTION	44,497
CLARE	45,800	CONTRACT CLEANING	29,395
CORK	23,256	DOMESTIC WORKER	30,190
DONEGAL	33,117	ELECTRICAL	2,933
DUBLIN	404,275	EQUINE	7,759
GALWAY	78,707	FISHERIES	6,252
KERRY	12,697	FOOD & DRINK	444,634
KILDARE	116,698	HAIR AND BEAUTY	19,955
KILKENNY	57,880	HEALTH NURSING AND CHILD-CARE	200,198
LAOIS	7,150	HOTEL	109,227
LEITRIM	2,499	MANUFACTURING	33,576
LIMERICK	22,462	OTHER	220,464

County	Unpaid Wages Re-covered	Sector	Unpaid Wages Re-covered
LONGFORD	4,256	PROFESSIONAL SERVICES	52,612
LOUTH	49,637	SECURITY	13,167
MAYO	29,493	TRANSPORT	164,680
MEATH	69,326	WHOLESALE AND RETAIL	333,718
MONAGHAN	54,772	TOTAL	1,769,484
OFFALY	94,654		
ROSCOMMON	24,642		
SLIGO	2,805		
TIPPERARY	97,956		
WATERFORD	57,734		
WESTMEATH	84,046		
WEXFORD	197,317		
WICKLOW	105,946		
TOTAL	1,769,484		

### Workplace Relations Commission

267. **Deputy Róisín Shortall** asked the Minister for Business, Enterprise and Innovation the number of employment rights compliance investigations launched by the Workplace Relations Commission's inspection services in 2017 in relation to Acts (details supplied), in tabular form. [8595/18]

268. **Deputy Róisín Shortall** asked the Minister for Business, Enterprise and Innovation the number of compliance notices, fixed payment notices and summary prosecutions issued by the Workplace Relations Commission's enforcement services in 2017 for alleged failures to comply with employment rights legislation, by the Acts which those notices and prosecutions are in relation to. [8596/18]

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** I propose to take Questions Nos. 267 and 268 together.

The Workplace Relations Commission carries out inspections of employer employment records

- In response to complaints received of alleged non-compliance with relevant employment rights legislation;
- As part of compliance campaigns which focus on compliance in specific sectors or specific pieces of legislation, or
- As routine inspections, which act as a control measure.

The aim is to achieve voluntary compliance with employment law through the provision of education and awareness, inspection of employers' employment records and enforcement where necessary. While every effort is made to secure compliance, some employers either refuse or fail to rectify the breaches identified and/or pay money due to their employees. These cases are referred for prosecution.

The metric used for recording inspection activity is by economic sector as opposed to specific statutes. The following table sets out inspection activity by economic sector in 2017.

Sector	No. of inspections
AGRICULTURE	48
CONSTRUCTION	75
CONTRACT CLEANING	18
DOMESTIC WORKER	20
ELECTRICAL	6
EQUINE	54
FISHERIES	95
FOOD & DRINK	645
HAIR AND BEAUTY	79
HEALTH NURSING AND CHILDCARE	78
HOTEL	55
MANUFACTURING	38
MISCELLANEOUS OTHERS	332
PROFESSIONAL SERVICES	124
SECURITY	20
TRANSPORT	61
WHOLESALE AND RETAIL	258
TOTALS	2,006
UNANNOUNCED VISITS	2,741
GRAND TOTAL	4,747

The following tables set out the number of compliance notices, fixed payment notices and summary prosecutions issued by the Workplace Relations Commission's enforcement services in 2017.

	Total Issued	Number	Legislation
Compliance Notices	122	17	Payment of Wages Act 1991
		105	Organisation of Working Time Act, 1997
	Total Issued	Number	Legislation
Fixed Payment Notices	30	30	Payment of Wages Act 1991
Prosecutions	*95	62	Employment Permits Acts 2003 and 2006
		14	National Minimum Wage Act, 2000
		30	Organisation of Working Time Act, 1997
		7	Payment of Wages Act, 1991

		2	Protection of Young Persons (Employment) Act, 1996
		19	Workplace Relations Act, 2015

\*Some of these prosecutions were for breaches of more than one Act.

### Job Losses

269. **Deputy Niamh Smyth** asked the Minister for Business, Enterprise and Innovation the actions she is taking to protect jobs at a factory (details supplied) in view of recent media reports. [8598/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I am disappointed with the announced redundancies at the company. At a time when the country as a whole is moving towards full employment, that does not make it any easier for any person who finds themselves faced with redundancy. It also underlines that though the economy overall is performing well, there are challenges out there that require every company to make sure it is competitive and is capable of satisfying the needs of their customers.

According to the company, the objective of the announcement is to improve the overall competitiveness of the site and to future proof it so that it can continue to operate effectively in Monaghan.

The company envisages that post this process, the site will be better prepared to continue to supply and sustain their commercial opportunities in the market place where they currently have a strong position. The formal consultation process began a month ago and is ongoing. The company envisages that the redundancies will be achieved on a voluntary basis.

I would strongly urge the parties to continue their extensive engagement locally with a view to reaching a resolution to the satisfaction of both employees and the company.

I will certainly work with my colleague, Minister for Employment and Social Protection, Regina Doherty, to ensure that redundant workers are given the support they need to find alternative employment. I would hope that alternative employment can be found quickly in the region. My own objective, as Minister for Business, Enterprise and Innovation and as a local representative, is to ensure that new job opportunities are created in the local area.

The national economic picture is strong and in fact the numbers on the live register in Monaghan are down by 15% in the last year alone. But I am very conscious that more needs to be done. I will be working, together with my Department and agencies to ensure there is an even greater focus on the border and in particular on counties like Monaghan and Cavan.

The North-East/North-West Regional Action Plan for Jobs is the key policy response for supporting employment growth in the region. The core objective of the Plan is to have a further 28,000 at work in the region by 2020. Importantly, the Plan has been embraced by public and private sector bodies in the region and over 90% of the Plan's actions are on track to be delivered. In terms of impact, more than 12,000 more people are in employment in the Border region since the Plan commenced.

270. **Deputy Noel Grealish** asked the Minister for Business, Enterprise and Innovation the number of site visits conducted by the IDA in County Galway in each of the past three years; the number of these visits that were to locations in Galway city and county respectively, by area, in tabular form; and if she will make a statement on the matter. [8606/18]

271. **Deputy Noel Grealish** asked the Minister for Business, Enterprise and Innovation the number of site visits conducted by the IDA in counties Limerick and Cork in each of the past three years; and the number of these visits that were to locations in the two cities and other areas of those counties respectively, in tabular form. [8607/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I propose to take Questions Nos. 270 and 271 together.

This Government remains strongly committed to regional development. My Department and its agencies are working towards ambitious targets to ensure that employment and investment are distributed as evenly as possible across the country, including in Counties Cork, Galway and Limerick.

IDA Ireland always does its best to highlight suitable sites in regional areas to potential investors. It is sometimes the case, however, that IDA clients will have specific requirements that may preclude certain locations. It is important to remember as well that the final decision on where to invest always rests with the company concerned.

Site visits are also not necessarily indicative of the potential for foreign direct investment in an area, as at least 70% of all new investment comes from existing IDA clients that are already present in Ireland.

IDA Ireland collates data for site visits at a county level only so information is not available on visits to particular cities. The table below sets out the number of site visits to Counties Cork, Galway and Limerick over the past three years.

County	2015	2016	2017
Limerick	40	49	42
Cork	48	49	51
Galway	41	42	62

### **Cross-Border Enterprise Initiatives**

272. **Deputy Maurice Quinlivan** asked the Minister for Business, Enterprise and Innovation her plans to commission an independent report into the economic benefits a united Ireland economy would bring to all sectors of the economies on the island of Ireland; and if she will make a statement on the matter. [8641/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The Government remains committed to deepening economic cooperation between North and South. This clearly benefits communities on both sides of the border and helps to create employment and economic opportunities all over Ireland.

A key instrument for helping to grow such economic activity is InterTrade Ireland (ITI), the cross-border body established under the Good Friday Agreement. ITI, which is co-funded by my Department, undertakes a range of programmes and initiatives to develop North-South business. This includes measures to help SMEs explore new cross-border markets, develop new products and grow their respective businesses.

The UK's forthcoming withdrawal from the European Union is likely, however, to present a range of challenges for North-South trade and the firms that depend on it. That is why both my Department and ITI are currently so focused on working to help companies prepare for Brexit. That will remain one of our main priorities for the foreseeable future.

Given the emphasis that has been placed on Brexit-related work, there are currently no plans to commission any independent report into the economic benefits of a united Ireland economy. However, we will continue to support cross-border commerce and the strengthening of commercial ties between our two jurisdictions.

### **Departmental Properties**

273. **Deputy Róisín Shortall** asked the Minister for Business, Enterprise and Innovation the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of or part ownership of or under the control of both her department and agencies under her remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if she will make a statement on the matter. [8658/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** Accommodation for my Department is provided by the Office of Public Works (OPW) in buildings which are either State owned or leased by OPW on our behalf. Therefore, my Department does not directly own, part own or control any habitable or derelict dwelling units.

Any such dwelling units under the remit of Agencies of my Department is a matter for the individual bodies concerned for which I have no direct function. However, I have asked all Agencies to advise me of any such details, and I will communicate that information to the Deputy as soon as it is available.

### **Brexit Issues**

274. **Deputy Stephen S. Donnelly** asked the Minister for Business, Enterprise and Innovation the implications of Brexit for European research and innovation funding; if the Government has conducted an analysis of the implications of Brexit on European research and innovation funding as it relates to Ireland; if so, the findings of the analysis; and if she will make a statement on the matter. [8801/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** Horizon 2020 is the current EU Framework Programme for Research and Innovation. Funding is secured for the final work programme for Horizon 2020 which will run until the end of 2020. Brexit is therefore not expected to have a significant impact upon funding for Horizon 2020.

In terms of European research and innovation activities, the UK is one of a number of important collaborators for Ireland in Horizon 2020. In addition to the UK, Ireland has a diversified range of collaborative links with Member States, particularly Germany, Spain and France. An analysis of Ireland's collaborations under Horizon 2020 indicates that collaborations occur in multi partner projects and that Ireland is not overly-dependent on the UK for scientific collaboration in successful EU programmes.

My Department's agencies, Enterprise Ireland and Science Foundation Ireland, undertook analyses on the potential impact of Brexit following the UK vote in late 2016. In addition to ongoing review by officials from my Department, these analyses have been updated for pre-

sentation to inter-department groups on *Innovation 2020* and Horizon 2020. The recent report published by my Department *Building Stronger Business: Responding to Brexit by competing, innovating and trading* identifies some of the potential opportunities (including research) for Ireland arising from Brexit as well as the actions which are being taken.

The successor to Horizon 2020, Framework Programme 9 (FP9), will be proposed by the European Commission later in 2018. Funding for this new European research and innovation programme will be allocated as part of the Multiannual Financial Framework. As discussions on this financial framework are ongoing, funding for FP9 is yet to be determined.

### **Brexit Issues**

275. **Deputy Stephen S. Donnelly** asked the Minister for Business, Enterprise and Innovation if the Government has reviewed Innovation 2020 in view of Brexit; and if she will make a statement on the matter. [8802/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The vision as set out in Innovation 2020, for Ireland to become a Global Innovation Leader, is even more relevant in the face of Brexit. Creating an internationally competitive research and innovation system which drives a sustainable economy is a key strand of our Brexit response. The cross-Government Innovation 2020 Implementation Group is critical in driving delivery of the strategy's commitments in order to achieve national innovation objectives.

A key commitment in Innovation 2020 is to enable firms to innovate which has been demonstrated to build resilience in enterprise to manage, exploit and survive global challenges such as Brexit. 'Building Stronger Business', launched in November 2017 also sets out my Department's approach to managing Brexit impacts on the national research and innovation system.

Together with Science Foundation Ireland (SFI), Enterprise Ireland (EI) and IDA Ireland, my Department is driving and supporting greater engagement in research, development and innovation by both Irish and foreign owned enterprises and by both SMEs and large scale enterprises. We are responding to the changing needs of the enterprise sector and are tailoring our supports to meet these needs.

SFI, EI and IDA Ireland are targeting R&D funding to support innovation in new products and processes which firms need to compete and grow and to invest in the pipeline of the next generation of innovators through a new postgraduate researcher programme.

Budget 2018 saw a €4.25 million increase in SFI's budget for a new Research Centre bringing to 17 the number of large scale Research Centres. SFI is working to identify potential opportunities for Ireland in the context of EU-funded researchers wishing to relocate post-Brexit and is strengthening the research collaborations with the UK and Northern Ireland.

EI is helping clients to access external sources of innovation, enhancing internal innovation capabilities through training and supporting an increase in client research, development and innovation investment.

As innovation is a key cornerstone of enterprise policy, a review of 'Enterprise 2025' will be published shortly which will ensure that the enterprise policy framework remains robust in the context of Brexit. The Action Plan for Jobs 2018 will also be published in Q1 this year with a specific focus on Brexit mitigation policies and will outline actions which can commence in 2018 to support firms to overcome the challenges and to take advantage of the opportunities presented by Brexit.

Furthermore, I intend to have a mid-term evaluation of Innovation 2020 undertaken this year to determine the extent to which the specific actions outlined in the strategy remain robust and so that any relevant adjustments may be made in a timely manner to ensure successful delivery on the vision and objectives.

### National Drugs Strategy

276. **Deputy Róisín Shortall** asked the Minister for Health if his attention has been drawn to the lack of engagement of a number of Departments in the national drugs and alcohol strategy in respect of input at national level and participation at drug and alcohol local and regional taskforce level; and the steps he will take to address this matter in view of the interrelated nature of the problem of misuse. [8120/18]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** The Government's drug strategy, *Reducing Harm, Supporting Recovery – a health-led response to drug and alcohol use in Ireland 2017-2025*, recognises that drug and alcohol use is a complex issue requiring an inter-departmental response, focused on promoting healthier lifestyles within society.

A National Oversight Committee (NOC), which I Chair, gives leadership and direction to support the implementation of the strategy. A Standing Sub-Committee drives the implementation of the strategy and promotes coordination between national, local and regional levels. All relevant government departments and agencies have a representative on these committees.

Government departments and agencies are also represented on Local and Regional Drug and Alcohol Taskforces. My Department is currently carrying out a review of their membership.

I am committed to working with all stakeholders to ensure the implementation of the strategy.

### Medicinal Products Availability

277. **Deputy Tom Neville** asked the Minister for Health if versatis patches will be reinstated and made available to persons with medical cards; and if he will make a statement on the matter. [8058/18]

280. **Deputy John Brassil** asked the Minister for Health his plans to address the difficulties faced by persons suffering from the withdrawal of versatis patches; and if he will make a statement on the matter. [8072/18]

281. **Deputy Peter Fitzpatrick** asked the Minister for Health his plans to make versatis medicated patches available to persons with medical cards; and if he will make a statement on the matter. [8073/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 277, 280 and 281 together.

Medicines play a vital role in improving the health of Irish patients. Securing access to existing and new and innovative medicines is a key objective of the health service. However, the challenge is to do this in an affordable and sustainable manner. The medicines bill for the community drugs schemes – primarily the GMS, Long Term Illness and Drugs Payment schemes and the High Tech Arrangement – was approximately €1.8 billion in 2017.

To ensure patients receive the highest quality care, resources invested in medicines must be used efficiently and effectively. This requires an integrated approach to secure best value for money for all treatments, greater efficiencies in the supply chain and the use of the most cost-effective treatments.

Lidocaine 5% medicated plaster is licensed for the symptomatic relief of neuropathic pain associated with previous herpes zoster (shingles) infection, known as post-herpetic neuralgia (PHN), in adults. It has been reimbursed in the community drugs schemes since 2010. The projected budget impact on introduction was low due to the specific licensed indication but total expenditure trebled between 2012 and 2016, from €9.4 million to over €30 million, mainly from off-license use for pain not associated with shingles.

An HSE Medicines Management Programme (MMP) review of this product highlighted that the clinical evidence for its use in PHN is limited due to lack of comparative data, and its value is uncertain for other types of pain. The National Centre for Pharmacoeconomics estimated that, in Ireland, only 5-10% of prescribing of this product has been for the licensed indication of PHN.

Following the MMP review, the HSE introduced a new reimbursement system for the product from 1 September 2017. This process supports its appropriate use, ensuring that PHN patients continue to receive this treatment. The HSE estimates that this protocol will reduce annual expenditure on this product by approximately 90%.

Under the protocol, all patients who were receiving antivirals for shingles were automatically approved for the lidocaine medicated plaster. No action was required by GPs and the patient's pharmacy was notified of his or her approval status.

However, since 1 December 2017, non-shingles patients no longer automatically receive this item under the community drugs schemes. In August 2017, the HSE advised GPs and pharmacies of the changes and of treatment alternatives.

It is possible for non-shingles patients to be approved for the patch through the community drug schemes. The patient's GP should apply to the Medicines Management Programme through the online system, and the MMP will review the application and inform the GP of its decision.

I am advised that the MMP has received over 4,500 applications from GPs, of which some 10% have been approved. For many of the conditions applied for, prescribing of the patch was inappropriate, for example for conditions such as deep venous thrombosis, angina, gout and endometriosis.

Where a GP's application is rejected, it may be appealed. The HSE advises that over 50% have been accepted on clinical grounds.

Full details of the review are available on the HSE website at <http://hse.ie/eng/about/Who/clinical/natclinprog/medicinemanagementprogramme/yourmedicines/lidocaine-plaster/lidocaine-medicated-plaster.html>.

This decision is a matter for the HSE. However, I fully support the objectives of the HSE Medicines Management Programme.

## **General Practitioner Services Provision**

278. **Deputy Tom Neville** asked the Minister for Health when a general practitioner will be appointed to Waterville, County Kerry in view of the fact that this area is without a permanent general practitioner since January 2017; and if he will make a statement on the matter. [8059/18]

**Minister for Health (Deputy Simon Harris):** As this question relates to a service matter, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Hospital Equipment**

279. **Deputy Peter Burke** asked the Minister for Health his plans for a MRI scanner in the Midlands Regional Hospital (details supplied); and if he will make a statement on the matter. [8062/18]

**Minister for Health (Deputy Simon Harris):** The Deputy's question has been referred to the Health Service Executive for direct reply as the HSE is responsible for the delivery of health care infrastructure projects.

*Questions Nos. 280 and 281 answered with Question No. 277.*

### **Home Care Packages Data**

282. **Deputy Eugene Murphy** asked the Minister for Health the number of persons waiting for a home care support package, by county, in tabular form; and if he will make a statement on the matter. [8083/18]

**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 Aids and Appliances Provision**

283. **Deputy Tom Neville** asked the Minister for Health if correspondence from a person (details supplied) regarding a continuous glucose monitoring system will be examined; and if he will make a statement on the matter. [8086/18]

**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.

### **Health Care Professionals**

284. **Deputy Michael McGrath** asked the Minister for Health his plans to introduce a regulatory regime for chiropractors (details supplied); and if he will make a statement on the matter. [8089/18]

**Minister for Health (Deputy Simon Harris):** There are no plans at present to regulate chiropractors under the Health and Social Care Professionals Act 2005. Section 4 of the Act pro-

vides that the Minister for Health may, following a consultation process and with the approval of the Houses of the Oireachtas, make regulations designating a health or social care profession not already designated if the Minister considers it in the public interest to do so.

It is envisaged that the registration boards of all of the existing designated professions will be established by the end of 2018. Following my recent decision to designate the professions of counsellor and psychotherapist, CORU soon will be responsible for the regulation of 16 health and social care professions.

Later this year I intend to ask CORU to undertake a risk assessment, in terms of public protection, of the principal health and social care professions seeking designation under the Act and to make recommendations concerning options for their possible future regulation. The question of designating other professions, including the profession of chiropractor, will be considered as part of that process.

### **Services for People with Disabilities**

285. **Deputy Dara Calleary** asked the Minister for Health the reason for the delay in procuring a new service provider for a person (details supplied); the actions taken after meeting the person's family; if he is satisfied that all safeguarding issues have been managed appropriately; and if he will make a statement on the matter. [8091/18]

**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 issues, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Vaccination Programme**

286. **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. [8094/18]

**Minister for Health (Deputy Simon Harris):** This matter is the subject of litigation in which plaintiffs allege personal injury in which they claim the development of narcolepsy (catalepsy) resulted from the administration of the H1N1 pandemic vaccine. As Deputies would be aware, it would be inappropriate for me to comment on individual cases or matters that are the subject of ongoing litigation. However, I can provide background information on this litigation and clarify matters that are already in the public domain.

In October 2013, the Government approved (S180/46/01/0005B) the delegation to the State Claims Agency (SCA) of the management of claims in relation to individuals alleging the development of narcolepsy resulting from the administration of the pandemic vaccine. The management of the cases transferred to the SCA when the National Treasury Management Agency (Delegation of Claims Management Functions) (Amendment) Order 2013 (S.I. no. 405 of 2013) was signed by the Taoiseach on 15 October 2013. This reflects the greater experience

and expertise that the State Claims Agency has in the area of medical litigation.

An Order requiring the defendants to make Discovery was made in the High Court on 28 November 2016 in the most advanced case. Discovery is a legal process which must be carried out in accordance with Orders made by the Courts. There have been a number of High Court Motion hearings concerning this matter since then and the Department of Health and the HSE continue to comply with all Orders made by the Courts.

The Department of Health is working assiduously to complete its Discovery and has kept the Court fully apprised as to its progress in that regard. However, the sheer size and complexity of the Discovery which requires to be made means that this is not a trivial or quick process. The Department undertook a full access review of the entire email, database and shared network drive which serves the whole Department of Health with a dedicated team undertaking the appropriate searches against vast sources of data supported by both internal and external IT experts. The Department has identified over 680,000 records, all which must be examined and scheduled by the State's legal team. To that end, the Department put in place a dedicated team of 8 discovery personnel to carry out this work with support from solicitors, to ensure that the terms of any Orders are fully complied with.

### **Hospital Services**

287. **Deputy Kathleen Funchion** asked the Minister for Health the number of persons from County Tipperary using the inpatient services in the department of psychiatry, St. Luke's General Hospital, Kilkenny. [8095/18]

**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 Services**

288. **Deputy Kathleen Funchion** asked the Minister for Health the occupancy of inpatient services in the department of psychiatry, St. Luke's General Hospital, Kilkenny. [8096/18]

**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.

### **Patient Data**

289. **Deputy Kathleen Funchion** asked the Minister for Health the occupancy of inpatient services in the acute psychiatric unit, Ennis regional hospital, County Clare. [8097/18]

**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 Services**

290. **Deputy Kathleen Funchion** asked the Minister for Health the number of persons from County Tipperary using the outpatient services in the department of psychiatry, St. Luke's General Hospital, County Kilkenny. [8098/18]

**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 Services**

291. **Deputy Kathleen Funchion** asked the Minister for Health the number of persons from County Tipperary using the outpatient services in the acute psychiatric unit, Ennis regional hospital, County Clare. [8099/18]

**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.

### **Home Help Service Provision**

292. **Deputy James Browne** asked the Minister for Health the status of an application for home help by a person (details supplied) in County Wexford; and if he will make a statement on the matter. [8102/18]

**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.

### **Nursing Homes Support Scheme Data**

293. **Deputy Catherine Murphy** asked the Minister for Health the number of persons supported by the fair deal scheme and residing in a nursing home by county, in tabular form; and if he will make a statement on the matter. [8103/18]

**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 Data**

294. **Deputy Catherine Murphy** asked the Minister for Health the number of CAMHS hours of service available by county, in tabular form; and if he will make a statement on the matter. [8107/18]

**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.

*Questions - Written Answers*  
**Vaccination Programme**

295. **Deputy Tony McLoughlin** asked the Minister for Health if the enrolment forms for the childhood immunisation programme in the CHO1 region will be digitised in order to enable persons to apply online (details supplied); and if he will make a statement on the matter. [8123/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for attention and direct reply to the Deputy.

**Medicinal Products Reimbursement**

296. **Deputy Catherine Murphy** asked the Minister for Health if Versatis patches will be reinstated to the drugs payment and medical card schemes (details supplied); and if he will make a statement on the matter. [8126/18]

**Minister for Health (Deputy Simon Harris):** Medicines play a vital role in improving the health of Irish patients. Securing access to existing and new and innovative medicines is a key objective of the health service. However, the challenge is to do this in an affordable and sustainable manner. The medicines bill for the community drugs schemes – primarily the GMS, Long Term Illness and Drugs Payment schemes and the High Tech Arrangement – was approximately €1.8 billion in 2017.

To ensure patients receive the highest quality care, resources invested in medicines must be used efficiently and effectively. This requires an integrated approach to secure best value for money for all treatments, greater efficiencies in the supply chain and the use of the most cost-effective treatments.

Lidocaine 5% medicated plaster is licensed for the symptomatic relief of neuropathic pain associated with previous herpes zoster (shingles) infection, known as post-herpetic neuralgia (PHN), in adults. It has been reimbursed in the community drugs schemes since 2010. The projected budget impact on introduction was low due to the specific licensed indication but total expenditure trebled between 2012 and 2016, from €9.4 million to over €30 million, mainly from off-license use for pain not associated with shingles.

An HSE Medicines Management Programme (MMP) review of this product highlighted that the clinical evidence for its use in PHN is limited due to lack of comparative data, and its value is uncertain for other types of pain. The National Centre for Pharmacoeconomics estimated that, in Ireland, only 5-10% of prescribing of this product has been for the licensed indication of PHN.

Following the MMP review, the HSE introduced a new reimbursement system for the product from 1 September 2017. This process supports its appropriate use, ensuring that PHN patients continue to receive this treatment. The HSE estimates that this protocol will reduce annual expenditure on this product by approximately 90%.

Under the protocol, all patients who were receiving antivirals for shingles were automatically approved for the lidocaine medicated plaster. No action was required by GPs and the patient's pharmacy was notified of his or her approval status.

However, since 1 December 2017, non-shingles patients no longer automatically receive this item under the community drugs schemes. In August 2017, the HSE advised GPs and pharmacies of the changes and of treatment alternatives.

It is possible for non-shingles patients to be approved for the patch through the community drug schemes. The patient's GP should apply to the Medicines Management Programme through the online system, and the MMP will review the application and inform the GP of its decision.

I am advised that the MMP has received over 4,500 applications from GPs, of which some 10% have been approved. For many of the conditions applied for, prescribing of the patch was inappropriate, for example, for conditions such as deep venous thrombosis, angina, gout and endometriosis.

Where a GP's application is rejected, it may be appealed. Of appeals to date, the HSE advises that over 50% have been accepted on clinical grounds.

Full details of the review are available on the HSE website at <http://hse.ie/eng/about/Who/clinical/natclinprog/medicinemanagementprogramme/yourmedicines/lidocaine-plaster/lidocaine-medicated-plaster.html>.

This decision is a matter for the HSE. However, I fully support the objectives of the HSE Medicines Management Programme.

### **Hospital Appointments Status**

297. **Deputy Thomas Byrne** asked the Minister for Health if an appointment for a person (details supplied) will be brought forward. [8128/18]

**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 the Deputy directly.

*Question No. 298 withdrawn.*

### **Hospitals Data**

299. **Deputy Kathleen Funchion** asked the Minister for Health the number of persons in County Tipperary using the inpatient services in the acute psychiatry unit, Ennis regional hospital, County Clare. [8139/18]

**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.

*Questions - Written Answers*  
**Vaccination Programme**

300. **Deputy Noel Rock** asked the Minister for Health the position regarding the shortage of the BCG tuberculosis vaccine; and if he will make a statement on the matter. [8143/18]

305. **Deputy Maureen O'Sullivan** asked the Minister for Health the status of the BCG vaccine; if it will be made available in view of the importance of this pre-emptive vaccination; and if he will make a statement on the matter. [8159/18]

336. **Deputy Ruth Coppinger** asked the Minister for Health the status of the availability of the BCG vaccine; the timeframe for stocks to be replenished; the way in which the backlog will be dealt with; and if he will make a statement on the matter. [8283/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 300, 305 and 336 together.

The Health Service Executive continues to experience ongoing delays with the supply of BCG vaccine. BCG vaccine stock in all areas expired at the end of April 2015 and as of today this continues to be a problem for Ireland and other countries in Europe that use this licensed BCG vaccine. Since this problem became apparent, the HSE National Immunisation Office (NIO) has been in regular contact with the manufacturer of BCG vaccine to ascertain when the vaccine might be available. There is only one licensed supplier of BCG vaccine to Ireland and this vaccine manufacturer has informed the NIO that the BCG vaccine will not be delivered into Ireland until late 2018 at the earliest. The NIO and the Health Products Regulatory Authority (HPRA) have sought an alternative supply of BCG vaccine that meets safety, quality and effectiveness standards and that could be used in Ireland. To date no appropriate alternative manufacturer has been found. When there is confirmation of a date for a new supply, the HSE will be guided by the recommendations of the National Immunisation Advisory Committee on its administration.

### **Hospital Services**

301. **Deputy Declan Breathnach** asked the Minister for Health his plans to make the coronary artery calcium score test available as part of routine diagnostics for cardiac event risk; if his attention has been drawn to the fact that 70% of cardiac events are caused by plaque rupture which could be diagnosed early using this simple testing procedure; and if he will make a statement on the matter. [8145/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for attention and direct reply to the Deputy.

### **Psychological Services**

302. **Deputy Pat Deering** asked the Minister for Health when a person (details supplied) will receive a psychology assessment. [8146/18]

**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.

### **Pharmacy Services**

303. **Deputy Pat Deering** asked the Minister for Health the reason blister packs of tablets are now only provided by pharmacies for one week which has been reduced from four weeks; if his attention has been drawn to the hardship this causes elderly persons that have no transport; and if he will make a statement on the matter. [8147/18]

**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 Status**

304. **Deputy Peter Burke** asked the Minister for Health if an appointment for a MRI for a person (details supplied) will be expedited; and if he will make a statement on the matter. [8151/18]

**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 the Deputy directly.

*Question No. 305 answered with Question No. 300.*

### **Home Help Service Data**

306. **Deputy Louise O'Reilly** asked the Minister for Health the number of home help hours provided by each of the local health offices in community healthcare organisation area 1, CHO 1, in each of the years 2012 to 2017 and to date in 2018; and if he will make a statement on the matter. [8170/18]

307. **Deputy Louise O'Reilly** asked the Minister for Health the number of home help hours

provided by each of the local health offices in community healthcare organisation area 2, CHO 2, in each of the years 2012 to 2017 and to date in 2018; and if he will make a statement on the matter. [8171/18]

308. **Deputy Louise O'Reilly** asked the Minister for Health the number of home help hours provided by each of the local health offices in community healthcare organisation area 3, CHO 3, in each of the years 2012 to 2017 and to date in 2018; and if he will make a statement on the matter. [8172/18]

309. **Deputy Louise O'Reilly** asked the Minister for Health the number of home help hours provided by each of the local health offices in community healthcare organisation area 4, CHO 4, in each of the years 2012 to 2017 and to date in 2018; and if he will make a statement on the matter. [8173/18]

310. **Deputy Louise O'Reilly** asked the Minister for Health the number of home help hours provided by each of the local health offices in community healthcare organisation area 5, CHO 5, in each of the years 2012 to 2017 and to date in 2018; and if he will make a statement on the matter. [8174/18]

311. **Deputy Louise O'Reilly** asked the Minister for Health the number of home help hours provided by each of the local health offices in community healthcare organisation area 6, CHO 6, in each of the years 2012 to 2017 and to date in 2018; and if he will make a statement on the matter. [8175/18]

312. **Deputy Louise O'Reilly** asked the Minister for Health the number of home help hours provided by each of the local health offices in community healthcare organisation area 7, CHO 7, in each of the years 2012 to 2017 and to date in 2018; and if he will make a statement on the matter. [8176/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** I propose to take Questions Nos. 306 to 312, inclusive, together.

As these are service matters I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Home Help Service Data**

313. **Deputy Louise O'Reilly** asked the Minister for Health the number of home help hours provided by each of the local health offices in CHO8 in each of the years 2012 to 2017 and to date in 2018; and if he will make a statement on the matter. [8177/18]

**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.

### **Home Help Service Data**

314. **Deputy Louise O'Reilly** asked the Minister for Health the number of home help hours provided by each of the local health offices in CHO9 in each of the years 2012 to 2017 and to date in 2018; and if he will make a statement on the matter. [8178/18]

**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**

315. **Deputy Róisín Shortall** asked the Minister for Health further to Parliamentary Questions Nos. 535 of 20 September 2017 and 411 of 10 October 2017 and a recent media report (details supplied), if he will request that the HSE medicines management programme review the changes made to the prescription of lidocaine medicated plasters; and if he will make a statement on the matter. [8186/18]

**Minister for Health (Deputy Simon Harris):** Medicines play a vital role in improving the health of Irish patients. Securing access to existing and new and innovative medicines is a key objective of the health service. However, the challenge is to do this in an affordable and sustainable manner. The medicines bill for the community drugs schemes – primarily the GMS, Long Term Illness and Drugs Payment schemes and the High Tech Arrangement – was approximately €1.8 billion in 2017.

To ensure patients receive the highest quality care, resources invested in medicines must be used efficiently and effectively. This requires an integrated approach to secure best value for money for all treatments, greater efficiencies in the supply chain and the use of the most cost-effective treatments.

Lidocaine 5% medicated plaster is licensed for the symptomatic relief of neuropathic pain associated with previous herpes zoster (shingles) infection, known as post-herpetic neuralgia (PHN), in adults. It has been reimbursed in the community drugs schemes since 2010. The projected budget impact on introduction was low due to the specific licensed indication but total expenditure trebled between 2012 and 2016, from €9.4 million to over €30 million, mainly from off-license use for pain not associated with shingles.

An HSE Medicines Management Programme (MMP) review of this product highlighted that the clinical evidence for its use in PHN is limited due to lack of comparative data, and its value is uncertain for other types of pain. The National Centre for Pharmacoeconomics estimated that, in Ireland, only 5-10% of prescribing of this product has been for the licensed indication of PHN.

Following the MMP review, the HSE introduced a new reimbursement system for the product from 1 September 2017. This process supports its appropriate use, ensuring that PHN patients continue to receive this treatment.

Under the protocol, all patients who were receiving antivirals for shingles were automatically approved for the lidocaine medicated plaster. No action was required by GPs and the patient's pharmacy was notified of his or her approval status.

However, since 1 December 2017, non-shingles patients no longer automatically receive this item under the community drugs schemes. In August 2017 the HSE advised GPs of the changes and of treatment alternatives.

It is possible for non-shingles patients to be approved for the patch through the community drug schemes. The patient's GP should apply to the Medicines Management Programme through the online system, and the MMP will review the application and inform the GP of its decision.

I am advised that the MMP has received over 4,700 applications from GPs, of which some 14% have been approved. For many of the conditions applied for, prescribing of the patch was inappropriate, for example for conditions such as deep venous thrombosis, angina, gout and endometriosis.

Where a GP's application is rejected, it may be appealed. The HSE advises that over 60% have been accepted on clinical grounds.

Full details of the review are available on the HSE website at <http://hse.ie/eng/about/Who/clinical/natclinprog/medicinemanagementprogramme/yourmedicines/lidocaine-plaster/lidocaine-medicated-plaster.html>.

This decision is a matter for the HSE. However, I fully support the objectives of the HSE Medicines Management Programme.

### **Medicinal Products Availability**

316. **Deputy Marc MacSharry** asked the Minister for Health if his Department's decision in relation to the restriction of the Versatis pain management patches on medical cards or the drug payment scheme for medical problems other than shingles will be reviewed; if his attention has been drawn to the large number of persons with back conditions such as scoliosis that are suffering since the patches were withdrawn; and if he will make a statement on the matter. [8187/18]

**Minister for Health (Deputy Simon Harris):** Medicines play a vital role in improving the health of Irish patients. Securing access to existing and new and innovative medicines is a key objective of the health service. However, the challenge is to do this in an affordable and sustainable manner. The medicines bill for the community drugs schemes – primarily the GMS, Long Term Illness and Drugs Payment schemes and the High Tech Arrangement – was approximately €1.8 billion in 2017.

To ensure patients receive the highest quality care, resources invested in medicines must be used efficiently and effectively. This requires an integrated approach to secure best value for money for all treatments, greater efficiencies in the supply chain and the use of the most cost-effective treatments.

Lidocaine 5% medicated plaster is licensed for the symptomatic relief of neuropathic pain associated with previous herpes zoster (shingles) infection, known as post-herpetic neuralgia (PHN), in adults. It has been reimbursed in the community drugs schemes since 2010. The projected budget impact on introduction was low due to the specific licensed indication but total expenditure trebled between 2012 and 2016, from €9.4 million to over €30 million, mainly from off-license use for pain not associated with shingles.

An HSE Medicines Management Programme (MMP) review of this product highlighted that the clinical evidence for its use in PHN is limited due to lack of comparative data, and its value is uncertain for other types of pain. The National Centre for Pharmacoeconomics estimated that, in Ireland, only 5-10% of prescribing of this product has been for the licensed indication of PHN.

Following the MMP review, the HSE introduced a new reimbursement system for the product from 1 September 2017. This process supports its appropriate use, ensuring that PHN patients continue to receive this treatment.

Under the protocol, all patients who were receiving antivirals for shingles were automatically approved for the lidocaine medicated plaster. No action was required by GPs and the patient's pharmacy was notified of his or her approval status.

However, since 1 December 2017, non-shingles patients no longer automatically receive this item under the community drugs schemes. In August 2017 the HSE advised GPs of the changes and of treatment alternatives.

It is possible for non-shingles patients to be approved for the patch through the community drug schemes. The patient's GP should apply to the Medicines Management Programme through the online system, and the MMP will review the application and inform the GP of its decision. I am advised that the MMP has received over 4,700 applications from GPs, of which some 14% have been approved. For many of the conditions applied for, prescribing of the patch was inappropriate, for example for conditions such as deep venous thrombosis, angina, gout and endometriosis.

Where a GP's application is rejected, it may be appealed. The HSE advises that over 60% have been accepted on clinical grounds.

Full details of the review are available on the HSE website at <http://hse.ie/eng/about/Who/clinical/natclinprog/medicinemanagementprogramme/yourmedicines/lidocaine-plaster/lidocaine-medicated-plaster.html>.

This decision is a matter for the HSE. However, I fully support the objectives of the HSE Medicines Management Programme.

### **Hospital Appointments Status**

317. **Deputy Niamh Smyth** asked the Minister for Health if he will request the HSE to expedite an appointment for a person (details supplied); and if he will make a statement on the matter. [8193/18]

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

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Services for People with Disabilities**

318. **Deputy Jack Chambers** asked the Minister for Health the details of the new day centre opening in Dublin 15 (details supplied); when it will be open; the location of the centre; the

contact details for the service provider; and if he will make a statement on the matter. [8203/18]

**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.

### **Commencement of Legislation**

319. **Deputy Brendan Howlin** asked the Minister for Health when Parts 2 and 3 of the Children and Family Relationships Act 2015 will be commenced; the timeframe for same; the progress made in this regard; the reason for the delay; and if he will make a statement on the matter. [8206/18]

**Minister for Health (Deputy Simon Harris):** Officials in my Department are undertaking the work necessary to facilitate the commencement of Parts 2 & 3 of the Children and Family Relationships Act 2015. We are working to resolve a small number of technical issues in order to ensure that the processes associated with Parts 2 & 3 of the Act can be commenced. I hope to be in a position to lay the Regulations before the Houses of the Oireachtas as early as possible in 2018.

### **Hospital Procedures**

320. **Deputy Louise O'Reilly** asked the Minister for Health if his attention has been drawn to the procedure necessary for the removal of transvaginal mesh devices; if his attention has been further drawn to the number and locations of the surgeons qualified to carry out these procedures; and if he will make a statement on the matter. [8209/18]

**Minister for Health (Deputy Simon Harris):** I am aware of the safety concerns that have been raised surrounding the use of Transvaginal mesh procedures. I am also aware of the significant challenges which may be associated with mesh removal where this is necessary, which I am informed by the Health Service Executive may require gynaecological, general surgical or urological expertise, depending on the tissues involved. As Minister for Health, I want to ensure that both the current use of mesh implants in uro-gynaecological procedures in Ireland, and the on-going clinical management of women who have had these procedures in the past, are in line with international best practice and emerging evidence. At my request, the Chief Medical Officer is preparing a report on the many clinical and technical issues involved. I am informed that this work involves engagement with national and international bodies, the professional colleges and others. This work is underway and will take a number of months to complete and I would ask the Deputy to await the outcome of that work.

### **Hospital Appointments Status**

321. **Deputy Niamh Smyth** asked the Minister for Health the status of an appointment for

a person (details supplied); and if he will make a statement on the matter. [8215/18]

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

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Medical Card Eligibility**

322. **Deputy Shane Cassells** asked the Minister for Health if a person with a medical card that is on farm assist can retain their medical card for three years after they enter full-time employment (details supplied); and if he will make a statement on the matter. [8218/18]

323. **Deputy Shane Cassells** asked the Minister for Health if a person with a medical card that is a dependent on a farm assist payment can retain their medical card for three years after they enter or return to full-time employment (details supplied); and if he will make a statement on the matter. [8219/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 322 and 323 together.

As these questions relate to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply.

### **Medicinal Products Reimbursement**

324. **Deputy Darragh O'Brien** asked the Minister for Health the status of the reimbursement of the drug Ocrevus; and if he will make a statement on the matter. [8223/18]

**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.

### **Hospital Equipment**

325. **Deputy Thomas Pringle** asked the Minister for Health if hospitals within the Saolta hospital group have been affected in view of the recent safety call-back of foetal monitoring devices; if all compromised foetal monitoring devices have been fully retired from all use; and

if he will make a statement on the matter. [8233/18]

348. **Deputy Clare Daly** asked the Minister for Health if each of the 11 hospitals signed and returned a letter to a company (details supplied) guaranteeing that all staff had been trained in specific use of these monitors in view of the recent report that foetal monitoring in the maternity services may have had deficiencies since 2009; if each hospital had regular audits of training in same for all new and locum staff since 2009; if there are audits of same; the length of time from appointment new and locum staff were trained in the use of these monitors in each hospital; if the company wrote to either the HSE, his Department or another Government funded body since 2009 regarding the monitors; and if so, the action taken in view of the severity of the notice. [8371/18]

349. **Deputy Clare Daly** asked the Minister for Health if a company (details supplied) wrote to the HSE or his Department since 2009 to identify that some units had not returned a signed letter saying that all staff that use the monitors had received appropriate training; if so, the action the HSE took with respect to these specific units; and the length of time it took to ensure compliance. [8372/18]

350. **Deputy Clare Daly** asked the Minister for Health if the risk assessment committee is only carrying out current risk assessments and is not historically investigating or reviewing cases which would be better assessed by a review committee or by HIQA. [8373/18]

351. **Deputy Clare Daly** asked the Minister for Health if the risk assessment team will include a service user and not include health care professionals that had direct contact with a company (details supplied) or other responsibilities for ensuring that practice standards with respect to foetal monitors in a particular unit were achieved, audited or maintained. [8374/18]

352. **Deputy Clare Daly** asked the Minister for Health if only 11 units are involved in the report into foetal monitoring; and if so, the name of each. [8375/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 325 and 348 to 352, inclusive, together.

As this is a service matter, it has been referred to the Health Service Executive for attention and direct reply to each Deputy. However, the Department is in a position to provide some information ahead of this direct reply, as follows.

#### Actions taken

The Department of Health was made aware of the matter relating to the monitoring of fetal heart rates in late January 2018 and immediately asked the HSE to examine the issue as a matter of urgency.

In 2009 a Field Safety Notice (FSN) was issued with new advice and guidance in relation to using these monitors and the known risks in relation to reading the fetal heartrate. The Health Products Regulatory Authority advise that it was confirmed to the manufacturer that all relevant hospitals had received this notice in 2009, and that in 2011 a software upgrade had been applied to the machines.

In addition, there was a software revision applied to all these devices in Ireland and Philips Healthcare confirmed to the HPRa in November 2011 that the software revision had been completed in all Irish centres. The HPRa monitored the completion and effectiveness of these communications and the software revision.

The HPRa confirmed that all hospitals acknowledged receipt of the FSN, and that by 2011

all Avalon fetal monitors in Irish hospital had the software updates installed. The National Women and Infant's Health Programme has requested updates from the hospitals that were affected by the FSN 2009.

Avalon Fetal monitors are CE marked medical devices on the market in Europe. [A medical device that has been approved will bear a CE mark. This indicates it meets the basic requirements for safety and effectiveness under European law].

These medical devices were not recalled in Europe or USA as a result of this issue. The use of the word 'recall' is US Food and Drug Administration [FDA] terminology used in communications for either a device correction or a removal, depending on the action being taken in the United States.

The HPRA has monitored the incident and complaint rates nationally, on a European level and internationally and at no time identified the need for additional regulatory action.

#### Hospitals Impacted

The HSE advises that hospitals where the monitors were located are as follows, Coombe Women and Infants University Hospital, Portlaoise Hospital, Regional Hospital Mullingar, University Hospital Limerick, National Maternity Hospital, Sligo University Hospital, Rotunda Hospital, South Tipperary General Hospital, St Luke's General Hospital Kilkenny, Cork University Maternity Hospital and Wexford General Hospital.

#### Risk Assessment Team

Due to the nature and complexity of this issue and the level of assurance currently available in relation to actions taken to date, a Risk Assessment Team has been established will be responsible for assessing the nature of any potential risk to patient safety and to determine the appropriateness of actions taken by the manufacturer and the health service to date. If deficits are identified, the Risk Assessment Team will advise on any actions required to safeguard the safety of patients. These actions will include but may not be limited to;

1. Understanding the nature of any patient safety risks identified in the FSN.
2. Undertaking an assessment of the actions taken following the issue of the FSN in 2009 and since then. This will include consideration of the technological and human factors issues that may have impacted on CTG interpretation.
3. Determining whether the actions taken were appropriate in order to address potential risk.
4. Determining if there are any current safety risks and the status of risk in the period from November 2009 to the present and if there are, to advise on further actions required in order to ensure patient safety.

The membership of the Risk Assessment Team, which is Chaired by the Director of the National Women and Infants Health Programme, includes both the Clinical Director and the Director of Midwifery for the Programme, a representative of the Health Products Regulatory Authority [HPRA], the HSE's National Medical Device Equipment Advisor and the National Director for Quality Assurance and Verification.

### **General Practitioner Services Provision**

326. **Deputy Danny Healy-Rae** asked the Minister for Health when a resident general practitioner will be provided in an area (details supplied) in County Kerry; and if he will make a statement on the matter. [8234/18]

**Minister for Health (Deputy Simon Harris):** As this question relates to a service matter, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Medicinal Products Availability**

327. **Deputy James Lawless** asked the Minister for Health if the recent decision to remove Versatis 5% patch from the drug payment scheme and medical card schemes will be reconsidered; and if he will make a statement on the matter. [8235/18]

**Minister for Health (Deputy Simon Harris):** Medicines play a vital role in improving the health of Irish patients. Securing access to existing and new and innovative medicines is a key objective of the health service. However, the challenge is to do this in an affordable and sustainable manner. The medicines bill for the community drugs schemes – primarily the GMS, Long Term Illness and Drugs Payment schemes and the High Tech Arrangement – was approximately €1.8 billion in 2017.

To ensure patients receive the highest quality care, resources invested in medicines must be used efficiently and effectively. This requires an integrated approach to secure best value for money for all treatments, greater efficiencies in the supply chain and the use of the most cost-effective treatments.

Lidocaine 5% medicated plaster is licensed for the symptomatic relief of neuropathic pain associated with previous herpes zoster (shingles) infection, known as post-herpetic neuralgia (PHN), in adults. It has been reimbursed in the community drugs schemes since 2010. The projected budget impact on introduction was low due to the specific licensed indication but total expenditure trebled between 2012 and 2016, from €9.4 million to over €30 million, mainly from off-license use for pain not associated with shingles.

An HSE Medicines Management Programme (MMP) review of this product highlighted that the clinical evidence for its use in PHN is limited due to lack of comparative data, and its value is uncertain for other types of pain. The National Centre for Pharmacoeconomics estimated that, in Ireland, only 5-10% of prescribing of this product has been for the licensed indication of PHN.

Following the MMP review, the HSE introduced a new reimbursement system for the product from 1 September 2017. This process supports its appropriate use, ensuring that PHN patients continue to receive this treatment.

Under the protocol, all patients who were receiving antivirals for shingles were automatically approved for the lidocaine medicated plaster. No action was required by GPs and the patient's pharmacy was notified of his or her approval status.

However, since 1 December 2017, non-shingles patients no longer automatically receive this item under the community drugs schemes. In August 2017 the HSE advised GPs of the changes and of treatment alternatives.

It is possible for non-shingles patients to be approved for the patch through the community drug schemes. The patient's GP should apply to the Medicines Management Programme

through the online system, and the MMP will review the application and inform the GP of its decision.

I am advised that the MMP has received over 4,700 applications from GPs, of which some 14% have been approved. For many of the conditions applied for, prescribing of the patch was inappropriate, for example for conditions such as deep venous thrombosis, angina, gout and endometriosis.

Where a GP's application is rejected, it may be appealed. The HSE advises that over 60% have been accepted on clinical grounds.

Full details of the review are available on the HSE website at <http://hse.ie/eng/about/Who/clinical/natclinprog/medicinemanagementprogramme/yourmedicines/lidocaine-plaster/lidocaine-medicated-plaster.html>.

This decision is a matter for the HSE. However, I fully support the objectives of the HSE Medicines Management Programme.

### **Medical Aids and Appliances Provision**

328. **Deputy Patrick O'Donovan** asked the Minister for Health if a matter (details supplied) will be addressed regarding the FreeStyle Libre device; and if he will make a statement on the matter. [8244/18]

**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.

### **Health Services**

329. **Deputy James Lawless** asked the Minister for Health the status of an application by a person (details supplied); and if he will make a statement on the matter. [8246/18]

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

### **Medicinal Products Availability**

330. **Deputy James Browne** asked the Minister for Health the reason the eye medication Macushield has been withdrawn from medical card holders; if a substitute medication will be made available; and if he will make a statement on the matter. [8247/18]

**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 Status**

331. **Deputy Robert Troy** asked the Minister for Health if a date for surgery in the Royal Victoria Eye and Ear Hospital for a person (details supplied) will be expedited. [8248/18]

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

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Hospital Appointments Status**

332. **Deputy Barry Cowen** asked the Minister for Health when a person (details supplied) will receive a hospital appointment. [8249/18]

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

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Medicinal Products**

333. **Deputy Mary Butler** asked the Minister for Health the circumstances that determined the decision to change the way in which Versatis patches can now be prescribed and approved; the steps he is taking to have the scheme clarified; the steps being taken to provide a replacement therapy when and as required; the associated costs of the patches in view of the fact that they vary based on need and or demographics; and if he will make a statement on the matter. [8250/18]

**Minister for Health (Deputy Simon Harris):** Medicines play a vital role in improving the health of Irish patients. Securing access to existing and new and innovative medicines is a key objective of the health service. However, the challenge is to do this in an affordable and

sustainable manner. The medicines bill for the community drugs schemes – primarily the GMS, Long Term Illness and Drugs Payment schemes and the High Tech Arrangement – was approximately €1.8 billion in 2017.

To ensure patients receive the highest quality care, resources invested in medicines must be used efficiently and effectively. This requires an integrated approach to secure best value for money for all treatments, greater efficiencies in the supply chain and the use of the most cost-effective treatments.

Lidocaine 5% medicated plaster is licensed for the symptomatic relief of neuropathic pain associated with previous herpes zoster (shingles) infection, known as post-herpetic neuralgia (PHN), in adults. It has been reimbursed in the community drugs schemes since 2010. The projected budget impact on introduction was low due to the specific licensed indication but total expenditure trebled between 2012 and 2016, from €9.4 million to over €30 million, mainly from off-license use for pain not associated with shingles.

An HSE Medicines Management Programme (MMP) review of this product highlighted that the clinical evidence for its use in PHN is limited due to lack of comparative data, and its value is uncertain for other types of pain. The National Centre for Pharmacoeconomics estimated that, in Ireland, only 5-10% of prescribing of this product has been for the licensed indication of PHN.

Following the MMP review, the HSE introduced a new reimbursement system for the product from 1 September 2017. This process supports its appropriate use, ensuring that PHN patients continue to receive this treatment.

Under the protocol, all patients who were receiving antivirals for shingles were automatically approved for the lidocaine medicated plaster. No action was required by GPs and the patient's pharmacy was notified of his or her approval status.

However, since 1 December 2017, non-shingles patients no longer automatically receive this item under the community drugs schemes. In August 2017 the HSE advised GPs of the changes and of treatment alternatives.

It is possible for non-shingles patients to be approved for the patch through the community drug schemes. The patient's GP should apply to the Medicines Management Programme through the online system, and the MMP will review the application and inform the GP of its decision.

I am advised that the MMP has received over 4,500 applications from GPs, of which some 10% have been approved. For many of the conditions applied for, prescribing of the patch was inappropriate, for example for conditions such as deep venous thrombosis, angina, gout and endometriosis.

Where a GP's application is rejected, it may be appealed. Of some 250 appeals to date, the HSE advises that over 60% have been accepted on clinical grounds.

Full details of the review are available on the HSE website at <http://hse.ie/eng/about/Who/clinical/natclinprog/medicinemanagementprogramme/yourmedicines/lidocaine-plaster/lidocaine-medicated-plaster.html>.

This decision is a matter for the HSE. However, I fully support the objectives of the HSE Medicines Management Programme.

### **Primary Medical Certificates Applications**

334. **Deputy Bernard J. Durkan** asked the Minister for Health when a primary medical certificate will issue to a person (details supplied); and if he will make a statement on the matter. [8255/18]

**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.

### **Prescriptions Charges**

335. **Deputy Catherine Connolly** asked the Minister for Health his plans to address issues in regard to persons overpaying prescription charges (details supplied) whereby multiple prescription charges are applied in regard to various strengths of the same product; and if he will make a statement on the matter. [8263/18]

**Minister for Health (Deputy Simon Harris):** My Department is aware of the issues raised by the Deputy, and has been considering the position in relation to the possible need for legislative change to address potential anomalies in the application of the prescription charge.

*Question No. 336 answered with Question No. 300.*

### **Hospital Appointments Status**

337. **Deputy Eugene Murphy** asked the Minister for Health the status of an operation for a person (details supplied); and if he will make a statement on the matter. [8291/18]

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

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

## Health Services Access

338. **Deputy Niamh Smyth** asked the Minister for Health the reason a person (details supplied) cannot receive an appointment in their local health centre; and if he will make a statement on the matter. [8293/18]

**Minister for Health (Deputy Simon Harris):** As this question relates to a service matter, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

## Speech and Language Therapy Provision

339. **Deputy Tony McLoughlin** asked the Minister for Health if consideration will be given to granting a school (details supplied) in County Sligo additional speech and language resources; and if he will make a statement on the matter. [8295/18]

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

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

## Orthodontic Services Waiting Lists

340. **Deputy Niamh Smyth** asked the Minister for Health the reason a person (details supplied) is waiting over a year for orthodontic treatment in Drogheda hospital. [8315/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter it has been referred to the HSE for direct reply to the Deputy.

## Hospital Appointments Status

341. **Deputy Martin Ferris** asked the Minister for Health the status of an operation for a person (details supplied); and if he will make a statement on the matter. [8316/18]

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

The National Waiting List Management Policy, A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care.

This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Medical Aids and Appliances Provision**

342. **Deputy Tony McLoughlin** asked the Minister for Health his plans to ensure persons with type 1 diabetes are entitled to obtain free access to a device (details supplied); if his attention has been drawn to the fact that all type 1 diabetics in the UK are entitled to this device; and if he will make a statement on the matter. [8318/18]

**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.

### **Medicinal Products**

343. **Deputy Bobby Aylward** asked the Minister for Health if his attention has been drawn to reports emerging of potential health risks in regard to the use of an enzyme (details supplied) in the manufacturing of a vaccine. [8322/18]

**Minister for Health (Deputy Simon Harris):** The Health Products Regulatory Authority (HPRA) is responsible for monitoring the safety and quality of all medicines including vaccines that are licensed in Ireland. I am informed by the HPRA that the enzyme thiaminase is not added during the manufacture of Gardasil HPV vaccine and is not used as an ingredient in the final medicine. Like all other medicines manufactured using cell technologies, trace amounts of residual proteins from these cells, which would include any residual thiaminase, may be present in the final Gardasil product. Gardasil meets EU regulatory requirements by limiting these proteins to microgram amounts at which level they have no discernible effect. Prior to each batch being placed on the market, testing is carried out to confirm that the level of residual proteins is less than the specified limit.

Other medicinal products manufactured using such cells, including some insulin products, are used daily and over a long duration (often years), compared to Gardasil which is administered once or a maximum of three times.

Gardasil is approved centrally by the European Commission, acting on the recommendation of the European Medicines Agency, for all EU Member States.

Most instances of thiamine deficiency appear to be as a result of lack of dietary intake and/or in instances of intake of foods rich in thiaminase. Neither scenario applies to Gardasil or other medicines manufactured using similar cell technology.

### **Hospital Consultant Recruitment**

344. **Deputy Thomas P. Broughan** asked the Minister for Health his plans to appoint a full time consultant endocrinologist at Beaumont Hospital, Dublin 9; and if he will make a state-

ment on the matter. [8353/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the Health Service Executive to respond to you directly.

### **Hospital Waiting Lists**

345. **Deputy Thomas P. Broughan** asked the Minister for Health the measures his Department is taking to address the waiting list of over 300 transgender persons awaiting a diagnosis to progress towards hormone replacement therapy in view of the fact that just 28 persons have been seen by a psychiatrist within the past 12 months; and if he will make a statement on the matter. [8354/18]

**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.

### **Ministerial Meetings**

346. **Deputy Thomas P. Broughan** asked the Minister for Health if he will meet with a group (details supplied) and a representative of a charity to discuss the issues surrounding transgender health care; and if he will make a statement on the matter. [8355/18]

365. **Deputy Ruth Coppinger** asked the Minister for Health his plans to meet persons (details supplied) and organisations to discuss issues regarding the provision of transgender health care. [8454/18]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** I propose to take Questions Nos. 346 and 365 together.

I acknowledge receipt of the request for meetings from the individuals and organisation mentioned by the Deputy. My Office will be in touch with the individuals concerned as soon as a decision has been made.

### **Health Services Provision**

347. **Deputy Thomas P. Broughan** asked the Minister for Health the reason there are just two physicians prescribing hormone replacement therapy to transgender persons nationally; the measures he is taking to increase this number; and if he will make a statement on the matter. [8356/18]

364. **Deputy Ruth Coppinger** asked the Minister for Health if the transgender health care system, in particular the low number of endocrinologists and psychiatrists that operate the diagnosis model, will be examined; and if he will make a statement on the matter. [8453/18]

366. **Deputy Ruth Coppinger** asked the Minister for Health if the number of medical doctors who are prescribing hormone replacement therapy for transgender persons will be increased; and if he will make a statement on the matter. [8455/18]

408. **Deputy Clare Daly** asked the Minister for Health his plans to address the shortcomings in transgender healthcare here; and if he will make a statement on the matter. [8706/18]

415. **Deputy Clare Daly** asked the Minister for Health his plans to address the medical diagnostic model in place here whereby a transgender person must overcome several barriers to seek a psychiatric diagnosis in order that they may access an unrestricted treatment, hormone replacement therapy, which is widely available to others. [8773/18]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** I propose to take Questions Nos. 347, 364, 366, 408 and 415 together.

Transgender-specific guidelines have been developed by WPATH (World Professional Association for Transgender Health) and the Endocrine Society (who updated their guidelines in 2017). These guidelines were devised by experts in transgender healthcare, along with members of the International Transgender, Transsexual and LGBT community.

A proposed model of care for transgender children, adolescents and adults was submitted by the HSE Quality Improvement Division to the HSE Divisions of Primary Care, Mental Health and Acute Hospital programme. The model was developed in consultation with key treating clinicians, planners, policy makers, advocates and service users.

The guidelines recommend a comprehensive multidisciplinary psychosocial assessment prior to commencement of hormone therapy by endocrinology services. The assessment focuses on more than just assessment for the possible diagnosis of Gender Dysphoria. The guidelines highlight several criteria which must be met prior to referral for hormonal intervention. It is important that co-morbid conditions are identified and addressed, and that people access the supports that they need to manage co-morbid difficulties, which can impact on response to medical transition (including hormone treatment).

International best practice involves an assessment by a multi-disciplinary team and shared decision making in the best interests of the individual. Both WPATH and the Endocrine Society Guidelines 2017 specify the assessment must be carried out by a mental health professional (s) with experience in transgender healthcare and possess specific skills. Endocrinologists and General Practitioners (GPs) do not possess these skills, and require access to the multidisciplinary team as described. GPs would only see a small number of gender variant individuals during their lifetime in clinical practice, and would not be in a position to build up the requisite skillset outlined in WPATH and Endocrine Society Guidelines or have the time resource to conduct a comprehensive evaluation.

Informed consent is essential, whereby benefits and risks of hormone treatment and surgery are discussed with individuals seeking these interventions. Although regret rates are low, it can happen and can also lead to high levels of psychological distress. Healthcare providers work with people to try to prevent negative outcomes. The emerging evidence on good outcomes following medical and/or surgical transitioning is based on use of multi-disciplinary psychosocial assessment, fulfilment of criteria for hormones and on-going psychological support throughout the process. It is important that psychological support is available to individuals before, during and after transitioning.

Prescription of hormone blockers and cross-sex hormones for transgender people is relatively new. Significant side effects can occur with cross sex hormones including irreversible physical changes and infertility. There is a lack of long-term research on outcomes. For these reasons the decision to prescribe should only be made by specialists (i.e. Endocrinologists) in consultation with other professionals involved in the assessment process. Shared decision-making is in accordance with best practice internationally. Prescriptions can then be supported by local GPs with specialist guidance.

The Best Practice approach as outlined above is endorsed in the Service Development Mod-

el as developed by the Quality Improvement Division of the HSE in 2017, in collaboration with TENI. This model is providing the framework for the development of National Gender Clinics and MDTs for children and adults, funded by the Acute Hospitals and Mental Health Divisions of the HSE. Recruitment will commence to develop these national teams in 2018. This investment in new posts in 2018 which includes one consultant endocrinologist (adult services), one consultant endocrinologist (paediatric services), one social worker (adult services), one speech and language therapist (adult services), one senior psychologist (adult services), one senior psychologist (paediatric services), one clinical nurse specialist (Paediatric services), two administrative support officers (adult and paediatric services) is a concerted measure by the HSE to address the waiting times and immediate service needs of children, adolescents and adults in transition. It is envisaged that these National Teams will be in place in 2018, pending successful recruitment campaigns.

The HSE, across a number of programmes including mental health, acute hospitals, primary care and social inclusion, is committed to building services for this community in accordance with International Best Practice.

*Questions Nos. 348 to 352, inclusive, answered with Question No. 325.*

### **Ambulance Service Response Times**

353. **Deputy Tony McLoughlin** asked the Minister for Health if his attention has been drawn to concerns from the Leitrim PPN, public participation networks, regarding emergency ambulance response times in County Leitrim; and if he will make a statement on the matter. [8376/18]

**Minister for Health (Deputy Simon Harris):** As this is a service issue, I have asked the HSE to respond directly to you.

### **Services for People with Disabilities**

354. **Deputy Louise O'Reilly** asked the Minister for Health if his attention has been drawn to a service level agreement, SLA, between the HSE and a company (details supplied); the type of services provided for the duration of the SLA; the number of hours per week for each type of service; the number of staff involved in the provision of these services; and if he will make a statement on the matter. [8377/18]

**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.

### **Hospital Beds Data**

355. **Deputy Louise O'Reilly** asked the Minister for Health the number of child intensive care unit beds in hospitals; the locations of each; and the care plan in the event of mass casualty. [8385/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the Health Service Executive to respond to you direct.

### **Hospital Beds Data**

356. **Deputy Louise O'Reilly** asked the Minister for Health the number of adult intensive care unit beds in hospitals; the locations of each; and the care plan in the event of mass casualty. [8386/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the Health Service Executive to respond to you directly.

### **Physiotherapy Provision**

357. **Deputy Róisín Shortall** asked the Minister for Health the number of persons on a waiting list for physiotherapy in primary care by CHO, age category and time waiting. [8419/18]

**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.

### **Occupational Therapy Waiting Lists**

358. **Deputy Róisín Shortall** asked the Minister for Health the number of persons on a waiting list for occupational therapy by CHO, age category and time waiting. [8420/18]

**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.

### **Speech and Language Therapy Waiting Lists**

359. **Deputy Róisín Shortall** asked the Minister for Health the number of persons on a waiting list for speech and language therapy by CHO, age category and time waiting. [8421/18]

**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 Data**

360. **Deputy Róisín Shortall** asked the Minister for Health the number of persons on a waiting list for community psychology services by community healthcare organisation, CHO, age category and time waiting. [8422/18]

**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 Data**

361. **Deputy Róisín Shortall** asked the Minister for Health the number of persons on a waiting list for CAMHS by community healthcare organisation, CHO, age category and time waiting. [8423/18]

**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 Data**

362. **Deputy Róisín Shortall** asked the Minister for Health the number of persons on a waiting list for counselling services by community healthcare organisation, CHO, age category and time waiting. [8424/18]

**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.

### **Services for People with Disabilities**

363. **Deputy Michael McGrath** asked the Minister for Health further to Parliamentary Question No. 302 of 23 January 2018, when the HSE disability service plans to revert to the service provider with a recommendation regarding progression of the works. [8428/18]

**Minister for Health (Deputy Simon Harris):** The Deputy's question has been referred to the Health Service Executive for direct reply as the delivery of infrastructure projects is a service matter.

*Question No. 364 answered with Question No. 347.*

*Question No. 365 answered with Question No. 346.*

*Question No. 366 answered with Question No. 347.*

### **Vaccination Programme**

367. **Deputy John Curran** asked the Minister for Health the date the Health Information and Quality Authority will complete a health technology assessment that will inform his Department if the HPV vaccination programme should be provided to boys; and if he will make a statement on the matter. [8477/18]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** The immunisation programme in Ireland is based on the advice of the National Immunisation Advi-

sory Committee (NIAC). NIAC is a committee of the Royal College of Physicians of Ireland comprising of experts in a number of specialties including infectious diseases, paediatrics and public health. The committee's recommendations are informed by public health advice and international best practice. All relevant and appropriate information is taken into account when deciding to make changes to the State's immunisation programmes.

NIAC has made a recommendation that the HPV vaccine should be given to boys. My Department asked the Health Information and Quality Authority (HIQA) to carry out a health technology assessment (HTA). Work has commenced on the HTA and is expected to be completed in 2018. Any decision to extend the current programme which offers HPV vaccination to all girls in their first year of second-level education to a programme that also offers vaccination to boys will be informed by the evidence contained in the HTA.

### **Mental Health Services Data**

368. **Deputy John Curran** asked the Minister for Health the number of children waiting for an appointment with a HSE psychologist in 2015, 2016 and 2017 for each HSE area, in tabular form; and if he will make a statement on the matter. [8478/18]

**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 Data**

369. **Deputy John Curran** asked the Minister for Health the number of community-based HSE counsellors and other therapeutic support personnel assigned to each HSE area in each of the years 2012 to 2017, in tabular form. [8479/18]

**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.

### **Home Help Service Data**

370. **Deputy John Curran** asked the Minister for Health the HSE's 2017 home help hours target for 2018; the number of home help hours delivered in 2017; the number of hours to be targeted in 2018; and if he will make a statement on the matter. [8480/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** The Government is committed to promoting care in the community so that people can continue to live with confidence, security and dignity in their own homes for as long as possible. To support this, we plan to establish a new statutory scheme for the financing and regulation of home care services. The Department is currently engaged in a detailed process to progress this.

In the meantime, the Department and HSE are continuing efforts to incrementally improve the existing services. As detailed in its *National Service Plan*, the HSE is streamlining home care services by moving towards a single funded service. This combines the funding for home help and standard home care packages which will operate as a single home support service from 2018 onwards.

Home support services are a particular area of focus in Budget 2018, with an additional €18.25m allocated. The additional resources bring the budget for the direct provision of home support services to €408m delivering over 17m home support hours to about 50,500 people. This compares with the estimated 16.34m hours delivered to 50,000 people last year. In addition 235 intensive home care packages will provide 360,000 home support hours for people with complex needs.

### **Medicinal Products Reimbursement**

371. **Deputy Jack Chambers** asked the Minister for Health the measures being taken to assist those persons who can no longer avail of pain-relieving medication (details supplied) following its removal from the medical card scheme; and if he will make a statement on the matter. [8520/18]

**Minister for Health (Deputy Simon Harris):** Medicines play a vital role in improving the health of Irish patients. Securing access to existing and new and innovative medicines is a key objective of the health service. However, the challenge is to do this in an affordable and sustainable manner. The medicines bill for the community drugs schemes – primarily the GMS, Long Term Illness and Drugs Payment schemes and the High Tech Arrangement - was approximately €1.8 billion in 2017.

To ensure patients receive the highest quality care, resources invested in medicines must be used efficiently and effectively. This requires an integrated approach to secure best value for money for all treatments, greater efficiencies in the supply chain and the use of the most cost-effective treatments.

Lidocaine 5% medicated plaster is licensed for the symptomatic relief of neuropathic pain associated with previous herpes zoster (shingles) infection, known as post-herpetic neuralgia (PHN), in adults. It has been reimbursed in the community drugs schemes since 2010. The projected budget impact on introduction was low due to the specific licensed indication but total expenditure trebled between 2012 and 2016, from €9.4 million to over €30 million, mainly from off-license use for pain not associated with shingles.

An HSE Medicines Management Programme (MMP) review of this product highlighted that the clinical evidence for its use in PHN is limited due to lack of comparative data, and its value is uncertain for other types of pain. The National Centre for Pharmacoeconomics estimated that, in Ireland, only 5-10% of prescribing of this product has been for the licensed indication of PHN.

Following the MMP review, the HSE introduced a new reimbursement system for the product from 1 September 2017. This process supports its appropriate use, ensuring that PHN patients continue to receive this treatment.

Under the protocol, all patients who were receiving antivirals for shingles were automatically approved for the lidocaine medicated plaster. No action was required by GPs and the patient's pharmacy was notified of his or her approval status.

However, since 1 December 2017, non-shingles patients no longer automatically receive this item under the community drugs schemes. In August 2017, the HSE advised GPs and pharmacies of the changes and of treatment alternatives.

It is possible for non-shingles patients to be approved for the patch through the community drug schemes. The patient's GP should apply to the Medicines Management Programme

through the online system, and the MMP will review the application and inform the GP of its decision.

I am advised that the MMP has received over 4,700 applications from GPs, of which some 14% have been approved. For many of the conditions applied for, prescribing of the patch was inappropriate, for example for conditions such as deep venous thrombosis, angina, gout and endometriosis.

Where a GP's application is rejected, it may be appealed. The HSE advises that over 60% have been accepted on clinical grounds.

Full details of the review are available on the HSE website at <http://hse.ie/eng/about/Who/clinical/natclinprog/medicinemanagementprogramme/yourmedicines/lidocaine-plaster/lidocaine-medicated-plaster.html>.

This decision is a matter for the HSE. However, I fully support the objectives of the HSE Medicines Management Programme.

### Services for People with Disabilities

372. **Deputy Brendan Smith** asked the Minister for Health the level of funding provided in 2017 and the level of expenditure by the end of December 2017 in relation to the provision of a service (details supplied); the level of funding provided in 2018 for this service; and if he will make a statement on the matter. [8522/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for investigation and direct reply to the Deputy.

### Hospital Services

373. **Deputy Michael Harty** asked the Minister for Health if the University of Limerick hospital group proposes to reduce the medical assessment unit at Ennis Hospital from a seven-day service to a five-day service; and if he will make a statement on the matter. [8526/18]

**Minister for Health (Deputy Simon Harris):** As this is a service issue, I have asked the HSE to respond directly to you.

### Primary Care Centres Data

374. **Deputy Billy Kelleher** asked the Minister for Health the primary care centre projects announced on 17 July 2012, in tabular form; the status of each; and if he will make a statement on the matter. [8527/18]

**Minister for Health (Deputy Simon Harris):** Delivery of primary care infrastructure is a dynamic process, which evolves to take account of changing circumstances including the feasibility of implementation.

The table below gives details of the 35 locations announced on 17 July 2012, and their current status including estimated opening dates. Five of these primary care centres are already operational and eleven are projected to open by the end 2018.

In addition, it should be noted that 67 primary care centres have been opened since 2011, and a further 6 primary care centres are projected to open in 2018, in addition to those shown in the table below.

Count	HSE Region	County	Location / PCT Name	Delivery Method	Project Status - Q4 2017
1	DML	Dublin	Rowlagh / North Clondalkin	Direct build	Stage 2a design team report completed. Purchase agreement finalised with adjoining school, subject to planning permission being granted for the development. HSE awaiting letter from Dept of Education in order to submit planning application.
2	DML	Dublin	Curlew Road / Crumlin / Drimmagh	Direct build	Planning permission in place. Options being reviewed following re-configuration of services in the area.
3	DML	Dublin	Knocklyon / Rathfarnham	Direct build	Planning permission in place. Purchase of site being progressed.

Questions - Written Answers

Count	HSE Region	County	Location / PCT Name	Delivery Method	Project Status - Q4 2017
4	DML	Wicklow	Rathdrum	Operational Lease	Planning approved for retrofit of existing building, but now needs new building. Discussions ongoing with developer.
5	DML	Kildare	Kilcock	PPP	Construction complete. Projected opening Q1 2018
6	DNE	Dublin	Coolock / Darndale	PPP	Construction nearing completion. Projected opening Q2 2018
7	DNE	Dublin	Summerhill, north inner city Dublin	PPP	In construction. Projected opening Q3 2018
8	DNE	Dublin	Balbriggan	Operational Lease	Operational since Q3 2017
9	DNE	Dublin	Swords	Operational Lease	Preferred bidder selected. Letter of Intent issued August 2017.
10	DNE	Louth	Drogheda north	Operational Lease	Existing building requires fitout. Projected completion Q1 2018 and operational Q2 2018.

Count	HSE Region	County	Location / PCT Name	Delivery Method	Project Status - Q4 2017
11	DNE	Meath	Laytown and Bettystown	Operational Lease	Re-advertised in November 2017. Submissions received, currently under review.
12	DNE	Meath	Kells	Operational Lease	Operational since Q1 2016
13	DNE	Monaghan	Carrickmacross	Operational Lease	Layouts agreed. Finalising Agreement for Lease.
14	South	Carlow	Tullow / Rathvilly / Hacketstown	Direct build	Adjoining landowner has re-engaged with HSE. Options being reviewed.
15	South	Kilkenny	Kilkenny city (East)	Operational Lease	Letter of Intent issued. Layouts being reviewed. Legal discussions progressing.
16	South	Wexford	Wexford town	PPP	In Construction. Projected opening Q2-Q3 2018
17	South	Waterford	Dungarvan	PPP	In Construction. Projected opening Q2-Q3 2018
18	South	Waterford	Waterford city (east)	PPP	In Construction. Projected opening Q2-Q3 2018

Questions - Written Answers

Count	HSE Region	County	Location / PCT Name	Delivery Method	Project Status - Q4 2017
19	South	Cork	Cork city - Ballyphehane / Togher / Greenmount / The Lough	Operational Lease	Letter of Intent issued. Layouts being developed. Planning in discussion with local authority.
20	South	Kerry	Tralee	Operational Lease	Letter of Intent issued. Layouts being reviewed. Planning permission received.
21	South	Tipperary	Carrick-on-Suir	PPP	In Construction. Projected opening Q2 2018
22	South	Tipperary	Clonmel	Operational Lease	Reviewing accommodation requirements before progressing to stage 3. Existing HSE facilities being reviewed.
23	West	Tipperary	Thurles	Operational Lease	Letter of Intent issued. Agreement for Lease signed. Planning application submitted.
24	West	Limerick	Limerick city (Ballinacurra / Weston)	PPP	Operational Q1 2018
25	West	Clare	Ennis	Operational Lease	Stage 3 priced offers being evaluated.
26	West	Galway	Tuam	PPP	Operational since Q4 2017.

Count	HSE Region	County	Location / PCT Name	Delivery Method	Project Status - Q4 2017
27	West	Galway	Gort	Operational Lease	Letter of Intent withdrawn 24/05/2016. Possible re-advertisement.
28	West	Roscommon	Boyle	PPP	Operational Q1 2018
29	West	Roscommon	Ballaghaderreen	Operational Lease	Letter of Intent issued 27/10/2015. Project progressing to Agreement for Lease.
30	West	Mayo	Westport	PPP	In Construction. Projected opening Q2 2018
31	West	Mayo	Claremorris	PPP	Construction complete. Projected opening Q1 2018
32	West	Sligo	Ballymote	PPP	Construction complete. Projected opening Q1 2018
33	West	Donegal	An Clochán Liath - Dungloe	Operational Lease	Re-advertised for Operational Lease option. Expressions of interest received. Stage 2 responses received, preparing to issue stage 3 letters.
34	West	Donegal	Donegal town	Operational Lease	Expressions of interest received. Currently being reviewed

\* *Coolock and Darndale were announced as two separate locations*

## **Emergency Departments Data**

375. **Deputy Billy Kelleher** asked the Minister for Health the number of persons aged 75 years of age or over who experienced an emergency department wait time of more than 24 hours in January 2018; and the hospitals in which the wait occurred. [8528/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter I have referred this question to the HSE for a direct response to the Deputy.

## **Misuse of Drugs**

376. **Deputy Louise O'Reilly** asked the Minister for Health when bulletin 7 of the drug prevalence survey 2014-2015 which focuses on gambling will be published in view of the fact that it was to be released in 2017; and if he will make a statement on the matter. [8551/18]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** The Drug Use in Ireland and Northern Ireland, Drugs Prevalence Survey 2014/2015 contains data on prevalence rates on gambling. A section on gambling was included in this survey for the first time at the request of the Department of Justice and Equality.

The first results of the general population survey, Bulletin 1, indicated that 64.5% of respondents aged 15 or older reported gambling in the 12 months prior to the survey and 41.4% of respondents reported gambling in the 30 days prior to the survey.

There has been a delay in finalising the remaining Bulletins, including Bulletin 7 on gambling, due to the unavailability of the lead researcher. I expect that these will be published in the coming months.

## **Home Care Packages Data**

377. **Deputy Niamh Smyth** asked the Minister for Health the number of persons in County Cavan that are in receipt of personal assistance hours; the allocation of personal assistance hours to County Cavan; the steps the Health Service Executive is taking to ensure personal assistance services are consistently available nationwide; and if he will make a statement on the matter. [8553/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** As the Deputy's question relates to a service matter, I have arranged for the question to be referred to the Health Service Executive for a direct reply to the Deputy.

## **Disabilities Assessments**

378. **Deputy Kathleen Funchion** asked the Minister for Health if there have been changes to the assessment of needs process specifically that it would no longer include a specific diagnosis; if full assessments are no longer being carried out; and if he will make a statement on the matter. [8556/18]

**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 servic-

es 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.

### **Disabilities Assessments**

379. **Deputy Kathleen Funchion** asked the Minister for Health if there have been changes to the assessment of needs process; if assessment officers are being instructed to issue a service report without a full assessment; if so, the reason this instruction has been given and by whom; and if he will make a statement on the matter. [8557/18]

**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 Services Funding**

380. **Deputy Joan Burton** asked the Minister for Health if his attention has been drawn to an application for core funding by an organisation (details supplied); and his views on the importance of catering for the mental health needs of the deaf community. [8559/18]

**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 Health Service Executive's National Service Plan for 2018 includes a goal to deliver timely, clinically effective and standardised safe mental health services in adherence to statutory requirements. This includes a commitment to implement enhanced services for those who are deaf and mentally ill.

As the Deputy's question relates to service issues, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Disability Services Funding**

381. **Deputy Joan Burton** asked the Minister for Health if his attention has been drawn to an application for core funding by an organisation (details supplied); and his views on the importance of catering for the mental health needs of the deaf community here. [8567/18]

**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 Health Service Executive's National Service Plan for 2018 includes a goal to deliver timely, clinically effective and standardised safe mental health services in adherence to statutory requirements. This includes a commitment to implement enhanced services for those who are deaf and mentally ill.

As the Deputy's question relates to service issues, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Occupational Therapy Waiting Lists**

382. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of persons waiting over 52 weeks for an occupational therapy assessment in a primary care setting, by CHO area, in tabular form; and if he will make a statement on the matter. [8583/18]

**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 Data**

383. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of children awaiting a first appointment for CAMHS, by CHO area, in tabular form; and if he will make a statement on the matter. [8584/18]

**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 Staff**

384. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of CAMHS staff working less than a 48 hour working week, by CHO area, in tabular form; and if he will make a statement on the matter. [8585/18]

**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.

### Respite Care Services Data

385. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of overnight respite hours that were provided in each of the years 2012 to 2017, by CHO area, in tabular form; and if he will make a statement on the matter. [8586/18]

**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.

### Hospital Waiting Lists Data

386. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of persons that waited longer than 20 working days to receive treatment for prostate cancer, by CHO area, in tabular form; and if he will make a statement on the matter. [8587/18]

**Minister for Health (Deputy Simon Harris):** Rapid Access Clinics for patients with suspected prostate cancer have been established in each of the eight designated cancer centres. The national target is that 90% of all prostate cancer patients are offered an appointment within 20 working days of the receipt of the referral letter.

In December 2017, the most recent figures available, 77% of patients were seen within 20 working days. The number of patients who waited longer than 20 working days in each designated cancer centre are set out below.

Hospital	Patients waiting >20 working days in Dec-17
Beaumont Hospital	0
Mater Misericordiae University Hospital	1
St. Vincent's University Hospital	0
St. James's Hospital	15
Waterford University Hospital	1
Cork University Hospital	17
Limerick University Hospital	16
University Hospital Galway	0
Total	50

### Mental Health Services Funding

387. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the complete mental

health budget and actual spend for 2017 in this regard, by CHO area, in tabular form; and if he will make a statement on the matter. [8588/18]

**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 Appointments Status**

388. **Deputy Frank O'Rourke** asked the Minister for Health when a person (details supplied) will receive an appointment at Linn Dara CAMHS clinic, Dublin 24; the criteria for referral to the clinic; if a psychological assessment needs to be provided; and if he will make a statement on the matter. [8591/18]

**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.

### **Eating Disorders**

389. **Deputy James Browne** asked the Minister for Health the number of designated specialist beds for the treatment of eating disorders in the public mental health service; and if he will make a statement on the matter. [8605/18]

**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 Aids and Appliances Provision**

390. **Deputy Noel Grealish** asked the Minister for Health if there is grant aid made available through his Department or organisations funded by his Department for the purchase of defibrillators by community groups; and if he will make a statement on the matter. [8611/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for attention and direct reply to the Deputy.

### **HSE Staff Data**

391. **Deputy John Brady** asked the Minister for Health if the HSE has environmental health officers covering south County Wicklow, namely areas (details supplied); and if he will make a statement on the matter. [8625/18]

**Minister for Health (Deputy Simon Harris):** This is a matter for the HSE therefore I have referred the question to the HSE for attention and direct reply.

### **Written Answers Nos. 392-407**

## HIQA Inspections

392. **Deputy John Brady** asked the Minister for Health the number of residential inspections carried out by environmental health officers in each of the years 2015 to 2017; and if he will make a statement on the matter. [8626/18]

**Minister for Health (Deputy Simon Harris):** This is a matter for the HSE therefore I have referred the question to the HSE for attention and direct reply.

## Advertising Regulation

393. **Deputy Louise O'Reilly** asked the Minister for Health his views on whether the definition of corporate social responsibility in the voluntary codes of practice on the marketing of food and non-alcoholic beverages will be exploited in view of the fact that the codes will exempt CSR initiatives; if he will provide examples of CSR initiatives that will be exempt; his plans to ensure companies make CSR codes available to the designated body; and if he will make a statement on the matter. [8627/18]

394. **Deputy Louise O'Reilly** asked the Minister for Health the way in which the voluntary codes of practice on the marketing of food and non-alcoholic beverages section relating to sponsorship linked to HFSS food will operate specifically with regard to restrictions not extending to corporate identities, trading names or masterbrands; the sponsorship under this exemption that will be permitted; and if he will make a statement on the matter. [8628/18]

395. **Deputy Louise O'Reilly** asked the Minister for Health the monitoring body to be designated to monitor the voluntary codes of practice on the marketing of food and non-alcoholic beverages; the timeframe for the designation of this body and the development of guidelines for implementation of the code and mechanisms for monitoring; and if he will make a statement on the matter. [8629/18]

396. **Deputy Louise O'Reilly** asked the Minister for Health the meaning of effectiveness and compliance in terms of the voluntary codes of practice on the marketing of food and non-alcoholic beverages; the way in which compliance will be measured; his views on whether a post airing or publication complaint process is a suitable means to monitor compliance; if there will be penalties for non-compliance; if there will be a timeframe in which his Department will measure if the codes have been successful before introducing statutory regulation; and if he will make a statement on the matter. [8630/18]

397. **Deputy Louise O'Reilly** asked the Minister for Health when the voluntary codes of practice on the marketing of food and non-alcoholic beverages will be reviewed; the person or body that will review it; and if he will make a statement on the matter. [8631/18]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** I propose to take Questions Nos. 393 to 397, inclusive, together.

This is a matter for the HSE therefore I have referred the question to the HSE for attention and direct reply.

The national Obesity Policy and Action Plan (OPAP) was approved by the Government in 2016. The OPAP recommended that a code of practice for food and beverages promotion, marketing and sponsorship be developed, implemented and evaluated in conjunction with the food industry, HSE, Dept of Children and Youth Affairs, safefood, Food Safety Authority of Ireland and advertiser organisations. The OPAP premised this recommendation by providing

that ‘already there are many examples of the food industry making positive contributions to the prevention of obesity and it is essential to capitalise and expand on such initiatives’.

The group that developed the Codes involved representatives from the food industry, advertising sector, statutory agencies, and various Government Departments. It was chaired by the former CEO of the statutory Food Safety Authority of Ireland.

The Codes of Practice are one of the suite of actions set out in the OPAP in the knowledge that no single sector or agency, or no single action, is able to solve this issue on their own. Everyone and every sector has a role to play in those solutions.

Section 10 of the Codes of Practice provides for a governance framework for these codes. It stipulates that monitoring for compliance and effectiveness encompasses:

1. Compliance of the food industry with the rules in the Codes governing the various media and

2. the efficacy of the Codes of Practice with respect to achieving their objectives of ensuring that:

- So-called High Fat Sugar and Salt (HFSS) foods are marketed in a responsible way
- children are not exposed to inappropriate marketing, advertising or sponsorship associated with these kinds of food and drink products
- healthier food choices are actively promoted.

Section 10 of the Codes on governance also provides that:

‘The monitoring body will be free to decide on its operational methods. However the body will have access to and review relevant data from all companies and partner organisations.’

It elaborates further on what monitoring for compliance and effectiveness shall involve. It provides that monitoring will include:

- a. ‘Independent research/monitoring across all of the areas governed by these Codes to assess adherence, and
- b. Investigating and dealing with complaints.’

Furthermore, the Codes provide that:

‘The monitoring body shall commission research that will inform it of the effectiveness of these Codes in achieving their stated aims and objectives.’

The food industry and relevant sectors have agreed to the implementation of these Codes. The Codes were only launched last week and so it is too early to be specific about the other queries raised by the Deputy pending the establishment of the monitoring body and the development of guidelines for the implementation of the Codes during 2018.

### **Respite Care Services**

398. **Deputy Kevin O’Keeffe** asked the Minister for Health the position regarding persons who avail of respite care and long-term care in a hospital (details supplied) and who reside far from the hospital and whose family doctor is expected to visit them during respite care and

long-term care; and if his attention has been drawn to the fact that many persons have been advised prior to being admitted to hospital that if they cannot guarantee their general practitioners will attend to them if required during their stay they could lose their booking for respite care. [8632/18]

**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.

### **Services for People with Disabilities**

399. **Deputy Niamh Smyth** asked the Minister for Health the position of a person (details supplied) on the waiting list for two rehabilitation units; and if he will make a statement on the matter. [8633/18]

**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 issues, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Departmental Properties**

400. **Deputy Fiona O'Loughlin** asked the Minister for Health if a proposed site (details supplied) has been acquired; and if he will make a statement on the matter. [8648/18]

**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.

### **Home Care Packages**

401. **Deputy Noel Rock** asked the Minister for Health the status of an application for a home care package by a person (details supplied); and if he will make a statement on the matter. [8655/18]

**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 Waiting Lists**

402. **Deputy Noel Rock** asked the Minister for Health the steps he is taking to address long waiting lists for knee and hip replacement surgeries; when he expects waiting times to be cut;

and if he will make a statement on the matter. [8656/18]

**Minister for Health (Deputy Simon Harris):** Reducing waiting times for patients is one of the Government's key priorities.

Throughout 2017, the HSE and NTPF worked together to drive down long wait times for Inpatient and Daycase procedures. Over 29,000 patients came off the Inpatient/Daycase waiting list by the end of October .

At present 56% of patients on the Inpatient/Daycase Waiting List wait less than 6 months, and 83% wait less than 12 months for their procedure. This is despite the additional demands on our Acute Hospitals, which, since 2000 are carrying out four times more procedures for patients ages 65 and over and twice as many in the under 65 age group.

October's Budget announced a total 2018 allocation of €55m for the NTPF for 2018. This significant increase in funding more than doubles the 2017 total allocation of €20m. The NTPF and HSE are in the process of finalising Waiting List Action Plans and Initiatives for 2018. This will include ambitious targets for both the HSE and NTPF to reduce the overall number of patients waiting for treatment including those patients awaiting Orthopaedic procedures.

I hope to publish the 2018 Inpatient Day Case Waiting List Action Plan at the end of February.

### **Departmental Properties**

403. **Deputy Róisín Shortall** asked the Minister for Health the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership or part ownership of or under the control of his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8667/18]

**Minister for Health (Deputy Simon Harris):** The Deputy's question has been referred to the Health Service Executive for direct reply as the HSE is responsible for the management of the healthcare property estate. Details of properties of other bodies under the aegis of the Department are operational matters for the bodies concerned and the Deputy should contact the relevant Director/CEO/Registrar directly.

### **Medical Aids and Appliances Provision**

404. **Deputy Patrick O'Donovan** asked the Minister for Health if a matter (details supplied) will be addressed regarding a device; and if he will make a statement on the matter. [8678/18]

**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.

### **Health Insurance Company Payments**

405. **Deputy Danny Healy-Rae** asked the Minister for Health if a matter (details supplied) will be addressed regarding a payment method; and if he will make a statement on the matter. [8682/18]

**Minister for Health (Deputy Simon Harris):** As Minister for Health I have no role in the day-to-day business decisions of any insurer, including which payment methods are accepted for health insurance policies. If the Deputy's constituent has a complaint regarding the change in payments policy of their insurer, I recommend first that they attempt to resolve this with their insurer, as an alternative suitable payment method may be available. If they are not satisfied with the resolution of this complaint I recommend they contact the Financial Services Ombudsman.

### **Mental Health Services Data**

406. **Deputy Michael McGrath** asked the Minister for Health the location and number of beds in the Munster region for child and adolescent mental health services; and if he will make a statement on the matter. [8693/18]

**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 Provision**

407. **Deputy Michael McGrath** asked the Minister for Health his plans to introduce an out-of-hours mental health service in County Cork; and if he will make a statement on the matter. [8694/18]

**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.

### **Written Answers Nos. 408-423**

*Question No. 408 answered with Question No. 347.*

### **Hospital Waiting Lists**

409. **Deputy Niamh Smyth** asked the Minister for Health the status of an operation for a person (details supplied); and if he will make a statement on the matter. [8707/18]

**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 de-

veloped to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Dental Services Provision**

410. **Deputy Paul Kehoe** asked the Minister for Health the date a dentist will visit a school (details supplied); and if he will make a statement on the matter. [8710/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter it has been referred to the HSE for direct reply to the Deputy.

### **Health Services Staff Recruitment**

411. **Deputy Michael Harty** asked the Minister for Health the number of persons who applied for the position of Sláintecare executive director; and if he will make a statement on the matter. [8728/18]

**Minister for Health (Deputy Simon Harris):** The recruitment of a person to fill the post of Executive Director of Sláintecare is an ongoing process and the competition is being run independently of the Department of Health by the Public Appointments Service on behalf of the Top Level Appointments Committee (TLAC).

TLAC's function is to independently recommend candidates to Ministers and Government for the most senior positions in the Civil Service, strictly on the basis of the relative merit of the candidates for the positions concerned.

The Department of Health is not involved in the selection process at this point and therefore cannot comment on the number of candidates who may have applied to the Public Appointments Service for the position.

### **Ambulance Service**

412. **Deputy Louise O'Reilly** asked the Minister for Health the location from which equipment for the National Ambulance Service incident response team which is currently being established is being supplied; and if he will make a statement on the matter. [8765/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the HSE to respond directly to you.

### **Ambulance Service Staff**

413. **Deputy Louise O'Reilly** asked the Minister for Health if personnel from outside Ireland attended training alongside staff from here for the National Ambulance Service incident response team; and if he will make a statement on the matter. [8766/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the HSE to respond directly to you.

### **Hospital Appointments Status**

414. **Deputy Niamh Smyth** asked the Minister for Health the status of an appointment for a person (details supplied); and if he will make a statement on the matter. [8772/18]

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

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

*Question No. 415 answered with Question No. 347.*

### **Medical Card Eligibility**

416. **Deputy Michael Collins** asked the Minister for Health if full medical cards will be granted to all organ-transplant patients (details supplied); and if he will make a statement on the matter. [8776/18]

**Minister for Health (Deputy Simon Harris):** A key recommendation of the 2014 Report of the Expert Panel on Medical Need for Medical Card Eligibility was that a person's means should remain the main qualifier for a medical card. The report also concluded that it is neither feasible nor desirable to list conditions in priority order for medical card eligibility. Therefore, medical card provision is solely based on financial assessment. Under the legislation, having a particular illness, in itself, does not establish eligibility for a medical card.

Every effort is made by the HSE, within the framework of the legislation, to support applicants in applying for a medical card and, in particular, to take full account of the difficult circumstances in the case of applicants who may be in excess of the income guidelines. It should be noted, in certain circumstances, the HSE may exercise discretion and grant a medical card, even though an applicant exceeds his or her income threshold, where he or she faces difficult financial circumstances, such as extra costs arising from an illness. Social and medical issues are considered when determining whether undue hardship exists for an individual accessing general practitioner or other medical services. The HSE affords applicants the opportunity to furnish supporting information documentation to fully take account of all the relevant circumstances that may benefit them in the assessment, including medical evidence of cost and necessary expenses.

## **Hospital Appointments Status**

417. **Deputy Niamh Smyth** asked the Minister for Health the status of a hospital appointment for a person (details supplied); if a date for this appointment will be provided; and if he will make a statement on the matter. [8788/18]

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

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

## **Services for People with Disabilities**

418. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the wait times for providing clinical supports to children with a confirmed diagnosis of autism spectrum disorder without a significant intellectual disability, by CHO, in tabular form; and if he will make a statement on the matter. [8789/18]

419. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the wait times for providing occupational therapy to children with a confirmed diagnosis of autism spectrum disorder without a significant intellectual disability, by CHO, in tabular form; and if he will make a statement on the matter. [8790/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I propose to take Questions Nos. 418 and 419 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.

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.

## **Hospital Staff Recruitment**

420. **Deputy Michael Harty** asked the Minister for Health if the HSE is planning to recruit radiologists and radiographers to increase the amount of scanning time provided at Mid-West-

ern Regional Hospital, Ennis; and if he will make a statement on the matter. [8793/18]

**Minister for Health (Deputy Simon Harris):** As this is a service issue, I have asked the HSE to respond directly to you.

### **Hospital Appointments Status**

421. **Deputy Thomas Byrne** asked the Minister for Health the status of a hospital appointment for a person (details supplied). [8796/18]

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

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

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Dog Breeding Industry**

422. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine the role his Department will take to work with UK authorities to prevent the illegal cross-border trade of puppies. [8745/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Trade within the EU of dogs is governed by EU law. Dogs moved to another EU Member State from Ireland must be accompanied by an EU pet passport and a health certificate issued by a Department veterinarian, be microchipped and have a valid rabies vaccination. Before travel, dogs must undergo a clinical examination by an authorised veterinarian, who must verify that the animals show no obvious signs of disease and are fit to be transported.

The premises exporting dogs to the other EU Member States must be registered with my Department in advance of the export.

These procedures ensure that only healthy dogs, over the age of 15 weeks, are allowed to be exported.

Exporters must also comply with national and EU law on the protection of animals during transport, while the transport of animals by air is also governed by the International Air Transport Association (IATA). Information about any breaches of these regulations can be provided to my Department, which will treat any information received in the strictest of confidence.

The vast majority of dogs that are moved from Ireland go to the UK (of the 12,898 dogs exported to the EU in 2017; 10,560 were exported to the UK). The Department carries out un-

announced checks at our ports and will continue to do so.

My Department and the UK authorities work together on areas of common interest and have agreed to keep canine exports on the agenda.

### **Laboratory Facilities**

423. **Deputy Tony McLoughlin** asked the Minister for Agriculture, Food and the Marine the status of the cost-benefit analysis of the regional veterinary laboratories; when a decision will issue on a laboratory in County Sligo; and if he will make a statement on the matter. [8063/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Following a competitive tender process, my Department has commissioned RSM Ireland to undertake a cost-benefit analysis (CBA) of options that have been proposed for the future development of the Regional Veterinary Laboratories (RVLs). The team conducting the CBA includes internationally recognised, independent experts in economic analysis and animal disease surveillance. It is expected to complete its work in mid-2018, after which a report and recommendations will be presented to me.

To date no decision has been taken in respect of the options proposed for the RVLs, including the RVL in county Sligo. My Department completed an initial consultative process with all relevant stakeholders on the options for the RVLs during the course of last year. Any decision that is made on the RVLs will be informed by both that consultative process and the outcome of the CBA.

### **Animal Feedstuffs**

424. **Deputy Peadar Tóibín** asked the Minister for Agriculture, Food and the Marine the genetically modified products imported here; the genetically modified animal feeds imported here and entering the food chain; the volume of these imports; his views on whether these genetically modified products in the food chain will have a negative impact on Ireland's green food brand; his further views on whether genetically modified meal and so on imported here leave local tillage farmers at a competitive disadvantage; and his plans to protect the green food brand and tillage farmers. [8076/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** In Ireland, up to 80% of the animal feed requirement for ruminants is supplied from grass, hay and silage, complemented where appropriate, by compound feeds. In the case of pigs and poultry, virtually all nutrition is derived from compound feeds. In 2017 Ireland imported approximately 3.47 million tonnes of animal feed materials. In addition, approximately 2.1 million tonnes of home-grown cereals is used in the production of animal feed, bringing the total usage of feed materials to about 5.6 million tonnes annually. With our grass based livestock production system, with limited tillage area, Ireland is especially dependent on feed imports relative to other EU Member States.

Almost 1.7 million tonnes of soya and maize genetically modified (GM) products were imported into Ireland for inclusion in animal feeds in 2017, constituting approximately 50% of total feed imports. The main commodities imported are maize and maize by-products, soya-bean meal and soya hulls and rapeseed meal. Up to 90% of the soyabean and maize products are imported from Argentina, Brazil and the USA. Significant quantities of non-GM maize and

oilseed rape meal are imported from continental Europe, including the Ukraine.

Due to our high proportion of livestock production compared to tillage area, Ireland is especially dependent on feed imports relative to other EU Member States. Approximately two thirds of the feed materials marketed here are imported, compared to 37% in the UK, 27% in France, and 26% in Germany. The pig, poultry and dairy sectors are particularly dependent on imports of GM soybean and GM maize by-products as they are essential ingredients in the formulation of these feed rations.

The EU is only 35% self-sufficient in high-protein supplement supplies for animal feed. Soybean is the most favoured vegetable protein because of its nutritional efficacy and competitive cost. A significant quantity of soybean and maize from North and South America is essential therefore to satisfy the protein requirements in animal nutrition within the EU.

Ireland supports increased domestic production of protein crops. The national coupled protein support payment is evidence of that. Production of these crops in Ireland has been traditionally low. However, since the introduction of the coupled protein payment in 2015, the area of protein crops, mainly beans, has increased from an average of 4,000 ha to over 13,000 ha. The production of pulse crops such as peas and beans also contribute several environmental benefits by fixing nitrogen and adding to diversity in crop rotations.

Supporting the tillage sector through encouraging the production of protein crops is an important strategic objective of this Department. It is also important however, given our dependence on imported protein for animal nutrition, that access to imports of competitively priced protein from existing sources is maintained.

### **Forestry Grants**

425. **Deputy Niamh Smyth** asked the Minister for Agriculture, Food and the Marine the reason payment to a person (details supplied) was stopped after 15 years; and if a forestry payment can continue for 20 years. [8224/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named inherited a grant-aided plantation from a relative in 2006. The original applicant, who planted the land in 2003, had qualified as a farmer for the purposes of the afforestation scheme in place at the time. The scheme conditions also specified that when the person named inherited the lands, he was required to prove that he qualified to retain the farmer rate of payment in his own right. Unfortunately, as that person was not farming, he was unable to do so and consequently, could only continue in the scheme at the non-farmer rate of premium. That rate was lower than the farmer rate and the term of the scheme itself was also shorter, at 15 rather than 20 years.

The situation was confirmed in writing to the person named in 2007, when the transfer of the forestry contract into his name was completed. I note that the case was reviewed by my Department on a number of occasions at the request of the person named or others on his behalf. The Department was satisfied that the correct rate and term had been applied in accordance with the scheme conditions applicable to this forestry contract.

The fifteenth and final annual premium was paid in 2017 and no further payments are due.

### **GLAS Payments**

426. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of a GLAS payment for a person (details supplied); and if he will make a statement on the matter. [8237/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The above named was approved into GLAS 2 and has received the 85% advance payment in respect of 2016.

The nutrient management plan (NMP) remains outstanding in this case. The requirement to submit an NMP has been consistently highlighted by my Department and reminders have issued in this regard. A final letter will issue shortly to this and other GLAS 1 and 2 participants who have not yet submitted an NMP. It is important that the applicant understands that if the NMP is not received within 10 days of this letter it will be necessary to terminate his/her participation in the scheme.

### **Afforestation Programme**

427. **Deputy Michael Fitzmaurice** asked the Minister for Agriculture, Food and the Marine the number of persons that applied for the afforestation scheme in County Leitrim in 2016 and then transferred ownership to another party; and if he will make a statement on the matter. [8252/18]

428. **Deputy Michael Fitzmaurice** asked the Minister for Agriculture, Food and the Marine the number of persons that applied for the afforestation scheme in County Leitrim in 2015 and then transferred ownership to another party; and if he will make a statement on the matter. [8253/18]

429. **Deputy Michael Fitzmaurice** asked the Minister for Agriculture, Food and the Marine the number of persons that applied for the afforestation scheme in County Leitrim in 2014 and then transferred ownership to another party; and if he will make a statement on the matter. [8254/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I propose to take Questions Nos. 427 to 429, inclusive, together.

My Department does not have information or statistics on the ownership or transfer of lands by parties prior to an application being made for the first grant and premium under the Afforestation Grant and Premium Schemes.

It does maintain statistics on changes made by Scheme participants after a plantation has been established, where an existing forestry contract undergoes a change through sale, transfer or inheritance of a grant-aided plantation from the original scheme applicant and where a new applicant signs up to continue the term of the scheme. These statistics are published annually by the Department on a national basis.

In 2014, a change of applicant was completed on 366 forestry contracts nationally; in 2015, the figure was 362. The 2016 figure was 543 and the 2017 figure was 396.

The corresponding numbers for County Leitrim only are 12, 9, 42 and 23 for 2014, 2015, 2016 and 2017 respectively.

### **TAMS Applications**

430. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a decision will issue regarding an application by a person (details supplied) under TAMS; the reason for the delay in processing this application; and if he will make a statement on the matter. [8256/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named made an application under the Young Farmers Capital Investment Scheme of TAMS II on 30th June 2017. Following a pre-approval inspection on the 26th January 2018 a query letter issued to the applicant on the 13th February 2018 and the Department are awaiting a response to this query letter before approval can issue.

### **TAMS Eligibility**

431. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if the provision of housing for cattle in respect of TAMS covers new sheds and the upgrade of existing facilities; and if he will make a statement on the matter. [8257/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The TAMS scheme provides for the provision of new buildings. The upgrading of existing buildings is not covered, with the exception of the construction of a tank in an existing animal house. The range of investments available under the suite of seven TAMS measures is extensive and full details are available on the Department's website-[www.agriculture.gov.ie](http://www.agriculture.gov.ie)

### **GLAS Applications**

432. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of a GLAS payment for a person (details supplied); and if he will make a statement on the matter. [8259/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named was approved into GLAS 2 with a contract commencement date of 1 January 2015 and has received payment in respect of 2015.

A penalty was imposed on the holding following an AFIT inspection. The person named has been in direct contact with my Department and, as discussed, the Department awaits written confirmation of the course of action proposed by the person named. Once this is received the matter can be further processed.

### **Basic Payment Scheme Applications**

433. **Deputy Eugene Murphy** asked the Minister for Agriculture, Food and the Marine the steps he is taking to enable persons that are unable to make their basic payment scheme applications online to be facilitated; and if he will make a statement on the matter. [8281/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Under the EU regulations, 2018 is the first year that applications for the Basic Payment Scheme (BPS) are required to be submitted online. I am aware that for some people, this will be the first year that they will have engaged with the online applications process.

To help farmers to submit their application online in 2018, I have ensured the early open-

ing for the BPS application facility in 2018. The application process in 2018 is opening over a month earlier than in 2017. This will provide more time for farmers to familiarise themselves with the online application facility and to submit their applications. My Department has already contacted those farmers who applied in paper form in 2017 advising them of the new requirement to submit online in 2018, to provide them with guidance material in relation to starting their online application, and to advise them that further supports will be rolled out by my Department in the coming weeks.

Officials from my Department will implement a range of supports to farmers over the coming weeks, including a series of BPS clinics in locations throughout the country. These clinics have proved very successful in recent years, and will be available on a much wider scale this year. The format will enable farmers to sit with an official from my Department who will guide them through the process of submitting their application online there and then. The location details in relation to these clinics are currently being finalised. In the meantime, officials from my Department have been present at the ongoing series of CAP consultation meetings around the country to assist any farmers with queries in relation to online applications.

Other supports such as telephone help lines and 'How to' guides will also be in place. As we move towards the application deadline, my Department will be in contact with farmers again to provide further details on available supports. I am committed to ensuring that the supports being put in place will ensure that all farmers are able to access these important payments.

### **Basic Payment Scheme Appeals**

434. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of farm payments for a person (details supplied); and if he will make a statement on the matter. [8312/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named submitted an application under the 2017 BPS on 24 April 2017. In order to qualify for payment under the BPS an applicant must have an eligible hectare of land in respect of each entitlement held.

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).

As part of the process of determining land eligibility, parcels declared by the person named on his 2017 BPS application 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 person's named BPS application. The over claimed land has been excluded from named person's BPS application and he was paid on 14 December 2017 on the remaining eligible hectares.

The person named was notified by my Department on 4 December 2017 about the burned land parcels and has submitted an appeal. This appeal is being examined with a view to an early resolution. Should additional information be required, my Department will contact the person named directly.

### **Fodder Crisis**

435. **Deputy Tom Neville** asked the Minister for Agriculture, Food and the Marine if County Limerick will be included under the fodder transport scheme. [8314/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** To address an identified shortfall of fodder in certain areas of the West and North-West of the country, I introduced a targeted Fodder Transport Support Measure, operated through the Co-operative structure. The measure provides a contribution towards the cost of transporting fodder from areas of surplus to those areas in need, primarily in the West and North West, based on assessment by Teagasc. This measure applies from January 29th 2018 until April 20th 2018.

While the areas identified by Teagasc as being the most affected are predominantly located in parts of the West and North West, the measure is not county specific within the region. Teagasc is also monitoring the fodder situation in adjoining areas and will carry further assessments if necessary. As with all measures, certain criteria apply. Farmers, in a locality within the region, identified by Teagasc as having a significant fodder shortage, having completed a fodder budgeting exercise with their FAS agricultural advisor, will be eligible to receive a financial contribution towards the costs of transport of fodder, sourced through the Co-operative system. Only the shortfall in fodder will be eligible to receive support under the measure.

It is important to emphasise that this is a very targeted and locally focused measure, centring on areas of fodder scarcity where normal local trading in fodder cannot service. At present County Limerick is not identified as an area that currently is experiencing a significant fodder shortage and reports indicate that there is adequate fodder available currently in the county. My Department will continue to monitor the situation.

### **Basic Payment Scheme Penalties**

436. **Deputy Marc MacSharry** asked the Minister for Agriculture, Food and the Marine if his Department's decision to reduce 2017 basic payment scheme payments due to a fire in 2017 to landowners who have a share in the commonage at a location (details supplied) will be reviewed; if his Department sought or received a report as to the cause of the fire; the reason the landowners affected were not notified of the reduction in their payments until December 2017; and if he will make a statement on the matter. [8320/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** All applications under the Basic Payment Scheme (BPS) are subject to robust administrative checks prior to payment. Only valid applications under the BPS that fully comply with the requirements of the EU legislation are paid.

It is specified in the 2017 BPS Terms & Conditions that Under Section 40 of the Wildlife Act, 1976, as amended by the Wildlife (Amendment) Act, 2000 growing vegetation cannot be burnt between 1st March and 31st August of any given year, on any land not yet cultivated. These Terms and Conditions were circulated to all farmers in March of 2017. Where land has been burned, it is not in a state suitable for an agricultural activity such as grazing or cultivation and therefore it is not eligible, except where controlled burning is carried out during the permitted timeframe.

In 2017 my Department actively investigated incidents of illegal burning using the most up to date technology and satellite imagery. It was apparent during the closed season for burning that there was widespread burning of vegetation, including lands on the commonage mentioned by the Deputy. Accordingly my Department confirmed via Press release on 17th May that it was investigating the illegal burning of land. Farmers were also advised to reduce their claimed

areas as appropriate where lands already claimed by them had been burned during the closed season.

Some farmers, including those on the commonage mentioned were notified, as soon as the information available to my Department had been fully examined to confirm its accuracy, about the burned land parcel(s), and were also provided with maps outlining the areas determined as having been burned. They were advised of their right of appeal and some have now submitted appeals. These appeals are currently being examined with a view to an early resolution. Should additional information be required, my Department will contact the persons named directly.

Investigation into the exact cause of the fire is a matter for the relevant competent authority (An Garda Síochána).

### **Basic Payment Scheme Appeals**

437. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an appeal by a person (details supplied); and if he will make a statement on the matter. [8328/18]

442. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of a payment for a person (details supplied); and if he will make a statement on the matter. [8390/18]

444. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if a matter will be addressed regarding the case of a person (details supplied); and if he will make a statement on the matter. [8410/18]

445. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if a matter will be addressed regarding the case of a person (details supplied); and if he will make a statement on the matter. [8411/18]

448. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of a farm payment for a person (details supplied); and if he will make a statement on the matter. [8474/18]

449. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an appeal by a person (details supplied); and if he will make a statement on the matter. [8493/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I propose to take Questions Nos. 437, 442, 444, 445, 448 and 449 together.

These questions relate to the illegal burning of land that was determined by my Department to have taken place during the period 1st March to 31st August 2017.

As outlined in a previous reply to the Deputy, my Department actively investigated incidents of illegal burning as the lands affected are deemed ineligible for the purposes of the Basic Payment Scheme (BPS).

The persons named, who were notified by my Department about the burned land parcel(s) in question, have now submitted appeals. These appeals are being examined with a view to an early resolution. Should additional information be required, my Department will contact the persons named directly.

**GLAS Data**

438. **Deputy Aindrias Moynihan** asked the Minister for Agriculture, Food and the Marine the number of persons in County Cork waiting for GLAS payments; the number of part payments issued; and his plans to process the outstanding payments. [8329/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** GLAS 2017 advance payments have now issued in over 44,400 cases, representing 95% of all farmers that are eligible for the payment. Payments are continuing every week.

GLAS payments cannot issue until all regulatory requirements are met. Each GLAS payment claim must be put through a suite of checks for each action and where any individual check fails the issues must be investigated and resolved before being cleared for payment.

In addition to the checks outlined above, a number of applicants remain ineligible for payment until they complete the steps they must take before the Department can process their payment. The general issues preventing payments taking place include the non-submission of nutrient management plans, commonage management plans, low emission slurry spreading forms, rare breeds forms and 2017 BPS application issues that remain to be resolved. My Department is communicating with those affected on an ongoing basis.

Details of GLAS payments to Cork applicants are as follows:

-		GLAS 1			GLAS 2			GLAS 3			Total	
County	Cases	Ad- vance	Ad- vance not paid									
Cork	2143	1,957	186	1,002	877	125	943	835	108	4,088	3,669	419

**Afforestation Programme**

439. **Deputy Tony McLoughlin** asked the Minister for Agriculture, Food and the Marine when a decision on a afforestation licence application (details supplied) will be decided; and if he will make a statement on the matter. [8333/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department has received a number of applications for the Afforestation Grant and Premium Scheme for the forest owner mentioned, three of which are currently being processed.

A request for further information was issued for one application last September. If the applicant wishes to progress this application, that information will be required before any further action can be taken.

For the remaining two applications, assets have been identified on or near the proposed sites that warranted inspection by my Department's Archaeologist. The Archaeologist has examined both files, prepared draft archaeological conditions and referred these, as per the statutory requirement, with relevant details of the applications to the National Monuments Service, Department of Culture, Heritage and the Gaeltacht, for a final opinion/advice. A response is awaited.

Once these reports are finalised, the files will be returned to the District Inspector, who will make final recommendations that will inform the decision on the two cases. These decisions will be communicated to the applicant and their registered forester.

*Questions - Written Answers*  
**Fishery Harbour Centres**

440. **Deputy John Deasy** asked the Minister for Agriculture, Food and the Marine the funding his Department allocated to each of the six State fishery harbour centres since it assumed responsibility for them in October 2007; and the purposes of the funding in each case. [8378/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department annually administers the Fishery Harbour and Coastal Infrastructure Capital Development Programme. This Programme funds capital works at the six State-owned Fishery Harbour Centres, located at Castletownbere, Dingle, Dunmore East, Howth, Killybegs and Ros An Mhíl. My department also has responsibility for North Harbour Cape Clear, and a limited number of piers, lights and beacons in accordance with the 1902 ex-congested Districts Board piers, lights and Beacons Act.

I am happy to inform the Deputy that I have allocated €25,780,000 under this programme in 2018 for the ongoing development and upgrading of the six Fishery Harbour Centres.

Table 1 details the capital expenditure listed by harbour for the State-owned Fishery Harbour Centres for each of the years 2007 to 2017, which comes to almost €110m, the 2018 allocations also shown.

**Table 1 - Fishery Harbour and Coastal Infrastructure Development Programme Expenditure, 2007 - 2018**

€ Mil- lions	Castle- townbere	Dun- more East	Ros An Mhíl	Killybegs	Howth	Dingle	Total
2007	€8.089	€1.225	€2.087	€0.486	€0.170	€0.307	€12.364
2008	€7.636	€0.581	€2.488	€0.410	€0.158	€1.010	€12.283
2009	€7.872	€0.589	€4.091	€0.426	€0.177	€0.411	€13.566
2010	€4.515	€0.282	€1.476	€0.558	€0.254	€1.049	€8.134
2011	€2.832	€0.756	€2.225	€0.987	€0.480	€0.695	€7.975
2012	€0.856	€0.549	€0.439	€0.527	€1.410	€0.470	€4.251
2013	€0.950	€0.815	€0.422	€0.798	€1.353	€0.840	€5.178
2014	€0.372	€0.728	€0.325	€0.528	€1.018	€0.451	€3.422
2015	€0.393	€6.847	€0.309	€1.953	€1.700	€2.142	€13.344
2016	€1.309	€2.287	€2.051	€2.508	€1.382	€1.678	€11.215
2017	€1.541	€1.797	€2.612	€5.199	€1.386	€5.701	€18.236
Total	€36.37	€16.46	€18.53	€14.38	€9.49	€14.75	€109.968
2018*	€8.840	€2.400	€1.390	€7.980	€2.890	€2.280	€25.780

\*= Allocated funding

Key projects undertaken at the six state owned Fishery harbour centres between the relevant periods include:

- The Dinish Warf extension, Castletownbere (€25.8m) 2007 - 2010
- Provision of Ferry pontoons, Ros An Mhíl (€8m) 2007 - 2011
- Bull nose stabilisation, Cape Clear (€4.8m) 2013 - 2015
- Harbour Dredging, Dunmore East (€6.3m) 2015

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- Removal of old slipway, Dingle (€1.5m) 2015
- Small Craft Harbour Dredging, Ros An Mhíl (€1.3m) 2016
- Dredging of North Channel, Dingle (€4.2m) 2017
- The Smooth point extension, Killybegs (€1.5m) 2017

**2018 (allocated funding)**

- The Dinish Quay extension, Castletownbere. (€7m)
- The Smooth point extension Phase 2, Killybegs (€1.4m)

**Young Farmers Scheme**

441. **Deputy Tom Neville** asked the Minister for Agriculture, Food and the Marine if a matter (details supplied) will be addressed regarding funding for young farmers; and if he will make a statement on the matter. [8384/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** EU Regulation 2017/2393 came into effect on 1 January 2018. This Regulation included an amendment to EU Regulation 1307/2013 regarding the number of years a successful applicant under the Young Farmers Scheme (YFS) can receive payment. The relevant amendment is in two parts. The first part of the regulatory amendment provides that YFS applicants may receive payment for five years starting from the first submission of an application for payment, provided that the application takes place within five years of the commencement of farming. This period of five years also applies to farmers who had received payment under the scheme in respect of applications prior to 2018. The second part of the regulatory amendment provides that it is optional for Member States to extend the provision to young farmers who set up a holding in the period 2010-2013, and who had received payment under the YFS in respect of applications before the 2018 scheme year.

Ireland has applied the maximum 2% of the national ceiling to create a YFS fund of €24 million annually. Ireland has also utilised the option to overestimate the BPS ceiling in order to take account of unused YFS funds and this funding was used to allocate entitlements to young farmers and new entrants under the 2017 National Reserve. Therefore the allocation of €24 million is fully utilised in Ireland. If Ireland opted to implement just the first part of the amended regulatory provision it would result in a windfall gain for some Young Farmers Scheme applicants who had commenced farming between 2010 and 2013 and who have already received payment based on the regulatory provisions applying at the time. It is estimated that the additional cost of implementing just the first part of the regulatory amendment in Ireland would be in excess of €5.5 million in 2018 and €7.5 million in 2019 which would result in a requirement for a linear cut to all farmers' basic payments in order to fund this additional spend under the Young Farmers Scheme.

It is for this reason that Ireland will implement the relevant regulatory amendment of Regulation 2017/2393 in full. This will provide for a situation where with effect from the 2018 scheme year, successful applicants under the Young Farmers Scheme who commenced farming from 2014 onwards and submit their first YFS application within five years of commencement of farming may receive payment under the YFS for five years.

*Question No. 442 answered with Question No. 437.*

## **Special Areas of Conservation**

443. **Deputy Martin Kenny** asked the Minister for Agriculture, Food and the Marine if coastal waters which have SAC designation such as those found on offshore islands in instances in which fishing quota has been allocated to an area or to specific persons as is being proposed under the Island Fisheries (Heritage Licence) Bill 2017 would have the effect of negating, within such designated waters only, newly acquired fishing rights as provided for under the legislation; and if he will make a statement on the matter. [8408/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I presume the Deputy is referring to Special Areas of Conservation (SACs) designated under the Habitats Directive. The National Parks & Wildlife Service of the Department of Culture, Heritage and the Gaeltacht is responsible for the designation of conservation sites in Ireland including SACs. Special areas of conservation have been designated, in keeping with Ireland's obligations in the Habitats Directive, around many parts of Ireland's coastline.

The Marine Institute has prepared risk assessment reports under article 6 of the Habitats Directive in respect of all sea-fisheries in or adjacent to all marine SAC sites. Where mitigation responses are required to ensure the protection of designated habitats and species, it is necessary for all stakeholders, particularly the sea-fishing industry and its representatives, to contribute to the development of effective mitigation responses. As the majority of the marine SACs are based around the coast, my Department, together with the Marine Institute, Bord Iascaigh Mhara and the Sea-Fisheries Protection Authority, continues to work closely with the multi-stakeholder Inshore Fisheries Forums and affected stakeholders to develop mitigation responses. The relevant reports and mitigation responses are available online at [www.fishingnet.ie](http://www.fishingnet.ie).

The Island Fisheries (Heritage Licence) Bill 2017 proposes to create a system of licences for individual island fishermen to engage in small scale coastal fishing (defined in EU Regulation as fishing by vessels of less than 12m overall length with non-towed gear). Small scale coastal fishing is a feature of fishing around the coast with landings into the local ports and harbours, and is important from a socio-economic perspective to many coastal communities and not just the offshore islands. Small scale coastal fishing is a commercial activity for all these fishermen and supports their livelihood.

Under EU Regulation, every commercial sea-fishing boat needs to have a licence, held by the owner of the boat, and in accordance with the Common Fisheries Policy, every Member State must manage the size and scale (capacity) of its fishing fleet. The system of licences proposed in the Island Fisheries (Heritage Licence) Bill 2017 cannot alter these requirements.

Fishing capacity in Ireland, in the form of gross tonnage and engine power, is a privately owned, tradable asset that, with certain exceptions, may be sold, traded or realised as a financial asset on the tonnage market. To licence a sea-fishing boat, capacity must be provided by the applicant as part of the licensing process.

It is important to be aware that quotas for fish stocks are available to small scale coastal fishermen who are licensed to fish for quota stocks including whitefish and pelagic stocks. All smaller vessels receive half of the catch limit allocation of the large vessels and the important pelagic stocks of mackerel and herring already have set-a-side allocations for inshore vessels (including small scale coastal fishing vessels).

*Questions Nos. 444 and 445 answered with Question No. 437.*

## **Basic Payment Scheme Penalties**

446. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding a farm payment penalty for a person (details supplied); and if he will make a statement on the matter. [8429/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named submitted an application under the 2017 BPS on 21 April 2017. In order to qualify for payment under the BPS an applicant must have an eligible hectare of land in respect of each entitlement held.

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).

As part of the process of determining land eligibility, parcels declared by the person named on his 2017 BPS application 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 person's BPS application. The over claimed land has been excluded from the BPS application of the person named. He was paid on the remaining eligible hectares in December of 2017.

The person named was notified by my Department on 4 December 2017 about the burned land parcels and has submitted an appeal. This appeal is being examined with a view to an early resolution. Should additional information be required, my Department will contact the person named directly.

### **GLAS Payments**

447. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when a GLAS payment will issue to a person (details supplied) in County Donegal; and if he will make a statement on the matter. [8458/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The above named was approved into GLAS 3 with a contract commencement date of 1 January 2017.

All GLAS claims must clear validation checks before payment can be made. My Department is working proactively to complete the checks required to allow for the issue of payments. Once this case clears the validations the 2017 advance payment will be processed. GLAS payments are issuing on a weekly basis.

*Questions Nos. 448 and 449 answered with Question No. 437.*

### **Basic Payment Scheme Penalties**

450. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) was penalised in respect of their farm payments; and if he will make a statement on the matter. [8546/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named submitted a 2017 Basic Payment/Areas of Natural Constraint schemes application on 3 April 2017. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases on farm inspections, be completed before any payments issue.

The application of the person named was selected for a ground eligibility inspection. This inspection identified an over-declaration in areas exceeding 10% of the area claimed. This resulted in the area determined being reduced by 1.5 times the difference between the area claimed and area determined.

A letter detailing the initial inspection findings issued on 11 October 2017 and afforded the person named the opportunity to submit comments on the findings within 14 days. While comments were received from the person named these were received after the 14 day period and the inspection outcome was finalised and payments due processed. A letter detailing the final outcome of the inspection issued on 27 October 2017.

However, a review of the case was subsequently undertaken based on the comments received and the outcome of this process did not alter the original inspection findings. A further letter issued to the person named on 19 February detailing the final inspection findings and advising of their option to seek a review of the decision within 28 days of the date of this letter.

In the event that the person named is dissatisfied with the outcome of any such review, the decision can be appealed to the independent Agriculture Appeals Office, within 3 months.

Payments due under the Basic Payment and Areas of Natural Constraints Schemes, on the basis outlined above, issued to the nominated bank account of the person named on 4 December 2017 and 2 November 2017, respectively. In the event that there is any change to the inspection outcome following any further review, any monies due under these schemes will be processed promptly.

In relation to GLAS payments, the person named was approved into GLAS 1 with a contract commencement date of 1 October 2015 and has received all payments in respect of 2015 and 2016.

All GLAS claims must clear validation checks before payment can be made. My Department is working proactively to complete the checks required to allow for the issue of payments. Once this case clears the validations successfully the 2017 advance payment can be processed. GLAS payments are issuing on a weekly basis.

### **Teagasc Courses**

451. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of a green cert for a person (details supplied); and if he will make a statement on the matter. [8563/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The details requested by the Deputy are an operational matter for Teagasc who deliver the Green Cert.

In line with Dáil procedures, this information can be requested directly from Teagasc using the dedicated email address: *Oireachtas@teagasc.ie*.

The Deputy's question has already been passed on by my Department via this mechanism. Teagasc will revert directly.

### **Basic Payment Scheme Applications**

452. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Ma-

rine the status of a basic payment scheme review for a person (details supplied) in County Donegal; and if he will make a statement on the matter. [8590/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named submitted an application on 11 April 2017 under the Basic Payment Scheme (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.

This 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 BPS.

As part of this process, parcels declared by the person named on his 2017 BPS application have been identified as having been burned outside of the permitted timeframes. Accordingly over-claim(s) arose as the area declared on the 2017 application of the person named was greater than the maximum eligible area of the parcel(s) determined by my Department. My Department has processed the 2017 BPS payment in this case, based on the reduced area on the over claimed parcel(s).

The person named was also written to by my Department on 6 December 2017, outlining his current 2017 BPS application position and the options available to him in relation to the over-claimed parcels, including the right to seek a review. To date there is no record of a request for a review from the person named. Should the person named seek a review, he should ensure that he submits any supporting documentation which he deems relevant. Any such submission will be reviewed accordingly by my Department.

*Question No. 453 withdrawn.*

### **GLAS Data**

454. **Deputy James Browne** asked the Minister for Agriculture, Food and the Marine the number of delayed GLAS payments to persons in County Wexford in 2017; and if he will make a statement on the matter. [8600/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** GLAS 2017 advance payments have now issued in over 44,400 cases, representing 95% of all farmers that are eligible for the payment. Payments are continuing every week.

GLAS payments cannot issue until all regulatory requirements are met. Each GLAS payment claim must be put through a suite of checks for each action and where any individual check fails the issues must be investigated and resolved before being cleared for payment.

In addition to the checks outlined above, in approximately 2,700 cases, applicants remain ineligible for payment until they complete the steps they must take before the Department can process their payment. The general issues preventing payments taking place include the non-submission of nutrient management plans, commonage management plans, low emission slurry spreading forms, rare breeds forms and 2017 BPS application issues that remain to be resolved.

Details of GLAS payments to Wexford applicants are as follows:

		GLAS 1			GLAS 2			GLAS 3			Total	
County	Cases	Ad- vance	Ad- vance not paid									
Wex- ford	758	660	98	263	210	53	308	269	39	1,329	1,139	190

### Crop Losses

455. **Deputy Bobby Aylward** asked the Minister for Agriculture, Food and the Marine if the possibility of re-opening the crop compensation scheme for persons that have suffered crop losses in 2017 due to adverse weather conditions has been examined; and if he will make a statement on the matter. [8643/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Firstly I wish to acknowledge that tillage farmers have come through a very difficult period over the last few years with weak market returns and sometimes challenging weather conditions.

In 2017, I supported this very vital sector through a number of measures. Last year I introduced the €150m Agriculture Cashflow Support Loan Scheme and extended it through provision of additional national funding, to cover the tillage and horticulture sectors. There was a very positive reaction by farmers, including tillage farmers, to the Scheme, which has proved that significant demand exists for low cost flexible finance. The “Agriculture Cashflow Loan Scheme” has provided a template for access to finance schemes, including the recently announced “Brexit Loan Scheme” for SMEs. I am also considering the development of a potential Brexit response loan scheme for farmers, fishermen and for longer-term capital financing for food businesses; for which my Department has secured €25 million of funding in 2018.

As a further support to tillage farmers I introduced the Tillage Capital Investment Scheme under TAMS II which 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. There has been a significant level of interest in investments by the tillage sector, with a total number of 796 applications received so far and 639 approvals. Over €1.38m has now issued in respect of 126 payment claims. Payments will continue on an ongoing basis. This 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)

While the challenges facing the sector at this point in time are real, in Ireland we can grow cereals with the highest yields in the world and this is an advantage we must press home and look to exploit other areas under our own control, for example, my Department provides a high quality official crop seed certification scheme to the industry in addition to an extensive national crop variety evaluation programme. I would also encourage tillage growers to fully implement the advice and research provided by Teagasc in relation to efficient and sustainable production of crops. I remain committed to assisting all involved in the sector to optimise efficiency and sustainability. Notwithstanding the range of its current supports my Department will continue to closely engage with the tillage sector particularly through the Tillage Stakeholders Group.

Finally in regard to the Weather Related Crop Loss Support measure I introduced in July 2017; this was a one-off targeted measure in response to the exceptionally challenging harvest conditions of September 2016 and confined to addressing that issue.

## Crop Losses

456. **Deputy Bobby Aylward** asked the Minister for Agriculture, Food and the Marine if the possibility of seeking permission from the EU to establish an adverse weather scheme under the rural development programme for persons that have suffered crop losses in 2017 due to adverse weather conditions will be examined; and if he will make a statement on the matter. [8644/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I wish to acknowledge the importance of the tillage sector and its contribution to the competitive development of the agri-food industry. This valuable sector has encountered some challenging times recently, including a number of years of weak markets and a period of challenging weather in the autumn of 2016.

My Department is working with all of the stakeholders to address various challenges and provides a range of supports to underpin the sector. Last year I introduced the €150m Agriculture Cashflow Support Loan Scheme and extended it through provision of additional national funding, to cover the tillage and horticulture sectors. There was a very positive reaction by farmers, including tillage farmers, to the Scheme, which has proved that significant demand exists for low cost flexible finance. The “Agriculture Cashflow Loan Scheme” has provided a template for access to finance schemes, including the recently announced “Brexit Loan Scheme” for SMEs. I am also considering the development of a potential Brexit response loan scheme for farmers, fishermen and for longer-term capital financing for food businesses; for which my Department has secured €25 million of funding in 2018.

As a further support to tillage farmers I introduced the Tillage Capital Investment Scheme under TAMS II which 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. There has been a significant level of interest in investments by the tillage sector, with a total number of 796 applications received so far and 639 approvals. Over €1.38m has now issued in respect of 126 payment claims. Payments will continue on an ongoing basis. This 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)

Ireland’s 2014-2020 Rural Development Programme does not contain a measure for restoring agricultural production potential damaged by natural disasters and introduction of appropriate prevention. Following detailed analysis and public consultation at the formation of the programme, it was concluded that because of its geographic position Ireland is not generally prone to suffering from natural disasters and that pre-existing nationally funded measures are considered to be sufficient to address any possibilities.

In response to the exceptionally challenging weather conditions experienced during the harvest period in 2016, I introduced a nationally funded Weather Related Crop Loss Support measure in July 2017. This was a one-off targeted measure confined to addressing that event.

## Sheep Welfare Scheme

457. **Deputy Bobby Aylward** asked the Minister for Agriculture, Food and the Marine if the possibility of increasing the €10 subsidy cap per ewe under the sheep welfare scheme will be examined in view of the underspend of €5 million in 2017; and if he will make a statement on the matter. [8645/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The Sheep Welfare Scheme was introduced in December 2016 to contribute to the continuing viability and sustainability of the sheep sector in Ireland. The Scheme is funded through the Rural Development Programme (RDP) 2014 - 2020 and it complements the range of other RDP supports available to sheep farmers under schemes such as GLAS, TAMS, Knowledge Transfer and the Areas of Natural Constraint scheme.

Advance payments of €16 million at a rate of 85% under the first year of the scheme issued in November 2017. Balancing payments at a rate of 15% will issue in 2018. This will bring the total for Year 1 of the Scheme to approximately €19m.

The details of the Sheep Welfare Scheme, including the amount of payment to participants, were approved by the European Commission in 2016. The payment rates are based on the agreed costings underlying the actions to be undertaken in the scheme, and an increase in the funding allocated to existing actions would thus require changes to the actions currently being undertaken by farmers, or the addition of new actions. Any such changes to the details of the scheme would require the agreement of the European Commission via the formal Rural Development Programme amendment process.

### Departmental Properties

458. **Deputy Róisín Shortall** asked the Minister for Agriculture, Food and the Marine the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of or part ownership of or under the control of both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8657/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The six State owned Fishery Harbour Centres at Killybegs, Ros an Mhíl, Dingle, Castletownbere, Dunmore East and Howth are managed and operated by my Department under Statute. The property portfolio at the six Fishery Harbour Centres consists of 215 properties, the income from which supports the running of the Harbours. With two exceptions these properties are not residential.

The table below gives details of both the residential properties under the remit of the Fishery Harbour Centres which are currently vacant and not in a habitable condition. The Department is preparing to make both properties available for disposal offering them initially to other State organisations in keeping with Government Policy for Property Acquisition and for Disposal of Surplus Property: Circular 17/2016

Details of Premises	County Located	Length of time vacant
Ros an Mhíl Harbour Masters House.	Galway	Since November 2008
Killybegs Harbour Masters House.	Donegal	Since circa 2004/2005

In addition, the Department also has a residential property at Longtown Farm (County Kildare) which is temporarily vacant, the occupancy of which is restricted by operational considerations.

With regard to agencies under the aegis of my Department, the information requested is an operational matter for the agencies themselves. In accordance with the new procedures effective since September 2016, as notified by the Clerk of the Dáil, my Department has provided contact details for all of our agencies. Details of dedicated email addresses for State Bodies are

available for Oireachtas members through the Clerk of Dáil Éireann.

### **Dumping at Sea**

459. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine if his Department received a formal request from Donegal County Council to investigate the contents of potentially toxic materials dumped off the coast between 2015 and 2017 and to date in 2018; if there has been formal communication between the local authority and his Department in relation to the 2010 OSPAR Commission report into past dumping at sea of chemical weapons and munitions in the OSPAR maritime area which gave details of chemical munition dump sites off the County Donegal coast; and if he will make a statement on the matter. [8777/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I would inform the Deputy that responsibility for the OSPAR Convention and dumping at sea generally comes under the remit of the Department of Housing, Planning and Local Government.

I can also confirm that my Department has received no formal communications from Donegal County Council on this matter.

### **Broadband Service Provision**

460. **Deputy James Lawless** asked the Minister for Communications, Climate Action and Environment when broadband will be rolled out to an area (details supplied) in County Kildare; and if he will make a statement on the matter. [8082/18]

**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. Today, almost 7 out of 10 of the 2.3 million premises in Ireland have access to high speed broadband. Since this Government came into office almost 400,000 additional premises have access to high speed broadband. This will increase to nearly 8 out of 10 premises by the end of this year and by 2020, 9 out of 10 premises will have access to a high speed broadband connection. The specific premises referred to by the Deputy is in an AMBER area on my Department's High Speed Broadband Map, which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). It is therefore included in the State Intervention Area under the National Broadband Plan (NBP).

My Department is in a formal procurement process to engage a company who will roll-out a new high speed broadband network in the State intervention area. That procurement process is now in its final stages. "Detailed Solutions" have been evaluated by the NBP specialist team. This is the last stage of the procurement process before moving to the final tender stage, which will be followed by the appointment of a preferred bidder and contract signature. When the procurement process reaches a satisfactory conclusion and a subsidy level has been approved by Government, a contract will be awarded and the network rollout will commence.

Prior to the rollout of the State led intervention, 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 author-

ities 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.

### **Broadband Service Provision**

461. **Deputy Thomas Byrne** asked the Minister for Communications, Climate Action and Environment when a company (details supplied) will provide infrastructure for broadband in an area. [8100/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** My Department's technical team has contacted openeir to query the status of the premises referred to by the Deputy under openeir's ongoing deployment of rural high speed broadband. Once a response from openeir is to hand, my Department will contact the Deputy's office directly to confirm the categorisation of this particular premises in openeir's plans.

For those premises in the AMBER area on the Map, my Department is in a formal procurement process to select a company who will rollout a new high speed broadband network in the State intervention area. That procurement process is now in its final stages. "Detailed Solutions" have been evaluated by the NBP specialist team. This is the last stage of the procurement process before moving to the final tender stage, which will be followed by the appointment of a preferred bidder and contract signature. When the procurement process reaches a satisfactory conclusion and a subsidy level has been approved by Government, a contract will be awarded and the network rollout will commence.

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.

### **Broadband Service Provision**

462. **Deputy Robert Troy** asked the Minister for Communications, Climate Action and Environment the status of the availability of broadband services in an area (details supplied) in County Westmeath; when the national broadband plan will provide adequate service to this area; and if he will make a statement on the matter. [8122/18]

**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. Today, almost 7 out of 10 of the 2.3 million premises in Ireland have access to high speed broadband. Since this Government came into office almost 400,000 additional premises have access to high

speed broadband. This will increase to nearly 8 out of 10 premises by the end of this year and by 2020, 9 out of 10 premises will have access to a high speed broadband connection. This is being achieved via a combination of commercial investment and a State led intervention. The premises on the street referred to by the Deputy are in an AMBER area on my Department's High Speed Broadband Map, which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). They are therefore included in the State Intervention Area under the National Broadband Plan (NBP).

In April 2017 the Map was updated, moving 84,500 premises from the BLUE to the AMBER area. This was done because commercial operator's plans in those areas had not materialised. Premises on the street referred to by the Deputy were among the number moved from BLUE to AMBER at that point. In order to ensure every premises gets access to this vital service, high speed broadband will be brought to them under the NBP State Intervention.

My Department is in a formal procurement process to engage the company who will roll-out a new high speed broadband network in the State intervention area. That procurement process is now at a final stage. When the procurement process reaches a satisfactory conclusion for Government, a contract will be awarded and the network rollout will commence.

Delivering high speed broadband to citizens across Ireland remains a firm commitment of mine and a priority for Government.

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.

### **Broadband Service Speeds**

463. **Deputy Dara Murphy** asked the Minister for Communications, Climate Action and Environment the reason there is poor broadband connectivity in an area (details supplied); when this issue will be rectified; and if he will make a statement on the matter. [8132/18]

**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. Today, almost 7 out of 10 of the 2.3 million premises in Ireland have access to high speed broadband. This will increase to nearly 8 out of 10 premises by the end of this year and by 2020, 9 out of 10 premises will have access to a high speed broadband connection. This is being achieved via a combination of commercial investment and a State led intervention. In April 2017 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 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 this year as part of a Commitment Agreement signed with me in April 2017.

The map shows that the townland of Ballygarvan Co. Cork comprises approximately 290 premises and broadband coverage will be realised through a mix of commercial investment and the State led Intervention under the NBP. Of the 290 premises, 192 premises fall within the BLUE area where commercial operators are either currently delivering or have plans to deliver high speed broadband services to this townland. 37 premises fall within light BLUE area and form part of eir's 300k planned rural deployment, to be completed by the end of this year. The remaining 61 premises fall within the State led Intervention. Individuals can access the High Speed Broadband Map using their eircode to ascertain the colour code status for their premises.

Information on eir's planned rural deployment is available from eir at <http://fibrerollout.ie/eircode-lookup/>. Individuals can access this website to determine the connectivity availability status for their premises using their eircode. The website also provides a list of retail service providers who offer services using the high speed fibre network in the area.

My Department is in a formal procurement process to select a company who will roll-out a new high speed broadband network in the State intervention area. That procurement process is now in its final stages. "Detailed Solutions" have been evaluated by the NBP specialist team.

This is the last stage of the procurement process before moving to the final tender stage, which will be followed by the appointment of a preferred bidder and contract signature. When the procurement process reaches a satisfactory conclusion and a subsidy level is agreed by Government, a contract will be awarded and the network rollout will commence.

Prior to the rollout of the State led intervention, 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.

### **Waste Tyre Disposal**

464. **Deputy Margaret Murphy O'Mahony** asked the Minister for Communications, Climate Action and Environment the status of the regulatory system for the disposal of end of life tyres; and if he will make a statement on the matter. [8140/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** I signed the Waste Management (Tyres and Waste Tyres) Regulations 2017 on 14 September last and the scheme came into effect from 1st October 2017. I introduced these reg-

ulations to deal with a chronic problem with waste tyres in Ireland. These regulations enabled me to put in place a full compliance scheme for tyre operators, operated by Repak End of Life Tyres (ELT) with a registration and reporting role for the Producer Register Limited. Under the new regulations, all operators are obliged to provide data on the numbers of tyres coming on and off the Irish market. This will be the first time that there will be clarity in this regard. It is mandatory for anyone placing tyres on the market in Ireland to join the compliance scheme.

The scheme carries out all regulatory functions on behalf of its members and is funded by a visible Environmental Management Charge (vEMC). Under the new Regulations anyone who places a tyre on the market in the State for the first time, including the sale of new vehicles, is obliged to charge the vEMC on these tyres. The vEMC has been set at €2.80 ex VAT for car tyres and €1.50 ex VAT for motorcycle tyres. Setting the vEMC rate for agricultural, construction and truck tyres has been deferred pending the gathering of further market data.

### **National Cyber Security Centre**

465. **Deputy James Lawless** asked the Minister for Communications, Climate Action and Environment the number of staff allocated to the National Cyber Security Centre; the job titles, qualifications and specifications for each of these roles; the amount of time each person has worked for the NCSC; the future allocation of additional staff to the centre; the timeframe for these allocations; and if he will make a statement on the matter. [8160/18]

466. **Deputy James Lawless** asked the Minister for Communications, Climate Action and Environment the key objectives of the National Cyber Security Centre; if the NCSC has achieved formal international accreditation; the level of funding provided to the NCSC in each of the years 2015 to 2018; and if he will make a statement on the matter. [8161/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** I propose to take Questions Nos. 465 and 466 together.

The National Cyber Security Centre (NCSC) provides a range of cyber security services to owners of Government IT infrastructure and Critical National Infrastructure (CNI). The NCSC is home to the national Computer Security Incident Response Team (CSIRT-IE) and is responsible for acting as a conduit for information to constituents (including operators of Critical National Infrastructure, Government Departments and Agencies), providing expert advice and analysis on cyber security issues and for coordinating significant incidents. Like similar bodies in other jurisdictions, the NCSC acts as a central contact point in the event of a government or nation-wide cyber security incident affecting the State. The NCSC received International Accreditation in 2017.

While my Department does not release specific details in relation to the staff or precise funding allocated to the NCSC for operational security reasons, the expertise contained within the NCSC covers a broad range of capabilities including computer science, software engineering, malware analysis and information technology forensics. In Budget 2018 additional funding was secured for additional capacity in the NCSC, both in terms of personnel and additional technology, and a significant programme of recruitment will commence shortly.

From 9 May 2018, European Union Directive 2016/1148, concerning measures for a high common level of security of network and information systems will place a number of significant responsibilities on the NCSC in respect of Cyber Security, and will require my Department to establish a list of key critical infrastructure operators, known as Operators of Essential Services (OES) in the energy, transport, banking, financial market infrastructures, health, drinking

water supply and digital infrastructure sectors. These OES will be subject to a set of binding security obligations and reporting requirements in relation to cyber security incidents affecting them. In addition, the State will be required to apply a new regulatory regime to Digital Service Providers (DSPs), who include cloud computing providers, search engines providers and providers of online market places.

### **Broadband Service Provision**

467. **Deputy Shane Cassells** asked the Minister for Communications, Climate Action and Environment the status of the planned roll-out of a product (details supplied) from the Tara exchange to households and businesses in the Dunsany, Kilmessan and Kiltale areas of County Meath; and if he will make a statement on the matter. [8230/18]

**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. Today, almost 7 out of 10 of the 2.3 million premises in Ireland have access to high speed broadband. Since this Government came into office almost 400,000 additional premises have access to high speed broadband. This will increase to nearly 8 out of 10 premises by the end of this year and by 2020, 9 out of 10 premises will have access to a high speed broadband connection. In April 2017 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).

In April 2017, I also 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. eir has committed to completing the roll out by the end of this year. Information on eir's planned rural deployment 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).

Quarterly updates on eir's rural deployment are published on this website. Although deployment figures for Q4 2017 have not yet been verified by my Department's teams, I understand eir has passed a total of 121,000 premises to date.

The High Speed Broadband 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 this year as part of a Commitment Agreement signed with me in April.

The table below outlines the number of premises which fall into these categories in each of the townlands referred to by the Deputy.

Area	Total	Premises in AMBER	Premises in BLUE	Premises in LIGHT BLUE
Dunsany	91	4% (4)		96% (87)
Kilmessan	339	8% (26)	87% (26)	5% (18)
Kiltale	94	43% (40)		57% (54)

My Department is in a formal procurement process to select a company who will roll-out a new high speed broadband network in the State intervention area. That procurement process is now in its final stages. “Detailed Solutions” have been evaluated by the NBP specialist team. This is the last stage of the procurement process before moving to the final tender stage, which will be followed by the appointment of a preferred bidder and contract signature. When the procurement process reaches a satisfactory conclusion for Government, a contract will be awarded and the network rollout will commence.

Prior to the rollout of the NBP State led intervention, 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.

### Waste Disposal Charges

468. **Deputy Billy Kelleher** asked the Minister for Communications, Climate Action and Environment when the allowance of €75 for households with medical waste will come into effect; the way in which persons will apply for the allowance; the documentation that will be required; and if he will make a statement on the matter. [8260/18]

469. **Deputy Billy Kelleher** asked the Minister for Communications, Climate Action and Environment if an increase to the €75 allowance will be awarded to households with higher waste weights in cases in which more than one member of the household has medical waste; and if an additional allowance will be awarded to these households. [8261/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** I propose to take Questions Nos. 468 and 469 together.

In line with the commitments set out in *A Resource Opportunity - Waste Management Policy in Ireland*, published in 2012, and in the interest of encouraging further waste prevention and greater recycling, flat-rate fees for kerbside household waste collection are being phased out over the period autumn 2017 to autumn 2018, as customers contracts come up for renewal. The necessary regulatory steps have been put in place to give effect to this measure.

It is worth noting that this measure is not ‘new’ for about half of kerbside household waste customers, who are already on an incentivised usage pricing plan, i.e., a plan which contains a per lift or weight related fee.

As announced in mid-2017, mandatory per kilogramme ‘pay by weight’ charging is not being introduced. Allowing for a range of charging options, which encourage householders

to reduce and separate their waste, provides flexibility to waste collectors to develop various service-price offerings that suit different household circumstances. Consequently, a pure kilogramme charge for waste collection may not be selected by some households. Instead, some households may use a 'per lift' type charge or a 'weight allowance' collection service.

An annual support of €75 per person will be introduced as soon as possible this year and made available for persons with lifelong or long-term medical incontinence. This will help people meet the average annual cost for the disposal of medical incontinence products. My Department is in discussion with the Department of Health and the Health Service Executive with a view to finalising the details and arrangements of the support as soon as possible, following further consultation with stakeholder groups.

### **Electric Vehicles**

470. **Deputy Eamon Scanlon** asked the Minister for Communications, Climate Action and Environment if the public electric vehicle charging point in Manorhamilton, County Leitrim will be reinstated; the reason the charging point at Collooney railway station and the charging points in Carrick-on-Shannon, County Leitrim are permanently out of order; his plans to rectify the situation; and if he will make a statement on the matter. [8264/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The ESB, through its eCars programme, has rolled out both publicly accessible charging infrastructure and domestic charge points for electric vehicles. There are approximately 900 EV charge points in Ireland of which circa 70 are rapid chargers. The maintenance of eCar charge points is an operational matter for the ESB. I have asked that the eCars team contact the Deputy directly in relation to the charge points highlighted.

A map showing all public charge points in Ireland, including the status and availability of the charge points, is available on the ESB's website at [www.esb.ie/ecars](http://www.esb.ie/ecars). There is also the 'ecar connect' app enables users to locate charge points in Ireland, locate the nearest charge point and to help them to plan their route using the installed infrastructure around the country.

In March 2014, the Commission for Regulation of Utilities approved an application from ESB Networks to recover the costs of a pilot project to a maximum of €25 million from use of system charges to cover the rollout of this infrastructure. Following a public consultation process, the Commission for Regulation of Utilities published its independent regulatory decision in relation to the ownership of this infrastructure in October 2017. A key outcome of the decision is that the charging network should not form part of the regulated asset base and therefore expansions of the network should not be funded from network charges. This is in keeping with the proposals set out by the European Commission in the Clean Energy for All Europeans package which was published in 2016.

The Commission for Regulation of Utilities also envisages the future sale of the infrastructure by ESB Networks. However, the continued ownership of the charging network by ESB Networks for a transitional period of up to ten years is provided for. This ensures no short to medium term impact on the electric vehicle charging infrastructure and allows the ESB to continue to provide electric vehicle charging across Ireland.

The decision also set out the need for the electric vehicle charging infrastructure to operate on a commercial basis. In the absence of State-led support, this is unlikely to happen in the near term. Funding has been allocated in my Department's budget this year to support the provision of public charging, with a particular focus on increasing the number of rapid chargers on key

national routes.

The Low Emissions Vehicle Taskforce, which is co-chaired by my Department and the Department of Transport, Tourism and Sport, is considering a range of measures and options available to Government to accelerate the deployment of electric vehicles. A key focus of the work of the Taskforce is examining options for infrastructure, regulation and pricing in order to devise a sustainable policy framework for effective and efficient electric vehicle charging. This includes examining options for the provision of public charging.

### **Broadband Service Provision**

471. **Deputy Bernard J. Durkan** asked the Minister for Communications, Climate Action and Environment when high speed broadband will be provided in the case of a person (details supplied); and if he will make a statement on the matter. [8284/18]

**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. Today, almost 7 out of 10 of the 2.3 million premises in Ireland have access to high speed broadband. Since this Government came into office almost 400,000 additional premises have access to high speed broadband. This will increase to nearly 8 out of 10 premises by the end of this year and by 2020, 9 out of 10 premises will have access to a high speed broadband connection. This is being achieved via a combination of commercial investment and a State led intervention. The premises referred to by the Deputy is in an AMBER area on my Department's High Speed Broadband Map, which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). It is therefore included in the State Intervention Area under the National Broadband Plan (NBP).

My Department is in a formal procurement process to engage the company who will roll-out a new high speed broadband network in the State Intervention Area. That procurement process is now in its final stages. When the procurement process reaches a satisfactory conclusion for Government, a contract will be awarded and the network rollout will commence.

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.

### **Broadband Service Provision**

472. **Deputy Robert Troy** asked the Minister for Communications, Climate Action and Environment his plans to provide fibre optic broadband facilities in the Ballinalack and Rathowen areas of County Westmeath. [8317/18]

**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. Today, almost 7 out of 10 of the 2.3 million premises in Ireland have access to high speed broadband. Since this Government came into office almost 400,000 additional premises have access to high speed broadband. This will increase to nearly 8 out of 10 premises by the end of this year and by 2020, 9 out of 10 premises will have access to a high speed broadband connection. In April 2017 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).

In April 2017, I also 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. eir has committed to completing the rollout by the end of this year. Information on eir's planned rural deployment 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)

Quarterly updates on eir's rural deployment are published on this website. Although deployment figures for Q4 2017 have not yet been verified by my Department's teams, I understand eir has passed a total of 121,000 premises to date.

The High Speed Broadband 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 this year as part of a Commitment Agreement signed with me in April 2017.

The number of premises that fall into each of these categories in the areas referred to by the Deputy is outlined in the below table. Individuals can enter their eircode into the map to find out into which category their premises falls into.

Area	Total	Premises in AMBER	Premises in BLUE	Premises in LIGHT BLUE
Ballinalack	76			100% (76)
Rathowen	103	7% (7)	91% (94)	2% (2)

My Department is in a formal procurement process to select a company who will roll-out a new high speed broadband network in the State intervention area. That procurement process is now in its final stages. "Detailed Solutions" have been evaluated by the NBP specialist team. This is the last stage of the procurement process before moving to the final tender stage, which will be followed by the appointment of a preferred bidder and contract signature. When the procurement process reaches a satisfactory conclusion for Government, a contract will be awarded and the network rollout will commence.

Prior to the roll out of the NBP State led intervention network, 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.

### **Broadband Service Provision**

473. **Deputy Thomas Byrne** asked the Minister for Communications, Climate Action and Environment his plans to upgrade broadband services in an area (details supplied). [8323/18]

**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. Today, almost 7 out of 10 of the 2.3 million premises in Ireland have access to high speed broadband. This will increase to nearly 8 out of 10 premises by the end of this year and by 2020, 9 out of 10 premises will have access to a high speed broadband connection. This is being achieved via a combination of commercial investment and a State led intervention.

The premises referred to by the Deputy is in an AMBER area on my Department's High Speed Broadband Map, which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). It is therefore included in the State Intervention Area under the National Broadband Plan (NBP).

My Department is in a formal procurement process to engage a company who will roll-out a new high speed broadband network in the State intervention area. That procurement process is now in its final stages. "Detailed Solutions" have been evaluated by the NBP specialist team. This is the last stage of the procurement process before moving to the final tender stage, which will be followed by the appointment of a preferred bidder and contract signature. When the procurement process reaches a satisfactory conclusion and a subsidy level is agreed by Government, a contract will be awarded and the network rollout will commence.

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.

### **Legislative Programme**

474. **Deputy James Lawless** asked the Minister for Communications, Climate Action and Environment the EU legislation before his Department with a view to being transposed into law; the details of such legislation; the status and timeframes for transposition of each; and if he will make a statement on the matter. [8380/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The EU legislation which falls under the remit of my Department for transposition into law is outlined in the following table:

Directive	Title	Deadline
2013/59	Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom.	06/02/2018 Primary legislation is required to enable transposition of the Directive. The primary legislation will be published week commencing 19th February with a view to early enactment.
2016/2284	DIRECTIVE (EU) 2016/2284 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC.	01/07/2018
2015/1513	Directive (EU) 2015/1513 of the European Parliament and of the Council of 9 September 2015 amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources.	10/09/2017 - transposing legislation will be finalised shortly.
2015/996	Commission Directive (EU) 2015/996 of 19 May 2015 establishing common noise assessment methods according to Directive 2002/49/EC of the European Parliament and of the Council.	31/12/2018
2016/1148	Directive (EU) 2016/1148 concerning measures for a high common level of security of network and information systems across the Union	06/05/2018

Directive	Title	Deadline
910/2014	Regulation (EU) 910/2014 on electronic identification and trust services for electronic transactions.	May 2018
2016/2102	DIRECTIVE (EU) 2016/2102 of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies	23/09/2018
2014/52	DIRECTIVE 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.	Department of Housing, Planning and Local Government is the lead Department, but a number of other Departments, including my Department, have transposition responsibilities.

### **Broadband Service Provision**

475. **Deputy Billy Kelleher** asked the Minister for Communications, Climate Action and Environment the date for the roll-out of high speed broadband for a person (details supplied); and if he will make a statement on the matter. [8497/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** Following verification by an official from my Department I can confirm that the premises referred to by the Deputy is in an AMBER area on my Department's High Speed Broadband Map, which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie). It is therefore included in the State intervention area under the National Broadband Plan (NBP).

My Department is in a formal procurement process to select a company that will rollout a new high speed broadband network in the State intervention area. That procurement process is now in its final stages. "Detailed Solutions" have been evaluated by the NBP specialist team. This is the last stage of the procurement process before moving to the final tender stage, which will be followed by the appointment of a preferred bidder and contract signature. When the procurement process reaches a satisfactory conclusion and a subsidy level has been approved by Government, a contract will be awarded and the network rollout will commence.

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.

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### **Inland Fisheries Ireland**

476. **Deputy James Browne** asked the Minister for Communications, Climate Action and Environment the timeframe for Inland Fisheries Ireland to assure salmon of a safe passage at a privately owned tailrace and a weir on the River Slaney at a location (details supplied); and if he will make a statement on the matter. [8601/18]

**Minister of State at the Department of Communications, Climate Action and Environment (Deputy Seán Kyne):** I am advised by Inland Fisheries Ireland (IFI) that statutory powers in relation to an installation, such as that referred to by the Deputy, under Section 123 of the Fisheries (Consolidation) Act 1959, relate to the requirements for gratings in watercourses diverted from rivers. Notwithstanding the fact that the gratings in question meet the legal requirements of Section 123 of the 1959 Act, IFI is aware that issues for the free passage of fish remain. IFI is particularly anxious to improve fish passage but many of the issues at this location are beyond the powers and remit of IFI.

IFI has worked and will continue to work with all stakeholders and in this regard I recently met with IFI and Fishery Owners Group who undertook to discuss matters with the owner of the installation to ascertain what if any accommodation could be agreed.

### **Illegal Dumping**

477. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and Environment if local authorities have powers to deal with the issues of dumping and littering on private property not visible from a public place; if so, the relevant legislation and powers in this regard; and if he will make a statement on the matter. [8616/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** Enforcement actions against illegal waste activity are a matter for the Local Authorities and the Office of Environmental Enforcement (OEE) within the Environmental Protection Agency (EPA) and the primary role of my Department in relation to combating litter and illegal dumping matters is to provide a robust governing legislative framework. The key legislative codes in that regard are the Litter Pollution Act 1997 and the Waste Management Act 1996; in particular, section 32 of the Waste Management Act places the responsibility and a general duty of care on the holders of waste to ensure that it is managed in a manner that does not cause environmental pollution. In accordance with section 59(1) of the Waste Management Act, 1996, each local authority is responsible generally for the supervision and the enforcement of the relevant provisions of the Act in relation to the holding, recovery and disposal of waste within its functional area. Local authorities have specific powers under sections 55 and 56 of the Act to require measures to be taken, or to take measures directly, to prevent or limit environmental pollution caused or likely to be caused by the holding, recovery or disposal of waste, and to mitigate or remedy the effects on the environment of any such activity.

Any incidents of illegal waste activity should be reported to the local authority, who have significant powers available to them to deal with the waste. However, placing a duty on the authorities to remove all waste from private land could encourage illegal dumping rather than tackle the problem. People may not pay the costs of legitimate disposal if they knew they could fly-tip it in the nearest field and the local tax payer would foot the clearance bill.

My Department is aware of the problems caused by illegal dumping, irrespective of the nature of the material being dumped or where it has been dumped. Illegal dumping and littering is first and foremost a matter of individual responsibility and compliance with the law. My Department encourages a multi-faceted approach to tackling the problem, incorporating enforcement, public awareness and education and, as such has developed an Anti-Dumping Initiative

to work in partnership with local authorities and community organisations in identifying high risk or problem areas, developing appropriate enforcement responses and carrying out clean-up operations. The 2017 Anti-Dumping Initiative saw funding of €1.26 million provided by my Department which supported 229 projects. These included clean-ups of private lands where it was apparent to the local authority that the landowners were not complicit in waste being dumped there. This year, I am increasing the allocation to €2 million to build on the momentum that has now been created and to provide for an increased focus on identifying and prosecuting illegal dumpers.

### **Energy Policy**

478. **Deputy Eamon Ryan** asked the Minister for Communications, Climate Action and Environment if his Department is considering carrying out an overall assessment of the environmental impacts of importing LNG gas; if so, the details of the consultation process; and the mechanisms that members of the public can utilise to appeal such a process. [8618/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** Natural Gas is an important transition fuel on the pathway to decarbonisation and has the potential to play an important role in reducing greenhouse gas emissions in the power generation, industrial and commercial, residential and transport sectors by replacing more CO<sub>2</sub>-intensive fossil fuels. Dispatchable power generation is also an important back-up for intermittent renewable generation, for example, as a back-up for wind power generation, when the wind is not blowing. The Programme for Government states that an LNG facility on the island of Ireland would be a positive step, and commits to examining if there are ways to facilitate LNG on the island of Ireland, noting that the regulation of the gas market is the responsibility of the Commission for the Regulation of Utilities.

In line with the Programme for Government and the Government's Energy Policy Paper, "Ireland's Transition to a Low-carbon Energy Future, 2015-2030", the potential for LNG is being examined as part of the study my Department is carrying out, in conjunction with the Commission for Regulation of Utilities, Gas Networks Ireland and EirGrid, on Ireland's resilience to a long term gas disruption. This study will inform the formulation of future policy measures to maintain the resilience of Ireland's gas and electricity networks and supply.

Some private sector commercial LNG projects have been proposed in Ireland recently. The location, development and final investment decisions for these projects are ultimately the responsibility of the project promoters. In addition, it is the responsibility of the project promoters to comply with any legal and regulatory requirements, including requirements for planning permission, other consents or permits, and related environmental impact assessments.

### **Departmental Properties**

479. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and Environment the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of or part ownership of or under the control of both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8660/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** All property occupied by my Department is either leased or owned by the Office of

Public Work and my Department has no vacant dwelling units, either habitable or derelict. The information sought by the Deputy regarding the bodies under the aegis of my Department is an operational matter for each organisation. I will request the relevant bodies to reply directly to the Deputy in the matter.

### **Waste Management Regulations**

480. **Deputy Maurice Quinlivan** asked the Minister for Communications, Climate Action and Environment the budget allocation of the TransFrontier shipments office in each of the years 2007 to 2017. [8684/18]

481. **Deputy Maurice Quinlivan** asked the Minister for Communications, Climate Action and Environment the amount collected in fines by the TransFrontier shipments office in each of the years 2007 to 2017. [8685/18]

482. **Deputy Maurice Quinlivan** asked the Minister for Communications, Climate Action and Environment the staffing allocation in the TransFrontier shipments office in each of the years 2007 to 2017. [8686/18]

483. **Deputy Maurice Quinlivan** asked the Minister for Communications, Climate Action and Environment if his attention has been drawn to the fact that the TransFrontier shipments office still conducts some of its business services in out of date practices, for example, only via fax machines and post as opposed to digital methods. [8687/18]

484. **Deputy Maurice Quinlivan** asked the Minister for Communications, Climate Action and Environment if his attention has been drawn to the fact that the TransFrontier shipments office only gives companies transporting recycling material across the Border with Northern Ireland a one day opportunity to move the pre-notified waste compared to a movement window of up to 30 days provided by the Northern Ireland Environment Agency; and his plans to amend same to assist businesses engaging in cross-Border trade using this service. [8688/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** I propose to take Questions Nos. 480 to 484, inclusive, together.

The legislative framework for the import and export of waste in the European Union is set out in Regulation (EC) No. 1013/2006 of the European Parliament and of the Council. Under the Waste Management (Shipments of Waste) Regulations 2007, Dublin City Council was designated as the National Competent Authority for all waste exports and imports and the National Transfrontier Waste Shipment Office (NTFSO) was established under the auspices of Dublin City Council. The primary aim of the Regulations is to prevent the illegal shipment of waste abroad, and to assist businesses engaged in legitimate waste export activities.

The NTFSO imposes charges on its customers with the aim of fully recouping costs incurred in the performance of its duties as competent authority for the purposes of the Waste Shipments Regulations. In March 2008, the then Department of Environment, Heritage and Local Government made a payment of €500,000 to Dublin City Council as a contribution towards the fit-out costs of the NTFSO, which had been established in July 2007. The NTFSO also received payments from the Department in 2009 of €560,000 and 2010 of €600,000 to assist with refund payments in cases where notified shipments were cancelled or where the volumes of waste shipped were less than the notified amount due to the downturn in the economy. The European Waste Shipments Regulation allows competent authorities to apply charges to waste notifiers in respect of the administrative costs of implementing the notification and supervision procedures and the NTFSO is now recouping its costs in full with no subvention from my Department.

Since April 2012, the NTFSO has implemented a fee in respect of minor infringements of the Waste Shipments Regulations, such as incomplete documentation as an enforcement tool. This was introduced following consultation with the Irish Waste Management Association. The NTFSO's Monitoring & Repatriation Fee Policy details specific incidents when these fees should be applied. A monitoring fee of €350 is applied in respect of the cost of investigating cases where a breach of the regulations occurred but no prosecution was taken. It should be noted that the NTFSO reserves the right to take legal action if it is warranted in certain circumstances, such as for repeated breaches of the Regulations or in relation to non-compliance with directions issued, and since 2009, the NTFSO has taken 31 successful prosecutions under the Waste Shipment Regulations with €59,000 in fines being imposed together with €92,791 in costs being awarded.

As the competent authority for Ireland, Dublin City Council is responsible for implementing an enforcement regime and applying penalties for non-compliance with the Waste Shipments Regulations. An enforcement team has been put in place for this purpose and to carry out joint inspections with various national and international organisations. Under section 159 of the Local Government Act 2001, each Chief Executive is responsible for staffing and organisation arrangements necessary for carrying out the functions of the local authorities for which he or she is responsible.

As Minister, I am precluded under Section 60(3) of the Waste Management Act 1996 from exercising any power or control in relation to the performance, in specific cases, by a local authority of their statutory functions under the Act. Notwithstanding, my Department is satisfied as to the efficiency of the TFS office operations and given past incidents concerning unauthorised movements of waste across the border, it is entirely appropriate that a robust system of checks and proportionate enforcement is deployed as deemed necessary by the TFS office.

### **Television Licences Data**

485. **Deputy Maurice Quinlivan** asked the Minister for Communications, Climate Action and Environment the number of television licence inspectors employed by An Post in 2017 and 2018. [8697/18]

**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.

### **Television Licences Data**

486. **Deputy Maurice Quinlivan** asked the Minister for Communications, Climate Action and Environment the number of prosecutions and convictions for the non-payment of a television licence in each of the years 2012 to 2017. [8698/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** Under the Broadcasting Act, 2009, An Post is the designated agent, acting on behalf of the Minister, for the collection of the Television Licence fee. In line with the Act, An Post is charged with the issuing of these licences and also with the enforcement of the current licence fee regime. An Post makes every effort to bring evaders into the licensed pool and a considerable amount of time and resources are spent in dealing specifically with this issue. An Post concentrates its initial efforts on getting people to buy the licence when due and by following up with a series of reminder notices and inspector visits. Bringing people to court is a last

resort and only carried out where all other means have failed.

The number of summons issued and cases brought to court between 2012 and 2017 are set out in the following table:

Year	Number of Summons applied for	Number of cases brought to court
2012	18,047	11,730
2013	21,761	14,307
2014	20,877	13,976
2015	17,763	12,302
2016	17,608	11,994
2017	17,288	11,693

Prosecutions for non-payment of TV licences are a matter for the Courts Service. Where a fine is imposed, this is collected by Gardaí. Statistics of those sent to prison for non-payment of fines are not provided to or maintained by An Post.

### Road Traffic Accidents Data

487. **Deputy Niall Collins** asked the Minister for Transport, Tourism and Sport the number of accidents on the section of the M7 between Limerick and Roscrea over the past four years; the cause of each accident; the actions being taken by Transport Infrastructure Ireland, TII, to avert further reoccurrence; and if he will make a statement on the matter. [8141/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and operation of individual roads 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.

### Garda Equipment

488. **Deputy Róisín Shortall** asked the Minister for Transport, Tourism and Sport the number of mouthpieces for a device (details supplied) that have been supplied to An Garda Síochána in each month since the introduction of the device; the number of mouthpieces outstanding from incomplete orders, in tabular form; and if he will make a statement on the matter. [8185/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The supply of the items referred to is the statutory responsibility of the Medical Bureau of Road Safety. I have therefore referred the Question to the Bureau for direct reply. I would ask the Deputy to contact my office if a response has not been received within ten days.

### Dublin Bus Services

489. **Deputy Maureen O'Sullivan** asked the Minister for Transport, Tourism and Sport if poor public transport between Ballymun and a shopping centre (details supplied) will be ad-

dressed; and if Dublin Bus will make an announcement under BusConnects to address this. [8288/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy will be aware the recently announced Capital Plan provides for investment to progress the BusConnects programme to address growing congestion in the Dublin region in the short to medium term.

BusConnects was launched last summer by the National Transport Authority (NTA) and 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 April and May of this year. The results of the public consultation will inform the final decisions to be made on the network redesign, Core Bus Corridors and park and ride facilities.

### **Traffic Management**

490. **Deputy Maureen O'Sullivan** asked the Minister for Transport, Tourism and Sport his plans to mirror the traffic light signalling system used in the UK (details supplied); if a feasibility study has been carried out in regard to the benefit of the signalling system; and his views on the system. [8290/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I have no plans at present to implement the traffic light signalling system used in the UK where the amber light appears briefly before the green light and, accordingly, no feasibility study has been carried out to date. My Department will keep this issue under review.

### **Driver Licensing Exchange Agreements**

491. **Deputy Darragh O'Brien** asked the Minister for Transport, Tourism and Sport the countries or states within countries with which Ireland has a reciprocal exchange of driving licences agreements, in tabular form; and if he will make a statement on the matter. [8330/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** This information is already in the public domain and may be found on the website of the National Driver Licensing Service. Besides all of our fellow EU Member States, the countries with which we have bilateral agreements on exchange are -

- Australia
- Gibraltar
- Guernsey
- Isle Of Man
- Japan
- Jersey
- South Africa
- South Korea

- Switzerland
- New Zealand
- Taiwan
- Ontario Province of Canada
- Manitoba Province of Canada
- Newfoundland & Labrador Province of Canada
- British Columbia Province of Canada.

### **Public Service Obligation Levy Data**

492. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will report on the public service obligation to Bus Éireann, Dublin Bus and Iarnród Éireann in 2017 and 2018, in tabular form; and if he will make a statement on the matter. [8352/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Since 2010 there is no subvention paid directly by my Department for public transport services.

The award of Public Service Obligation (PSO) contracts falls under the independent statutory remit of the National Transport Authority (NTA) and I have referred 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.

### **Rail Services**

493. **Deputy Tony McLoughlin** asked the Minister for Transport, Tourism and Sport if he will request the NTA and Irish Rail to ascertain if the Sligo to Dublin train could stop at Broombridge station, Dublin 7 to enable greater connectivity options to persons from County Sligo; and if he will make a statement on the matter. [8360/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The issue raised is a matter for the National Transport Authority (NTA) in conjunction with Irish Rail and I have forwarded the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a response within ten working days.

### **Haulage Industry Regulation**

494. **Deputy Martin Heydon** asked the Minister for Transport, Tourism and Sport the position regarding changes to the regulation for five axles trucks; if further consultation with the industry will be considered; and if he will make a statement on the matter. [8379/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Five axle non-articulated trucks (rigids) are a relatively recent phenomenon on Irish roads. Across the EU there is no maximum weight 'norm' for such vehicles and a lacuna in Ireland's Construction and Use of Vehicles Regulations has meant that a maximum weight limit for such vehicles has hitherto remained unstipulated.

It is precisely to correct this regulatory anomaly that Transport Infrastructure Ireland (TII), in conjunction with the Road Safety Authority (RSA), were tasked with analysing the pavement wear effects of this 39 tonne variant, as well as the associated vehicle standard related requirements attaching to the operation of 5 axle rigids in Ireland

The results of TII's commissioned study concluded that, because of their shorter wheel base they impacted negatively on both our bridge infrastructure and pavements. In circumstances, where in real terms, road maintenance funding has been severely cut over successive years, it was therefore recommended that the maximum regulatory weight limit for such vehicles should be set at 36 tonnes and came into effect on 1 February 2018.

The 5 axle (2 axle tractor unit towing a 3 axle semi-trailer) articulated vehicles experienced a derogation permitting a maximum weight laden limit of 42 tonnes which expired on 30 June 2017. As Minister for Transport, Tourism and Sport, I must have regard to the overarching need to maintain national transport infrastructure in as cost effective manner as possible. It is primarily for this reason, as well as the time given to the industry to adjust, that the previous derogation has not been renewed.

I have no proposals to revisit the present situation in respect of either 5 axle articulated or 5 axle non-articulated vehicles.

### **Dublin Bus Fleet**

495. **Deputy John Curran** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question No. 583 of 13 February 2018, the number of the 76 new buses that will be purchased in 2018 by the NTA for Dublin Bus; the number of these that are replacement buses; the number that are new additional buses to provide additional services, routes and capacity; and if he will make a statement on the matter. [8481/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy is aware, the National Transport Authority (NTA) has statutory responsibility for the planning and development of public transport infrastructure in the Greater Dublin Area (GDA) including bus fleet acquisition.

In light of the NTA's responsibility in this area I have forwarded the Deputy's question to the Authority for an update on the issue raised. Please advise my private office if you do not receive a response within ten working days.

### **Public Transport**

496. **Deputy John Curran** asked the Minister for Transport, Tourism and Sport his plans to address the overcrowding and delays in services on the Luas; and if he will make a statement on the matter. [8482/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Passenger numbers on both lines of the Luas network increased by over 10% to 37.6 million in 2017. With the Green Line now extended to Broombridge, and providing interchange with the Red Line and greater connectivity to rail services, those numbers are likely to grow substantially again in 2018. While it is welcomed that so many new customers are using the extended Green Line, it has meant that, at certain times of the day, some trams are operating at capacity.

The Luas Cross City project included the purchase of seven additional new trams which,

at 55 metre length, have a higher passenger capacity than existing trams, carrying up to 379 passengers per tram and increasing overall capacity on the Green Line. The first of these additional trams very recently came into service. Two more are currently in Ireland undergoing final testing and commissioning. One of these is expected to go into passenger service by the end of this week with the second to go into service about a week or so later, at the start of March. The remaining four trams - following the necessary final testing and commissioning - will be put into service progressively over the coming weeks during March, April and May.

In addition, the Green Line Capacity Enhancement project was recently approved by Government. The purpose of the project is to further increase capacity at peak hours on the Luas Green Line and to cater for future demands along the line. The project is proposed in the National Transport Authority's (NTA) Transport Strategy for the Greater Dublin Area 2016-2035. It includes the lengthening of the 26 existing Green line trams from 43 metres to 55 metres and the purchase of a further 8 new 55 metre-long trams which will greatly increase the passenger capacity of the fleet now and to meet future passenger demand. The capacity increases at peak periods provided by the project will assist in reducing crowding on the Green Line and enhance accessibility for mobility and sensory impaired users during these periods. A necessary complementary investment project, known as the Green Line Infrastructure Upgrade - an investment project to lengthen the platforms at the existing Green Line stations - was completed towards the end of last year and enables the use of the new, longer trams.

With regard to planning and managing the impact of Luas on other traffic, the Deputy may recall that Dublin City Council and the NTA jointly published the Dublin City Centre Transport Study in 2015 which sets out the various measures proposed for Dublin's city centre to ensure the efficient functioning of transport within the city centre and that also took into account the introduction of the Luas Cross City Project.

A number of changes have been made throughout the city centre over the last six months to accommodate the operation of the new Luas Cross City line. The most significant changes were the introduction of the additional bus lanes along the North and South Quays last August. In addition, there has been a host of other junction and traffic signal changes implemented in advance of the Luas Cross City becoming operational.

Furthermore it was recognised that the College Green area would be unable to cater for the same number of vehicles as it had previously, following the introduction of the Luas trams. Addressing this, a separate proposal for a civic plaza at College Green was developed by the City Council, and this proposal also provides for revised traffic arrangements through this area. The College Green civic plaza proposal is currently with An Bord Pleanála for determination and, if approved, would remove a lot of the conflicting traffic movements that currently exist in College Green.

In advance of a rescheduled Oral Hearing, the NTA, in collaboration with Dublin Bus and Dublin City Council, have proceeded to reduce bus vehicle volumes passing through the area, which would allow the junctions and signals to function more effectively. The combined effect of these changes has been to reduce the volume of buses passing through the College Green and College Street area, by about 20% in order to reduce the delay issues arising in this area.

I am advised that these parties continue to keep the situation under review.

## **Road Tolls**

497. **Deputy John Curran** asked the Minister for Transport, Tourism and Sport the plans

TII has to add additional tolling points on the M50; and if he will make a statement on the matter. [8483/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism & Sport, I have responsibility for overall policy in relation to roads. The planning, design and implementation of individual road projects on national roads are a matter for Transport Infrastructure Ireland under the Roads Acts 1993-2015 in conjunction with the relevant local authority. For regional and local roads it is a matter for each respective local authority.

More specifically, the statutory powers to levy tolls on national roads as well as regional and local roads, to make toll bye-laws and to enter into toll agreements with private investors are vested in TII (for national roads) and each local authority (for regional and local roads) under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000 and the Roads Act 2007).

Noting the above, I am referring the question to TII for direct reply within 10 working days. Please inform my private office if you do not receive the information.

### **Light Rail Projects Status**

498. **Deputy Darragh O'Brien** asked the Minister for Transport, Tourism and Sport the expenditure on metro north since 2005; and if he will make a statement on the matter. [8523/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy is aware, the National Transport Authority (NTA) has statutory responsibility for the planning and development of public transport infrastructure in the Greater Dublin Area (GDA) including the development of a metro scheme.

I am advised by the NTA that the expenditure on Metro North from 2005 up to the end of January 2018 is approximately €170 million.

As the Deputy may be aware, following consideration of the Fingal/North Dublin Transport Study and the recommendations of the National Transport Authority (NTA) arising from this study, the Government decided in 2015 that an optimised metro rail link as set out in the study is the long term public transport solution on the Airport/Swords corridor. In addition, the Programme for a Partnership Government includes a commitment to proceed with the metro scheme.

The recently published Project Ireland 2040 now proposes to take forward a Metro Link scheme to run from Swords, via Dublin Airport to Dublin's south city centre (operating in tunnel under the city centre) and onwards to Sandyford using the existing Luas Green Line to ensure that growth along this corridor can be accommodated. This will provide Dublin with a high capacity, high-frequency cross-city rail corridor serving critical destinations such as Swords, Dublin Airport, Dublin City University, Ballymun, the Mater Hospital and existing destinations along the Luas Green Line to Sandyford. Metro Link will provide faster reliable journey times to and from these key destinations while offering interchange with other rail, DART Expansion, light rail and bus services.

The next steps are that the details of the Metro Link scheme (Swords to Sandyford) will put out to public consultation in the coming weeks, with construction expected to commence in 2021 with a view to delivering the project by 2027.

### Driver Licence Applications

499. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport if an application by a person (details supplied) who has applied for a renewal of a driving licence will be investigated; and if he will make a statement on the matter. [8640/18]

**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 ten days.

### Departmental Properties

500. **Deputy Róisín Shortall** asked the Minister for Transport, Tourism and Sport the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of or part ownership of or under the control of both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8673/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Office of Public Works (OPW) is responsible for the procurement of office and other accommodation required for Government Departments, including the Department of Transport, Tourism and Sport and accordingly arrangements for vacant property is a matter for OPW.

My Department does not own any vacant habitable dwelling unit or vacant derelict residential dwelling unit. It does, however, own one vacant building, which is under the remit of the Irish Coast Guard and used by it for storage purposes. Details of this property are given in the following table:

Vacant Property	Location
Rocket House, Dun Laoghaire Harbour	Dun Laoghaire

The position regarding the agencies under the remit of this Department is a matter for them. I have forwarded a copy of your question to them for a direct reply. If you have not heard from the Agencies within ten working days, please contact my private office.

### Driver Test Data

501. **Deputy Mattie McGrath** asked the Minister for Transport, Tourism and Sport the number of persons on waiting lists for driving tests; and if he will make a statement on the matter. [8680/18]

**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 ten days.

### Driver Test Data

502. **Deputy Mattie McGrath** asked the Minister for Transport, Tourism and Sport the number of persons on waiting lists for driving tests in County Tipperary; and if he will make a statement on the matter. [8681/18]

**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 ten days.

### **Sports Capital Programme**

503. **Deputy Shane Cassells** asked the Minister for Transport, Tourism and Sport his plans for a 2018 or 2019 sports capital programme; and if he will make a statement on the matter. [8729/18]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin):** The 2017 round of the Sports Capital Programme (SCP) closed for applications on 24 February. By the closing date, a record number of 2,320 applications seeking €155 million in grants were received. In November and December last, Minister Ross and I announced €60 million in allocations to a record 1,800 projects under the 2017 round of the SCP. Full details of all these allocations are available on my Department's website and the priority in the medium term will be on advancing these projects.

In relation to future rounds of the SCP, my Department is undertaking a review of the 2017 round with a view to making recommendations on how to improve the process for future calls. This work is also examining what is feasible in terms of the scale and timing of the next round. I expect this review to be complete in the coming months and an announcement regarding the next round will be made at that stage.

### **Road Traffic Legislation**

504. **Deputy Mattie McGrath** asked the Minister for Transport, Tourism and Sport if he will provide clarification on the proposals to introduce new penalties for learner drivers specifically the possibility of confiscation of farm or commercial vehicles; the consultations he has had with an agricultural or other stakeholder bodies on this issue; and if he will make a statement on the matter. [8744/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The possibility of an impact of new laws regarding unaccompanied drivers on tractors or other farming equipment has not been discussed because it does not arise.

In 2016, the Oireachtas decided to create an offence for the owner of a vehicle where the vehicle is driven by an unaccompanied learner driver. As the provision contained drafting flaws it was not possible to commence it, and I shall be proposing to amend it to make it fit for purpose during the passing of the Road Traffic (Amendment) Bill 2017 through the House.

I have also indicated that I will propose an amendment to section 41 of the Road Traffic Act 1994, which allows An Garda Síochána to detain vehicles in certain circumstances. My amendment will add to the list of those circumstances cases where the vehicle is driven by an unaccompanied learner.

Both the 2016 provision and my proposed amendment to the 1994 Act relate, of course, to classes of vehicle where the law requires a learner to be accompanied by a qualified learner driver. These are the B, C, and D categories - cars, minibuses, buses, vans and trucks.

There is no requirement for a learner to have a qualified accompanying driver for the A categories - motorbikes - or for the W category, which covers tractors. The new legislation

therefore has no impact of any kind on tractors.

### **Harbour Authorities**

505. **Deputy Catherine Connolly** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the fact that during recent sampling of dredge material in Galway bay, the Galway Harbour Company was advised of the presence of the banned substance dichlorodiphenyl-trichloroethane (details supplied); the details in relation to the circumstances of the find; the site from which the sample was taken; the level of toxicity found in the sample; the bodies or organisations that have been made aware of the find; and if he will make a statement on the matter. [8791/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** This a matter for the Galway Harbour Company and I have forwarded the Deputy's question to the company for direct reply.

Please advise my private office if you do not receive a response within ten working days.

### **School Completion Programme**

506. **Deputy Fergus O'Dowd** asked the Minister for Children and Youth Affairs if a project for the completion of a school (details supplied) will be supported; and if she will make a statement on the matter. [8251/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Regarding the question my Department's responsibility covers the Educational Welfare Service in Tusla who have funding responsibility for the School Completion Programme. The Deeside School Completion Programme receives funding of €219,536.17

Tusla Educational Welfare Service has informed my Department that this programme is fully funded on the basis of its 2017/2018 retention plan and has indicated that there are no plans to reduce this allocation.

It should be noted that school buildings and the completion of same, are the responsibility of the Department of Education and Skills.

### **Community Childcare Subvention Programme**

507. **Deputy Dara Calleary** asked the Minister for Children and Youth Affairs the funding available to community childcare organisations that need to extend their facilities (details supplied). [8258/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I thank the Deputy for the query regarding capital funding made available by my Department for the expansion of childcare facilities.

I can inform you that two strands of funding exist for the expansion of childcare facilities under my Department's capital programmes for 2018. Early years and school age childcare services may apply for funding to create new childcare places under Strand 1 and Strand 4 of the 2018 Capital programmes respectively.

Early Years Strand 1 provides for a maximum of €50,000 in grant funding, while School Age Strand 2 provides for a maximum of €20,000. Services may apply for either or both strands, provided that they meet the basic eligibility requirements — including minimum additional new places created under the respective programmes — for each.

Services may apply for funding for capital projects for which costs exceed the maximum grant allowable. As stated in the applicant guidelines published on 1 February 2018, applicants must provide evidence of having the additional funds to pay for the total cost of the project where the cost is greater than the amount of grant applied for under this strand. For example, bank statements verifying the additional funds or a letter of offer of funding or contract from another funder or loan agreement. In doing so, applicants demonstrate the overall viability of the project concerned.

I can assure you also that the representation made on behalf the childcare organisation in question is being dealt with by officials in my Department at present, and a written response will be issued as soon as is possible.

### **Departmental Staff**

508. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs the job descriptions and role profiles of staff across her Department; the sections of her Department those staff are working in; and if she will make a statement on the matter. [8294/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Department is comprised of my Office, the Management Board and four Divisions:-

- Corporate and Business Support;
- Early Years Care and Education Division;
- Child Policy and Tusla Governance Division;
- Youth Justice, Adoption, Youth and Participation Division.

Each of the Divisions have a number of units headed by Principal Officers.

The Framework of Assignments document outlining the role and responsibilities of the Management Board members and their Principal Officers and equivalents is currently being revised and will be made available on the Department's website in the near future.

In addition to the Management Board and Principal Officers, the Department's staffing consists of the generalist civil service grades of Service Officers, Clerical Officers, Executive Officers, Higher Executive Officers, Administrative Officers, Assistant Principal Officers and some specialist positions in the areas such as child welfare, social work, and legal advice.

The role profiles for the generalist grades are based on the business plans of the unit to which the staff member is assigned having regard to their grade and the competencies advertised by the Public Appointments Service for that grade.

The specialist positions are held by suitably qualified personnel whose role is to provide expert advice and in some cases to also head up units as Principal Officer equivalents.

At the end of January 2018, my Department had 245 members of staff and is still in the process of recruiting additional staff. As my Department has recently completed its business

planning for 2018, staff are now discussing and developing their individual role profiles for 2018. As this process has not been completed as yet, up to date role profiles for 2018 are not yet available.

### **Youth Services Funding**

509. **Deputy Martin Heydon** asked the Minister for Children and Youth Affairs the supports available for the refurbishment of a community hall and the development of a youth facility; and if she will make a statement on the matter. [8325/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** My Department administers a range of funding schemes and programmes to support the provision of youth services to young people throughout the country including those from disadvantaged communities. The funding schemes support national and local youth work involving approximately 1,400 youth work staff working in youth services and communities throughout the country.

In 2017, €58.95 m has been allocated in current funding to support the provision of youth services, an increase of €1.5m. The additional funding is being used for programmes that target disadvantaged young people and to assist national youth organisations in their work to support local voluntary youth services.

These schemes include the Local Youth Club Grant Scheme. This Scheme supports youth work activities at a local level. These grants are made available to all youth clubs and groups through the local Education and Training Boards. Each year, in the region of 1700 local youth clubs are eligible to apply under the scheme. The Scheme is intended to support the operation of volunteer-led youth projects.

The Scheme does not extend to the provision of capital funding for large scale works. My Department does not have available any other funding streams for the refurbishment of the premises in question.

### **Mother and Baby Homes Inquiries**

510. **Deputy Tom Neville** asked the Minister for Children and Youth Affairs the status of the mother and baby homes redress scheme; and if she will make a statement on the matter. [8334/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** There is no redress scheme in place in relation to the matters currently being examined within the scope of the statutory Commission of Investigation into Mother and Baby Homes.

As the Deputy will be aware the Commission has made no findings to date in relation to abuse or neglect in these institutions.

The Commission's final reports are due in February 2019, at which time its conclusions on all matters regarding the treatment and welfare of former residents will be studied very carefully in determining the appropriate State response.

The Commission's second Interim Report included a recommendation that the exclusion of certain institutions from the Residential Institutions Redress Act should be re-examined by Government. The Government did consider this matter very carefully last year and decided not to re-open the scheme, or to extend it to any other institutions. The Government decided it

would not be appropriate to pre-empt the final reports of the Commission on relevant matters.

### **Psychological Services**

511. **Deputy James Browne** asked the Minister for Children and Youth Affairs the number of meetings of the working group involving the HSE, Department of Health and Tusla that have been held; the timeframe of the working group's key actions in line with its proposed terms of reference; and if she will make a statement on the matter. [8614/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The working group to examine the provision of community-based psychological provision for children held its first inaugural meeting on 19 January 2018. The working group is co-chaired by the Department of Children and Youth Affairs and the Department of Health. The group is made up of senior officials from both Departments with representatives from Tusla, the Child and Family Agency, the Health Service Executive and a representative from the Psychological Society of Ireland.

The key objective of the working group is to examine the psychological and mental health services for children and young people with the aim of ascertaining a clear continuum of provision, strengthening alignment and areas for improvement, centred on the needs of children and young people.

The working group have agreed the Terms of Reference and are focusing on assessing work and policies in place with a view of identifying key actions to be progressed. The working group will reconvene having completed the scoping phase in line with the Terms of Reference for the group.

### **Departmental Properties**

512. **Deputy Róisín Shortall** asked the Minister for Children and Youth Affairs the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of or part-ownership of or under the control of both her Department and agencies under her remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if she will make a statement on the matter. [8659/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** My Department does not own, nor have in its direct control, any vacant habitable dwelling units or vacant derelict residential dwelling units.

The situation regarding agencies under the remit of my Department is an operational matter for each agency and I asked the agencies concerned to reply directly to the Deputy.

### **Youth Services Funding**

513. **Deputy Michael Collins** asked the Minister for Children and Youth Affairs the number of youth workers funded in south west County Cork; the way in which this number compares proportionally with the number of youth workers employed throughout the rest of the country; and if she will make a statement on the matter. [8774/18]

514. **Deputy Michael Collins** asked the Minister for Children and Youth Affairs her plans

to rectify the situation of the under provision of youth workers by establishing and resourcing a dedicated west County Cork youth service and providing resources for this new entity to commence delivery of service at a level on a par with services in other counties (details supplied); and if she will make a statement on the matter. [8775/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I propose to take Questions Nos. 513 and 514 together.

My Department administers a range of funding schemes and programmes to support the provision of youth services to young people throughout the country including those from disadvantaged communities. The funding schemes support national and local youth work involving approximately 1,400 youth work staff working in youth services and communities throughout the country.

In 2018, €58.9 m has been allocated in current funding to support the provision of youth services, an increase of €7m on 2016. The additional funding is being used for programmes that target disadvantaged young people and to assist national youth organisations in their work to support local voluntary youth services. Funding to staff led youth services has generally been targeted at areas of disadvantage and not in proportion to the youth population of a county.

The Deputy will be aware that my Department is managing the most significant reform of youth services ever undertaken. This will provide an opportunity to identify need and to focus funding on young people most in need of intervention. Last year, I approved funding for the establishment of new youth projects and for the augmentation of a small number of existing youth services to meet new challenges arising from population increases.

Each of the sixteen Education and Training Boards, including Cork ETB, was invited to nominate locations within their catchment areas for the establishment of new services and to nominate a project or service to be considered for augmentation. In total twenty-eight applications for new services were received. Subsequently I approved the establishment of nine new targeted youth services across the country and the expansion of a further seven to respond to new demand from increased population and needs of young people which included a new service in Mitchelstown and an augmented service in Midleton.

Future development and investment in youth services will be informed by the mapping exercise completed last year which mapped youth service provision across the State. This mapping will assist the Department and the relevant ETB in developing a detailed social demographic profile in terms of both population numbers and deprivation levels. My Department is committed to working with Cork ETB to identify need and explore ways to address this need where it emerges.

### **Disability Support Services Funding**

515. **Deputy Joan Burton** asked the Minister for Rural and Community Development if his attention has been drawn to an application for core funding by an organisation (details supplied); and his plans for continued support and funding of deaf advocacy services. [8561/18]

516. **Deputy Joan Burton** asked the Minister for Rural and Community Development if his attention has been drawn to an application for core funding by an organisation (details supplied); and if advocacy services for the deaf will continue to receive supported funding. [8569/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** I propose to

take Questions Nos. 515 and 516 together.

My Department provides funding to the organisation in question under the Scheme to Support National Organisations in the Community and Voluntary sector, which aims to provide multi-annual funding to national organisations towards core costs associated with the provision of services.

The current round of funding under the Scheme commenced on 1 July 2016, for a period of three years. 70 organisations are funded, with a total envelope of €16.6 million over three years. The maximum amount of funding available under the Scheme is €90,000 per annum per organisation. The organisation in question was allocated €269,700 over the three year period of the scheme.

### **Leader Programmes Funding**

517. **Deputy Martin Heydon** asked the Minister for Rural and Community Development the supports available for the refurbishment of a community hall and the development of a youth facility; and if he will make a statement on the matter. [8326/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** Leader is a multi-annual programme covering the period 2014-2020 which is delivered through Local Action Groups in each of the 28 LEADER sub-regional areas around the country.

Funding under LEADER is available for a range of defined themes, which include enterprise development and job creation, social inclusion, and the environment.

The Social Inclusion theme of the LEADER Programme focuses on the provision of services for people living in rural and remote areas and, in that context, support for the works outlined by the Deputy could be considered eligible for LEADER funding.

In order for a project to be eligible for LEADER funding, it must be compatible with the actions outlined in the approved Local Development Strategy in the LEADER sub-regional area concerned, and it must comply with the Operating Rules and EU Regulations in place for the programme.

The decision to approve a project, or otherwise, is a matter for the Local Action Group in the relevant area.

Applications for project funding should be made directly to the relevant Local Action Group (LAG). Contact details for all LAGs are available on my Department's website [www.drcd.gov.ie/about/rural/rural-development/leader/](http://www.drcd.gov.ie/about/rural/rural-development/leader/).

### **Seniors Alert Scheme**

518. **Deputy Tom Neville** asked the Minister for Rural and Community Development if the introduction of a subsidy for burglar alarms for senior citizens in conjunction with the existing senior alert scheme will be considered; and if he will make a statement on the matter. [8357/18]

**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. I am pleased to advise the Deputy that the revised scheme has been a resounding success with unprecedented levels of demand for the new package. There are no plans to introduce further amendments to the scheme at this point in time.

The issue of the introduction of a subsidy for the installation of house alarms is a matter for my colleague, the Minister for Justice and Equality under his remit of community crime prevention.

### **National Planning Framework**

519. **Deputy Willie Penrose** asked the Minister for Rural and Community Development the input he made to the national planning framework; the additional capital investment he has secured in the national development plan; and if he will make a statement on the matter. [8367/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** Last Friday, 16 February, the Government published Project Ireland 2040 which incorporates the new National Planning Framework and the 10-year National Development Plan (NDP). The NDP will underpin the Planning Framework with a programme of capital investment to 2027.

My Department provided inputs to the National Planning Framework through its participation on a Cross Departmental Steering Group which was led by the Department of Housing, Planning and Local Government, and through additional bilateral engagement with that Department.

The general focus of the inputs included:

- the importance of rural Ireland in the development of our national economy;
- the central importance of our towns and villages in supporting sustainable economic and population growth nationally, and the role key settlements play in driving the development of each region;
- maximising the potential of rural Ireland through the diversification of enterprise sectors; and
- the contribution which the Atlantic Economic Corridor can make in supporting regional development.

The final NPF reflects the inputs made by my Department.

The National Development Plan includes a commitment to the establishment of a new Rural Regeneration and Development Fund which will provide capital investment of €1 billion over the next ten years to support the sustainable growth of towns, villages and rural areas. This Fund will be overseen by my Department and is additional to the current baseline funding in my Department's Estimate.

In addition to the Rural Regeneration and Development Fund, capital investment across many other Departments and sectors will also contribute to rural and regional development,

including in areas such as broadband, regional and local roads, tourism and agriculture.

### **Walks Scheme**

520. **Deputy Willie Penrose** asked the Minister for Rural and Community Development the way in which he plans to meet the programme for a partnership Government commitment to double the number of walks on the walks scheme; the number of extra walk routes that will be added in 2018; the locations of same; and if he will make a statement on the matter. [8368/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** My Department administers the Walks Scheme which facilitates the development and maintenance of many of Ireland's walking trails. The scheme involves landholders as key participants in the provision of high quality walking trails, by contracting them to undertake maintenance work on sections of National Way Marked Ways and other priority walks that traverse their lands. The landholders receive modest payments for maintenance work undertaken, in line with agreed work plans.

The scheme currently covers 39 trails, with payments made to approximately 1,900 landholders to maintain those trails.

The Programme for a Partnership Government and the Action Plan for Rural Development include a commitment to increase the number of trails covered by the Walks Scheme and my officials are working towards this objective. I intend to initiate a comprehensive review of the scheme's operation this year in order to determine how best to expand the scheme and maximise the impact of the resources available to me. This review will inform any decisions to be made regarding new walks to be included in the scheme.

As significant consultation will be required with both landholders and other stakeholders, it is unlikely that any increase in the number of walks covered by the scheme will be implemented until late 2018 or early 2019.

### **Western Development Commission Remit**

521. **Deputy Willie Penrose** asked the Minister for Rural and Community Development his plans for the Western Development Commission; the role it will have in relation to the national development plan; the work under way to address the depopulation of the counties under its remit; and if he will make a statement on the matter. [8369/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** The Western Development Commission (WDC) was established on a statutory basis in 1999 as part of a response to the severe population decline in the Western Region at that time. The remit of the Commission is to promote the economic and social development of the Western Region, covering counties Donegal, Leitrim, Sligo, Mayo, Roscommon, Galway and Clare.

The WDC is an important part of a wider focus on regional development by the Government, which also involves a deeper role in economic development by the Local Authorities and the Regional Assemblies.

The Government's new National Planning Framework and National Development Plan both place an emphasis on the development of the western region and improving access to the region and within the region itself. The National Planning Framework also recognises the potential of the Atlantic Economic Corridor initiative to contributing to the regional growth objectives of

the Framework. These include increasing the population of the regions outside of the Eastern and Midlands region.

I anticipate that the WDC will play an important role in helping to deliver on the Government's objectives.

The Commission is represented on the Atlantic Economic Corridor Taskforce, as well as on the Implementing Committees which oversee the Action Plans for Jobs for the West and North-West regions.

The Commission is also represented on the Monitoring Committee for the Action Plan for Rural Development.

The Commission also continues to implement initiatives to support the development of SMEs and emerging sectors in the western region, including a new €2 million fund to encourage the film, television, animation and games industry in the West of the country.

### **Greenways Development**

522. **Deputy Willie Penrose** asked the Minister for Rural and Community Development his plans to encourage and support the roll-out of greenways; the funding and policy support available under the outdoor recreation infrastructure scheme; and if he will make a statement on the matter. [8370/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** Policy responsibility for the development of greenways is a matter for my colleague, the Minister for Transport, Tourism and Sport. However, my Department also supports the development of greenways through the Outdoor Recreation Infrastructure Scheme.

Both Departments are committed to working together to ensure that the impact of the support available for the development of greenways is maximised for citizens and visitors alike. In this context, my Department is in regular contact with the Department of Transport, Tourism and Sport and is working to ensure closer alignment of greenway projects which may be funded by the respective Departments.

There are already a number of good examples of the two Departments funding projects that are complementary to each other. For instance, I recently awarded funding to extend the Great Western Greenway into Achill under the Outdoor Recreation Infrastructure Scheme 2017. I also funded an extension of the Royal Canal Greenway in County Longford under the same scheme. These greenway extensions build on funding allocated by the Department of Transport, Tourism and Sport to support the development of the main greenways.

The Department of Transport, Tourism and Sport is currently preparing a strategy for the future development of greenways and this strategy provides an opportunity to further strengthen the cooperation between my Department and the Department of Transport, Tourism and Sport in relation to greenways and to maximise their economic potential.

### **Brexit Documents**

523. **Deputy Stephen S. Donnelly** asked the Minister for Rural and Community Development if his Department is specifically preparing a paper or papers examining the impact of a hard, soft and WTO or cliff-edge scenario Brexit on Ireland; if so, the date work on the papers

commenced; the status of these papers; the expected publication date; his plans to make them available to the public; and if he will make a statement on the matter. [8543/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** My Department was established on 19 July 2017. My colleague, the Minister for Foreign Affairs and Trade, Mr. Simon Coveney, T.D., has the primary responsibility for leading on Brexit negotiations, my Department is contributing on an ongoing basis to discussions, and is providing policy advice relevant to its remit, as and when required. My Department is not specifically preparing a paper or papers to examine various possible outcomes on Ireland post Brexit.

The Department has been established to deliver on the Government's commitment to bring a greater degree of coordination and cohesion to all of the work of Government in so far as it impacts on rural Ireland and on communities. The impact of Brexit on regional and rural businesses and on communities is relevant across a number of policy areas of my Department. In this context, considerations around the impact of Brexit are shared across different policy areas, rather than being assigned to a single Unit or to dedicated staff.

In addition, my role in the Cabinet Committee on the Economy gives me a specific forum to raise issues for Rural Ireland relating to the Economy, Jobs, the Labour Market, Competitiveness, Productivity, Trade, the Action Plan on Rural Development and the Digital Economy, including managing and mitigating the risks associated with Brexit.

### **Local Improvement Scheme**

524. **Deputy Noel Grealish** asked the Minister for Rural and Community Development if Galway City Council can make an application to his Department for funding for LIS schemes in 2018; and if he will make a statement on the matter. [8609/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** The Local Improvement Scheme (LIS) is a programme for improvement works on small private/non public roads and has been funded in the past by the Department of the Environment and Local Government and subsequently by the Department of Transport, Tourism and Sport.

Funding for the LIS was limited in recent years due to constraints on the public finances. However, I recognised that there was a demand for the scheme across the country and, last year, I allocated €17.4 million to the scheme. The scheme was based on previous guidelines governing the LIS, and in particular, the Local Improvement Scheme Memorandum 2002, issued by the then Department of the Environment and Local Government.

The Memorandum outlines in detail the conditions governing the payment of grants to County Councils only, in respect of projects carried out under the LIS. City Councils are not referenced in the Local Improvement Scheme Memorandum 2002.

The LIS provided much-needed support in rural areas in 2017 and I have allocated a further €10 million for the scheme this year. I currently have no plans to revisit the eligibility conditions outlined in the Local Improvement Scheme Memorandum 2002 for 2018. In this context Galway City Council will not be eligible to apply for funding under the 2018 LIS.

### **Departmental Funding**

525. **Deputy Noel Grealish** asked the Minister for Rural and Community Development if there is grant aid made available through his Department or organisations funded by his Depart-

ment for the purchase of defibrillators by community groups; and if he will make a statement on the matter. [8612/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** The provision of defibrillators may be considered eligible for funding under my Department's LEADER Programme, the Communities Facilities Scheme and the RAPID Programme.

LEADER funding is delivered through Local Action Groups (LAGs) in 28 sub-regional areas across Ireland, in line with the Local Development Strategies developed by each LAG.

Funding under LEADER is available for a range of defined themes, which include enterprise development and job creation, the development of rural towns, social inclusion, and the environment.

The Social Inclusion theme of the LEADER Programme focuses on the provision of services for people living in rural and remote areas and, in that context, the provision of defibrillators could be considered eligible for LEADER funding.

However, individual project approvals are a matter for the Local Action Group in the relevant area and I have no function in relation to such approvals. In order for a project to qualify for funding, it must be compatible with the actions outlined in the approved Local Development Strategy for the sub-regional area concerned, and it must comply with the Operating Rules and EU Regulations in place for the LEADER programme.

Applications for project funding should be made directly to the relevant LAG. Contact details for all LAGs are available on my Department's website at <http://drcd.gov.ie/wp-content/uploads/list-of-LAGs.pdf>.

The Communities Facilities Scheme (CFS) was launched on 10 March 2017. It was targeted at disadvantaged urban and rural areas, but not exclusively so. The funding related to capital projects only. The CFS is administered by the Local Community Development Committees on behalf of the Department. I am delighted to confirm that I have also secured a €2 million allocation for the CFS in Budget 2018. The modalities of the CFS for 2018 are currently under consideration.

The RAPID (Revitalising Areas by Planning, Investment and Development) Programme was launched on 2 November 2017. The Programme funding was for capital grants only and was aimed at funding projects in disadvantaged urban areas. The funding related to capital projects only. The RAPID Programme is also administered by the Local Community Development Committees on behalf of the Department. I have also secured a €2 million allocation for RAPID in Budget 2018. The modalities of the RAPID Programme for 2018 are currently under consideration.

The purchase of defibrillators was eligible for funding under Measure 4 (First Response Support Measure) of the CLÁR (Ceantair Laga Árd-Riachtanais) Programme 2017. CLÁR is a targeted investment programme for rural areas that aims to provide funding for small infrastructural projects in areas that experience disadvantage. The closing date for applications under Measure 4 was 5 May 2017. Decisions regarding the CLÁR Programme and the initiatives that might be funded are currently under consideration by my Department. Further information on Measure 4 can be found at the link <http://drcd.gov.ie/wp-content/uploads/clar-2017-measure-4-en.pdf>.

526. **Deputy Róisín Shortall** asked the Minister for Rural and Community Development the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership or part ownership, or under the control, of both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8671/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** Four state bodies fall under the remit of my Department, Pobal, Irish Water Safety, the Western Development Commission and the Charities Regulatory Authority.

There are no buildings or dwelling units owned, either by my Department or by any of the above agencies. All properties used by this Department are owned, or leased, by the Office of Public Works on our behalf.

### **Animal Welfare**

527. **Deputy Clare Daly** asked the Minister for Rural and Community Development if his attention has been drawn to the conditions at a pound (details supplied) which is the subject of a social media video displaying appalling living conditions for animals; and if his Department will correspond with local government authorities and animal welfare inspectors to ensure a full inspection is carried out. [8746/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** Under the Control of Dogs Acts, local authorities have responsibility for operating and managing dog control and licensing services in their administrative areas, including the management of dog pounds and shelters and my Department has no involvement in this process.

Furthermore, the enforcement of welfare standards regarding all animals, including dogs seized, accepted or detained under the Control of Dogs Acts, is a matter for the Minister for Agriculture, Food and the Marine under the Animal Health and Welfare Act 2013. My Department has no function in this regard.

However, on foot of the Deputy's question, enquiries have been made by my Department with the relevant local authorities, all of which have indicated that the enterprise referenced is maintained to a high standard and has passed all recent unannounced veterinary inspections.

### **Dormant Accounts Fund Administration**

528. **Deputy Catherine Connolly** asked the Minister for Rural and Community Development the status of the action plans for 2015, 2016 and 2017 as provided for by the Dormant Accounts (Amendment) Act 2012; the way in which control and governance is exercised over disbursements in their absence; and if he will make a statement on the matter. [8781/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** The legislation governing the Dormant Accounts Funds provides a framework for the disbursement of funds for measures targeted at socially, economically and educationally disadvantaged people, and people with a disability. The funding is allocated through a three-year Disbursement Scheme, underpinned by annual Action Plans which set out specific measures which may draw down from the Fund.

My Department coordinates the preparation of the Disbursement Scheme and the Annual Action Plans across Government. Responsibility for this transferred to my Department in July

2017.

The most recent Disbursement Scheme, covering the period 2017-2019 inclusive, was laid before the Houses of the Oireachtas in May 2017. Dormant Account Action Plans have been put in place by the relevant Departments responsible at that time for 2014, 2016 and 2017. However, I understand that the 2014 Plan was produced in the latter half of that year and a decision was made to allow sufficient time for these programmes and projects to develop throughout 2015 rather than adopt a new action plan for 2015.

The roll-out of annual Action Plans takes place over a number of years. The 2014, 2016 and 2017 Action Plans have proceeded over the last 4 years resulting in disbursements from the Fund of €36.5 million to programmes and projects which have aided the defined target groups.

The preparation of the 2018 Action Plan has now commenced and I recently wrote to each Minister requesting that their Departments identify possible measures for inclusion in the Action Plan. My Department will review the submissions made by Departments in this regard and, upon completion of this process, I expect to be in a position to submit the final 2018 Action Plan to Government in May 2018.

In parallel with the development of the 2018 Action Plan, my Department has also commenced a review of the previous disbursement scheme which ran from 2014-2016. This review, which will be completed by the end of June 2018, will set out to improve the administrative procedures governing Dormant Accounts funding to maximise the effectiveness with which funds are distributed in order to better support the people and communities at whom the funding is aimed.

### **Mobile Telephony Services**

529. **Deputy Joe Carey** asked the Minister for Rural and Community Development the steps being taken to tackle the problem of mobile phone coverage black spots in rural areas in the context of his Department's co-chairing of the mobile phone and broadband taskforce; and if he will make a statement on the matter. [8502/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** The Mobile Phone and Broadband Taskforce was established in July 2016 to examine broadband and mobile phone coverage deficits in Ireland and identify tangible actions to improve the quality of these services.

The Taskforce Report was published in December 2016, and included 40 actions to alleviate barriers to mobile phone reception and broadband access. An Implementation Group was established in 2017 to oversee the delivery of actions in the Taskforce's report and progress updates are published on my Department's website on a quarterly basis.

With regard to mobile phone black spots, my officials in conjunction with the Department of Communications, Climate Action and Environment, are actively engaged with local authorities and mobile phone operators to identify priority black spots and take action to address this issue.

During 2017 officials from both Departments worked with a group of local authorities to identify the issues associated with mapping local black spots. This pilot exercise has been completed, with all local authorities now being asked to map local black spots and identify infrastructure that could potentially be used to provide additional coverage.

This work will continue in 2018 and has been included as an action in this year's work programme of the Mobile Phone and Broadband Taskforce Implementation Group.

In addition, ComReg will shortly launch a scheme for the use of mobile phone repeaters, which will allow householders and businesses to boost signals into their premises, and bring immediate improvements in mobile phone coverage.

### **One-Parent Family Payment Eligibility**

530. **Deputy Eoin Ó Broin** asked the Minister for Employment Affairs and Social Protection her plans to amend the Social Welfare Consolidation Act 2005 as amended by section 13 of the Social Welfare (Miscellaneous Provisions) Act 2008 to include a foster parent in the definition of a qualified parent for the purposes of determining eligibility for one-parent family payment (details supplied). [8060/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The provision of fostering services is a matter for TUSLA (the Child and Family Agency). This includes any supports, including financial, that are required by either the foster parents or the foster children that specifically relate to fostering.

Under the current social welfare legislation in order to qualify for payment of OFP, an applicant must be a qualified parent of at least one relevant child who is ordinarily resident in the State, is not detained in a children detention school, and has not attained the relevant age. The relevant age is currently 7 years of age. There are special provisions for OFP recipients who have a child on Domiciliary Care Allowance, are on the half-rate Carer's Allowance or are on the Blind Pension that extend payment until the youngest child reaches 16 years of age. There is also a 'recently bereaved' special provision that extends payment for up to 2 years of until the youngest child is 18 whichever occurs first. Additional scheme conditions also apply.

A qualified parent is:

- (a) a widow,
- (b) a widower,
- (c) a separated spouse,
- (d) an unmarried person,
- (e) a person whose spouse or civil partner has been committed in custody to a prison or place of detention for not less than 6 months, or
- (f) a surviving civil partner,
- (g) a civil partner who is not living with the other civil partner of the civil partnership, or
- (h) a person who is not a party to a civil partnership.

who is the parent, step-parent, adoptive parent, or legal guardian of at least one relevant child, who normally resides with that person. Additional qualifying conditions also apply.

To be a qualified parent the applicant must therefore be legally defined as either the parent or guardian of the relevant child. A foster parent is not the legal parent or guardian of the foster child and as such is not a qualified parent and cannot qualify for OFP with the foster child as the relevant child.

Lone foster parents are treated in the same manner as all lone parents in terms of the social welfare income support payments that are available to them from this Department – assuring, in the process, equal treatment for all lone parents. All lone parents must satisfy the conditionality requirements of the OFP scheme.

While there are no specific provisions for foster children in the legislation relating the OFP scheme, provision is effectively made for foster children on the basis of the legislation covering the payment of increases for qualified children (IQCs). This legislation provides that, where the relevant conditions are met, all qualified children – including foster children – will be paid as a child dependent on these schemes. On that basis, foster children are treated in the same manner as the recipient’s own children, once the recipient has an underlying entitlement to the scheme. For example, if a foster parent has children of his/her own one of whom is under 7 years of age, and meets the other conditions of the OFP scheme, s/he can qualify for OFP and will be paid an IQC for his/her own children and the foster child.

In addition foster care allowances from Tusla are not taken into account in the means test for social welfare payments. Where a child has been placed in foster care by Tusla and the child has been in the continuous care of the foster parent(s) for 6 months, Child Benefit may then transfer to the foster parent(s).

I do not currently have plans to include a foster parent in the definition of a qualified parent for the purposes of determining eligibility for one-parent family payment (OFP).

### Social Welfare Benefits Data

531. **Deputy Catherine Murphy** asked the Minister for Employment Affairs and Social Protection the number of adult dependants in receipt of a social welfare claim by county, in tabular form; and if she will make a statement on the matter. [8109/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I regret that the county breakdown requested by the Deputy is not readily available in my Department.

However, I include for her information the total number of recipients benefiting from an increased payment for a qualified adult that were in payment at the end of January.

Number of Qualified Adult Allowances in payment at the end of January 2018	
Scheme	Qualified Adults
State Pension (Non-Contributory)	3,220
State Pension (Contributory)	66,164
State Pension (Transition)	13
Jobseeker’s Allowance	41,374
Supplementary Welfare Allowance	2,614
Farm Assist	2,992
Pre-Retirement Allowance	34
Jobseeker’s Benefit	3,115
Maternity Benefit	
Rural Social Scheme	1,142
TUS - Community Work Placement	1,510
Back To Work Enterprise Allowance	3,000

Number of Qualified Adult Allowances in payment at the end of January 2018	
JobBridge National Internship Scheme	5
Back To Education Allowance(3)	1,376
Gateway	10
Partial Capacity Benefit	222
Disability Allowance	14,609
Illness Benefit	4,057
Interim Illness Benefit	53
Injury Benefit	101
Invalidity Pension	6,937

### Social Welfare Benefits Data

532. **Deputy Catherine Murphy** asked the Minister for Employment Affairs and Social Protection the number of adult dependants on a social welfare labour activation scheme by county, in tabular form; and if she will make a statement on the matter. [8110/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Our records indicate that the number of adult dependants on the relevant activation schemes i.e. Back To Education Allowance, Back to Work Enterprise Allowance, Short Term Enterprise Allowance, Tús, Gateway and Community Employment in January 2018 are set out in Table 1 as follows.

Table 1 - No. of Adult Dependants paid on Activation Schemes at Jan 2018						
County	Back to Education Allowance	Back to Work Enterprise Allowance	Short Term Enterprise Allowance	Tús	Gateway	Community Employment
Carlow	34	63	0	32	-	115
Cavan	21	87	0	23	-	66
Clare	32	99	1	29	-	102
Cork	138	227	5	140	-	376
Donegal	64	127	1	106	-	247
Dublin	297	590	3	298	2	656
Galway	75	140	0	91	2	130
Kerry	57	99	0	49	-	157
Kildare	55	113	4	44	-	181
Kilkenny	32	87	1	27	1	107
Laois	36	76	3	26	-	100
Leitrim	13	51	0	16	-	29
Limerick	81	90	2	49	-	237
Longford	23	66	1	20	-	64
Louth	62	132	3	36	-	136
Mayo	43	105	2	75	3	95
Meath	39	129	1	49	-	55
Monaghan	11	45	1	20	-	85
Offaly	35	81	0	31	-	103

Roscommon	15	46	1	28	1	49
Sligo	35	37	0	23	1	41
Tipperary	29	93	2	73	-	179
Waterford	68	103	0	78	-	160
Westmeath	37	71	0	13	-	137
Wexford	54	124	1	60	-	216
Wicklow	28	119	6	74	-	143
TOTAL	1,414	3,000	38	1,510	10	3,966

### Disability Allowance Payments

533. **Deputy Maurice Quinlivan** asked the Minister for Employment Affairs and Social Protection if her attention has been drawn to the fact that persons awarded a disability allowance by the social welfare appeals office in December 2017 are still not in payment; and if she will make a statement on the matter. [8127/18]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** The persons concerned have been awarded disability allowance with effect from their date of application. The first payments will issue by their selected payment method as follows; 21 February 2018 in respect of the first named individual and 7 March 2018 in respect of the remaining two individuals.

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

I hope this clarifies the matter for the Deputy.

### Social Welfare Benefits

534. **Deputy John McGuinness** asked the Minister for Employment Affairs and Social Protection if the disability allowance claim being paid to a person (details supplied) will be examined to ensure that the person is on full benefit; if the jobseeker's benefit to the person's partner is the maximum amount; if it covers their five children; and if the family is in receipt of children's allowance for five children. [8130/18]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** I confirm that the disability allowance claim for the person concerned has been examined and he is now receiving his full entitlement. The first payment issued by his selected payment method on 14 February 2018. His partner is in receipt of jobseeker's allowance at the maximum rate. Child benefit is also in payment at the correct rate in respect of their five children.

I trust this clarifies the matter for the Deputy.

### Working Family Payment Payments

535. **Deputy Pat Breen** asked the Minister for Employment Affairs and Social Protection when a decision will issue to a person (details supplied); and if she will make a statement on the matter. [8148/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Working Family Payment (formerly known as Family Income Supplement) is a weekly tax free payment which provides additional income support to employees on low earnings with children.

An application for Working Family Payment (WFP) was received from the person concerned on 25 November 2017.

The person concerned has now been awarded WFP with effect from 5 October 2017 to 3 October 2018.

The first payment will issue to the nominated bank account on Thursday 22 February 2018 and any arrears owing will issue shortly.

I trust this clarifies the matter for the Deputy.

### **Public Services Card Data**

536. **Deputy John Curran** asked the Minister for Employment Affairs and Social Protection the number of public services cards that have been issued; the number of cards issued to persons under 18 years of age; and if she will make a statement on the matter. [8165/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** As of 15 February 2018, over 3.126 million PSCs have been issued. This includes almost 1.01 million Free Travel PSCs.

The number of PSCs currently issued to under 18 year olds is 27,315. In this context, it should be noted that a new PSC is issued to a person once he or she turns 18 years of age.

I hope this clarifies the matter for the Deputy.

### **Public Services Card**

537. **Deputy John Curran** asked the Minister for Employment Affairs and Social Protection the payments and services for which the use of a public services card is now mandatory; and if she will make a statement on the matter. [8166/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** SAFE 2 identity verification is currently required for:

- Access to Social Welfare Services (including Child Benefit and Treatment Benefits);
- First time adult passport applicants in the state;
- Replacement of lost, stolen or damaged passports issued prior to January 2005, where the person is resident in the State;
- Citizenship applications;
- Driver Theory Test Applicants; and

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- Access to high value or personal online public services, e.g. Social Protection's MyWelfare and Revenue's MyAccount services via MyGovId, the identity authentication mechanism for accessing public services online.

The Department of Public Expenditure and Reform is responsible for the SAFE programme and, in July 2017, it published the eGovernment Strategy 2017–2020 which lists a number of public services for which SAFE 2 registration will be required. These are set out in the table below with relevant timelines. Others are likely to be listed in the future. The transition plans, including communications, will be developed by the Departments/agencies concerned, working with the Office of the Government Chief Information Officer (OGCIO) in the Department of Public Expenditure and Reform.

Department Office	Service	Note	Date
Dept. Education and Skills	School Transport Appeal	Submission of a school transport appeal will require submitter to be SAFE 2 registered; Online submission of appeal will be available via MyGovID	Sep-17
Dept. Employment Affairs & Social Protection	Treatment Benefit	Eligibility checking for treatment benefits (dental/optical/aural) available via MyWelfare using MyGovID	Nov-17
Road Safety Authority	Drivers Licence Application	Driver licence applications will require applicants to be SAFE 2 registered; Online renewal of drivers licences to be introduced and use MyGovID	Mar-18
Student Universal Support Ireland (SUSI)	Student Grant Application	MyGovID will be used as the authentication mechanism to provide access to the student grant scheme for the 2018/19 academic year; Applicants will have to be SAFE 2 registered in order to make an application	Apr-18

Department Office	Service	Note	Date
Dept. Education and Skills	School Grant Appeal	Submission of a school grant appeal will require submitter to be SAFE 2 registered; Online submission of appeal will be possible via MyGovID	Sep-18
Health Service Executive	Online Health Portal	MyGovID will be used as the authentication mechanism to provide access to a new online Health portal being launch in 2018 – this portal is to provide access to a growing number of health related services online.	Sep-18
Dept. Agriculture, Food and the Marine	Agfood.ie	Support for individual access to the Agfood.ie set of services via MyGovID	Sep-18
Dept. Justice and Equality; Dept. Employment Affairs & Social Protection	Proof of Age	Introduce the optional use of the PSC as an Age Card for use as a Proof of Age service	Q3-18
Dept. Foreign Affairs and Trade	Passport Application	All adult passport applications, new and renewals, for residents in Ireland will require applicants to be SAFE 2 registered; Online renewal of adult passports will use MyGovID	Q4-18

I hope this clarifies the matter for the Deputy.

### Widow's Pension Appeals

538. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection when a widow's pension will be restored in the case of a person (details supplied); and if she will make a statement on the matter. [8236/18]

**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 re-

ferred on 19th February 2018 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 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.

### **State Pensions**

539. **Deputy Catherine Murphy** asked the Minister for Employment Affairs and Social Protection further to Parliamentary Question No. 273 of 8 February 2018, the way in which a farmer's spouse is entitled to a State pension in the context of being in an informal partnership; if the direction to issue this entitlement is a result of a European Union directive; the level of engagement her Department had with the Department of Agriculture, Food and the Marine on the matter; if other sectors can avail of the arrangement; and if she will make a statement on the matter. [8262/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The 2014 provisions relating the extension of self-employed social insurance to spouse/civil partner performing the same or ancillary tasks as a self-employed worker, but who is not a business partner or an employee, were implemented on foot of Directive 2010/41/EU, relating to the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity.

In line with standard protocol, this measure was circulated to all Government Departments including the Department of Agriculture, Food and the Marine.

The Deputy may wish to note that these provisions apply to spouse/civil partners who had previously been excluded from social insurance and apply regardless of the sector in which they operate. It therefore applies to all sectors of the economy, based on the circumstances of each individual "partnership" agreement.

*Question No. 540 withdrawn.*

### **Supplementary Welfare Allowance**

541. **Deputy Maureen O'Sullivan** asked the Minister for Employment Affairs and Social Protection if her attention has been drawn to the number of elderly persons who relied on the assistance offered by the clothing grant and the inadequacy of the exceptional needs payment due to the fact that clothing is budgeted and therefore not an exceptional need; her plans to reinstate the clothing grant in the future; and if she will make a statement on the matter. [8287/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Under the supplementary welfare allowance (SWA) scheme, my Department may make a single exceptional needs payment (ENP) to help meet essential, once-off expenditure which a person could not reasonably be expected to meet out of their weekly income. The Government has provided over €36 million for exceptional payments in 2018.

The ENP scheme is demand led and payments are made at the discretion of the officers administering the scheme taking into account the requirements of the legislation and all the rel-

evant circumstances of the case in order to ensure that the payments target those most in need of assistance.

There is no specific clothing allowance payment available to pensioners. It is expected that weekly social welfare payments should cover normal clothing needs. However, in exceptional circumstances support is available for clothing under the ENP scheme.

Any persons who consider that they have an entitlement to an ENP should contact my Department.

I trust this clarifies the matter for the Deputy.

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

542. **Deputy Michael Healy-Rae** asked the Minister for Employment Affairs and Social Protection the status of an application for carer's allowance by a person (details supplied); and if she will make a statement on the matter. [8292/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Carer's allowance (CA) 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.

I confirm that my department received an application for CA from the person concerned on the 24 January 2018.

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.

### **Departmental Reports**

543. **Deputy Margaret Murphy O'Mahony** asked the Minister for Employment Affairs and Social Protection the progress made on each of the recommendations contained in the Make Work Pay report published by her Department in 2017, in tabular form. [8313/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Make Work Pay (MWP) report was published on 6th April 2017, following the deliberations of an interdepartmental group established under the Comprehensive Employment Strategy for People with Disabilities. The interdepartmental group considered a range of approaches across relevant Departments to deliver on this commitment and made 24 recommendations under the broad headings of: reconfiguring the system of supports to ensure that work pays; promoting early intervention; communicating effectively that work pays and future proofing. The report provides time frames for the various recommendations extending up to the first quarter of 2019.

Recommendation number 24 provides that the Department of Justice and Equality undertake an annual review of the delivery of actions recommended in the MWP report and a report by my Department will be prepared in that context. In the meantime, the table below provides the status of recommendations assigned to my department particularly for those with a time-frame to end 2017. Many of the later actions are in effect in progress and on target to be delivered in the recommended timeframe.

Table: Make Work Pay recommendations assigned to the Department of Employment Affairs and Social Protection

Action ID	Action	Implementation Date	Update/com-ments
2b	<input type="checkbox"/> Dispense with the requirement that work be of a 'rehabilitative nature' for the Disability Allowance earnings disregard.	Q4. 2017	Amending legislation dispensing with the requirement, for disability allowance, blind pension and rent supplement under supplementary welfare allowance, that work must be of a rehabilitative nature has been included in Social Welfare, Pensions and Civil Registrations Bill 2017.
4	<input type="checkbox"/> Allow people on a long-term disability payment who move off the payment to get a job to retain entitlement to the Free Travel Pass for a period of three years, similar to the current entitlement to retain a Medical Card.	Q1. 2018	Implemented - people with a long-term disability payment who move off the payment to get a job will retain their Free Travel Pass for a period of five years (the report recommended retention for 3 years)

Action ID	Action	Implementation Date	Update/com-ments
7b	<input type="checkbox"/> Put in place and promote a system for fast-track reinstatement of Disability Allowance, Illness Benefit or Invalidity Pension to people with disabilities who have returned to work, and have subsequently had to leave their job within one year.	Q1. 2018	Implemented - a fast-track return to Disability Allowance and Illness Benefit for people where employment does not work out is in place. Invalidity Pension recipients have access to the Partial Capacity Benefit scheme.
8	<input type="checkbox"/> Establish a formal protocol in the Department of Social Protection/Intreo service that an enquiry from a person on a long-term disability payment about taking up or returning to work will not result in a review of their current entitlements. Communicate this message through all appropriate channels and face-to-face with disability claimants.	Q4. 2017	Policy is in place. Communications being developed.

Action ID	Action	Implementation Date	Update/com-ments
9	<p><input type="checkbox"/> Reconfigure the Disability Allowance scheme for new entrants to give effect to the principle of early intervention as follows: a. Support for 16-18 year olds with significant support needs, which is currently paid by means of Disability Allowance, to be paid via Domiciliary Care Allowance up to 18 years of age; b. Explore possibilities for the reform of the structure of the Disability Allowance for those between the ages of 18-22 to focus on participation in education, training and/or social inclusion according to individual capacity.</p>	Q4. 2018	<p>On the publication of the MWP report, the Government gave a clear commitment to consult widely in relation to recommendations 9 and 10. The DEASP is engaging in an extensive consultation process in the first quarter of 2018 with people with disabilities, parents of children with disabilities, and sectoral representatives in relation to recommendations 9 and 10 of the MWP report.</p>
10	<p><input type="checkbox"/> Apply the principle of early intervention across all illness and disability schemes, adapting existing schemes where necessary to give effect to this principle.</p>	Continuous	
11	<p><input type="checkbox"/> Offer case officer support and other supports to people with disabilities through the Intreo service at the earliest possible opportunity, and work with them to develop a personal progression plan.</p>	Q4. 2018	In Progress - On Target

Action ID	Action	Implementation Date	Update/com-ments
12	<input type="checkbox"/> Implement the recommendations of the Department of Social Protection's Report on the Review of the Partial Capacity Benefit Scheme which focus on capacity, early intervention and back to work planning, subject to Government approval.	Q4. 2018	In Progress - On Target
13	<input type="checkbox"/> Develop a basic ready reckoner to enable people with disabilities to calculate the likely net monetary value of taking up or going back to work. This would cover basic tax and welfare entitlements, and indicate whether the person would be eligible on income grounds for a Medical Card.	Q2. 2018	In Progress - On Target
14(a)-(g)	Develop a proactive and ongoing strategy to communicate clear, simple and accurate information in a user-friendly way on what benefits people with disabilities will keep if they are in employment.	Q. 2019	In Progress - On Target
15	<input type="checkbox"/> Extend inter-agency protocols, where relevant, to include referral of people with disabilities to authoritative sources of information and guidance on the financial and other aspects of employment.	Q1. 2019	In Progress - On Target

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Action ID	Action	Implementation Date	Update/com-ments
16	<p>□Develop and strengthen the capacity of the Department of Social Protection Intreo Service to support people with disabilities to get and maintain employment by: Designating Intreo as the first point of contact for people with disabilities interested in work; developing the Intreo Service as a welcoming and supportive environment for people with disabilities, with a personalised approach to each case; facilitating the attendance of a family member, friend or advocate to support the person with a disability throughout the engagement, if the person desires; training Intreo Service Case officers and other front-line staff to work with people with disabilities, to identify their needs, and support them to fulfil their employment ambitions, in accordance with their capacity; designating named case officers at Intreo Centres to support people with disabilities interested in taking up work; provision by the Intreo Service of a continuum of support to the person with disability as they transition into work.</p>	Q1. 2019	In Progress - On Target
17	<p>□Develop a suite of protocols with the range of State-funded Disability Service Providers to work in partnership with Intreo offices to advance common objectives, and support people with disabilities to fulfil their employment ambitions, in accordance with their capacity.</p>	Q1. 2019	In Progress - On Target

Action ID	Action	Implementation Date	Update/com-ments
18	<p><input type="checkbox"/> At local level, review and revise existing protocols and service level agreements with State service providers (including HSE offices, Education and Training Boards, EmployAbility, Local Enterprise Offices, Local Employment Services, Job Clubs, Community Resource Centres) to reflect the opportunities now available at Intreo Offices.</p>	Q1. 2019	In Progress - On Target
19	<p><input type="checkbox"/> Provide clear information on the procedures for fast-track return to benefits, any paperwork the individual must supply, and the target timescale for restoration of a person's benefits. Provide clear information on any interim arrangements (e.g. payment of Supplementary Welfare Allowance while awaiting award of the substantive payment). Communicate this information: on the Department of Social Protection and HSE websites; through Intreo case officers working with individuals; through direct communication with individuals exiting a welfare payment to take up work; through disability organisations; and through Citizens Information Centres.</p>	Q2. 2017	Communications being further developed.

Action ID	Action	Implementation Date	Update/com-ments
20	<input type="checkbox"/> Formally proof all new schemes or reforms at design stage to minimise complexity, and ensure that a person with a disability who is interested in work is supported and is not financially disadvantaged by taking up employment.	Q2. 2017	Ongoing
21	<input type="checkbox"/> Review the Disability Allowance earnings disregard at regular intervals taking into account developments in the wider economy.	Q2. 2017	Ongoing
22	<input type="checkbox"/> Every five years, conduct an evaluation of policies in relation to income and other supports for people with disabilities (including earnings disregards, Medical Cards) from an employment perspective.	Q2. 2017	Ongoing
23	<input type="checkbox"/> Continue to strengthen data collection efforts and the research and evaluation capacity to inform policymaking in this area.	Q2. 2017	Ongoing

### State Pension (Contributory) Applications

544. **Deputy Peter Fitzpatrick** asked the Minister for Employment Affairs and Social Protection the status of a pension application by a person (details supplied); and if she will make a statement on the matter. [8331/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The person concerned has been awarded state pension (contributory) with effect from the 14 of May 2014.

The decision has been made based on the current available social insurance record of the person concerned, comprising 1,404 reckonable paid and credited contributions. This results in a reduced rate pension entitlement based on a yearly average of 31 contributions covering the period January 1969 to the end of December 2013.

The person concerned has been notified in writing of this decision and due arrears will issue shortly.

I hope this clarifies the matter for the Deputy.

### **Widow's Pension Eligibility**

545. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the basis on which the surviving partner or spouse of a person divorced outside this jurisdiction cannot qualify for a contributory widow's or widower's pension in view of the fact that they would have been compliant with Irish law when they remarried here; the number of persons refused a widow's or widower's pension on the basis of one of the partners having been divorced outside the country in each of the past five years to date; and if she will make a statement on the matter. [8361/18]

546. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection if persons who divorced outside of this jurisdiction have forfeited their rights to a widow's, widower's or survivor's pensions, notwithstanding the fact that they would have had to have been compliant with the law to remarry here; and if she will make a statement on the matter. [8362/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 545 and 546 together.

To qualify for a widow(er)'s or surviving civil partner's (contributory) pension, the surviving spouse must be deemed, under Irish law, to be the legal widow(er) of the deceased.

The legislative provisions pertaining to the recognition of divorces outside the State are set out in Section 5 of the Domicile and Recognition of Foreign Divorces Act, 1986.

In order for a foreign divorce to be recognised in this State, one of the parties to the divorce must be domiciled in the country granting the divorce when proceedings were initiated. One of the criteria in establishing a domicile choice would be that the person intended to reside permanently, or at least indefinitely, in the jurisdiction of the state granting the divorce. Responsibility for this legislation lies with the Minister for Justice and Equality.

Statistics are not recorded on the number of applicants refused widow's or widower's pensions on the basis of unrecognised divorces.

I hope this clarifies the matter for the Deputy.

### **Widow's Pension Applications**

547. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection when a widower's pension will issue in the case of a person (details supplied); and if she will make a statement on the matter. [8363/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** To qualify for a widow(er)'s or surviving civil partner's (contributory) pension, the surviving spouse must be deemed, under Irish State Law, to be the legal widower of the deceased.

The person concerned was previously married in Ireland and divorced in Northern Ireland. His subsequent marriage to his late wife took place in Northern Ireland. The legislative provisions pertaining to the recognition of divorces outside the State are set out in Section 5 of the Domicile and Recognition of Foreign Divorces Act, 1986. In order for a foreign divorce to

be recognised in this State, one of the parties to the divorce must be domiciled in the country granting the divorce when proceedings were initiated. Based on the evidence available to the Department, it appears both parties to the divorce were domiciled in Ireland at that time.

Therefore the divorce and the subsequent marriage that took place in Northern Ireland are not recognised under Irish State Law. Consequently, there is no entitlement to widower's contributory pension. A deciding officer notified the person concerned of this decision, in writing, on the 28th of November 2017.

The person concerned has been afforded the opportunity to appeal the decision to the independent Chief Appeals Officer, Social Welfare Appeals Office, D'Olier House, D'Olier St., Dublin 2.

I hope this clarifies the matter for the Deputy.

### **Widow's Pension Applications**

548. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection when a widow's pension will issue in the case of a person (details supplied); and if she will make a statement on the matter. [8364/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** To qualify for a widow(er)'s or surviving civil partner's (contributory) pension, the surviving spouse must be deemed, under Irish State Law, to be the legal widow of the deceased.

The late husband of the person concerned was previously married in Ireland and subsequently divorced in the United Kingdom. The legislative provisions pertaining to the recognition of divorces outside the State are set out in Section 5 of the Domicile and Recognition of Foreign Divorces Act, 1986. In order for a foreign divorce to be recognised in this State, one of the parties to the divorce must be domiciled in the country granting the divorce when proceedings were initiated.

Based on the evidence available to the Deciding Officer, the deceased and his former spouse were domiciled in Ireland at the time their divorce proceedings were initiated in the United Kingdom. Therefore, the divorce that took place in the United Kingdom, and the subsequent marriage, are not recognised in this State. Consequently, there is no entitlement to widow's contributory pension. The person concerned was informed of this decision, in writing, on the 10th of November 2017.

The person concerned has now appealed this decision to the independent Chief Appeals Office. The Chief Appeals Office will contact the person concerned directly regarding the outcome of their appeal.

I hope this clarifies the matter for the Deputy.

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

549. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection when a carer's allowance will be awarded to a person (details supplied); and if she will make a statement on the matter. [8365/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I

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am advised by the Social Welfare Appeals Office that an oral hearing of the appeals of the person concerned took place on 7th December 2017. At the oral hearing it was agreed that the person concerned would send in further documentation in support of the appeals and this has been reiterated in subsequent communications between the Appeals Officer and the person concerned. To date, the Appeals Officer has held off on making his decision on the appeals in order to provide the person concerned with the best opportunity to submit additional documentation in support of her case. However, in light of the time that has passed since the appeal hearing, he will be obliged to make his decision in the very near future with or without the promised additional documentation.

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.

### **Exceptional Needs Payment Applications**

550. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection when an exceptional needs payment will issue in the case of a person (details supplied); and if she will make a statement on the matter. [8366/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The person concerned submitted an application for Supplementary Welfare Allowance to assist with funeral expenses on the 13th of February 2018.

A decision to award the claim was made by the designated person on the 13th of February 2018 and a payment was issued to the person concerned in the amount of €2,500 that day.

I hope this clarifies the matter for the deputy.

### **Carer's Allowance Appeals**

551. **Deputy Brendan Smith** asked the Minister for Employment Affairs and Social Protection the status of an appeal for a carer's allowance by a person (details supplied); the reason for the delay in the transfer of departmental papers; and if she will make a statement on the matter. [8415/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Carer's allowance (CA) 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.

An application for CA was received from the person concerned on 31 July 2017.

It is a condition for receipt of CA that the applicant's means are less than the statutory limit which in this case is €257.60 weekly. The application was disallowed as her means were determined to exceed the statutory limit.

The person concerned was notified on 8 November 2017 of this decision, the reason for it and her right of review and appeal.

My department were notified on 4 December 2017 that the person concerned had appealed this decision to the Social Welfare Appeals Office (SWAO). At this stage a different deciding officer (DO) reviewed in full the original decision which was under appeal. Having completed this review, the decision remained unchanged. A submission in support of the decision has been forwarded along with the file on 15 February to the SWAO for determination.

I hope this clarifies the matter for the Deputy.

*Questions Nos. 552 and 553 answered with Question No. 93.*

### State Pension (Contributory) Data

554. **Deputy Clare Daly** asked the Minister for Employment Affairs and Social Protection the number of persons within each of the six payment bands who are in receipt of the State pension (contributory). [8462/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The six rates bands came into existence at the start of September 2012 for persons with a date of birth after 31st of August 1946. At the end of January 2018 there were 395,091 people in receipt of state pension (contributory) in total and of these 153,355 were in receipt of payment based on the six rate bands from September 2012. The number of claimants in each of these rate bands is:

Yearly average rate band	No. of claimants as of 31 Jan 2018
48+	84,719
40 - 47	17,920
30 - 39	20,639
20 - 29	20,703
15 - 19	6,711
10 - 14	2,663
Total	153,355

I hope this clarifies matters for the Deputy.

### Pensions Reform

555. **Deputy Clare Daly** asked the Minister for Employment Affairs and Social Protection when she plans to launch the public consultation on pension reform further to her announcement in November 2017; the details and timeframe of the public consultation process; the steps she will take to amend section 48 of the Pensions Act 1990 and the Taxes Consolidation Act 1997 that will provide pension members with more choice, such as approved retirement funds when scheme trustees decide to wind up pension schemes; and if she will make a statement on the matter. [8463/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Pensions reform is a Government priority and I can confirm an intention to publish and commence the implementation of a pensions reform plan in the coming weeks. This reform plan will detail measures to reform both our State and supplementary pension systems.

Perhaps the two most fundamental reform measures contained within this plan will relate to the introduction of the 'Total Contributions Approach' for the State pension contributory from

2020 and the development of a new automatic enrolment retirement savings system for employees without supplementary pensions coverage.

It is proposed that the ‘Total Contributions Approach’ (TCA) will replace the current ‘yearly average’ system from 2020. This will make the level of pension more directly proportionate to the number of social insurance contributions made by a person over his or her working life, with significant pension credits granted to people who have taken time out of the workplace to perform caring duties. The TCA will eliminate the anomalies inherent in the current averaging system whereby a person can qualify for a full pension based on a small number of years of payments (currently as little as 10 years’ contributions) provided they have no gaps in their record, whereas a person with more than 10 years contributions but with a significant gap in their record might be paid a reduced rate.

Automatic enrolment would see a transition from the current and purely voluntary supplementary pension system to one which will, subject to certain parameters, automatically enrol employees into a quality assured retirement savings system. It is planned that this reform, where the saver will maintain the freedom of choice to opt out, will include employer and State financial incentives to encourage long term saving and asset accumulation amongst those who may otherwise suffer a reduction in living standards at retirement. It will increase the wellbeing, financial security, and independence of future retirees.

It is intended that following publication of the reform plan, two separate public consultation processes will be launched on the ‘Total Contributions Approach’ and automatic enrolment. The purpose of both of these consultations will be to inform the design of both systems. The details and timeframe of them will be confirmed subsequent to the publication of the reform plan although I can say it is my intention to begin them by Q2 of this year.

With regard to the second part of the Deputy’s question, the wind-up options in section 48 of the Pensions Act 1990, as amended, are contingent on the requirement that the scheme’s policies or contracts are approved by the Revenue Commissioners under the Taxes Consolidation Act 1997, as amended. The Pensions Act sets out the circumstances in which retirement benefit schemes are approved by the Revenue Commissioners for tax purposes. In other words, transfers from the scheme being wound up must be made into schemes or products approved by the Revenue Commissioners and which, therefore, comply with Revenue rules. Section 772 of the Taxes Consolidation Act allows for flexible options on retirement, i.e., the Approved Retirement Fund (ARF) option. The purchase of an ARF is not available to members of defined benefit schemes, subject to certain exceptions. Legislation and policy on taxes and access to ARFs are a matter for the Department of Finance.

I hope this clarifies the matter for the Deputy.

### **One-Parent Family Payment Appeals**

556. **Deputy Aengus Ó Snodaigh** asked the Minister for Employment Affairs and Social Protection the status of an application for a one-parent family payment by a person (details supplied); and when a decision will issue. [8498/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I am advised by the Social Welfare Appeals Office that an oral hearing of the appeal of the person concerned took place on 3rd January 2018. At the oral hearing it was agreed that the person concerned would send in further documentation in support of their appeal. This documentation has been received and the Appeals Officer is now considering the appeal in the light of all of the

evidence submitted, including that adduced at the oral hearing. The person concerned will be notified of the Appeals Officer's decision when the appeal has been determined.

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.

### **State Pension (Contributory)**

557. **Deputy Tom Neville** asked the Minister for Employment Affairs and Social Protection if a matter will be addressed regarding the case of a person (details supplied); and if she will make a statement on the matter. [8519/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The person concerned has previously had their entitlement to state pension (contributory) examined. According to the records of my Department, the person concerned has a social insurance record of 1,133 reckonable paid and credited contributions, from 1965 to 2014 giving them a yearly average of 28. In arriving at this yearly average, disregards for homemaking periods were applied. This entitled the person concerned to a reduced rate pension entitlement.

However, the spouse of the person concerned qualified for an increase for qualified adult at a higher rate. As this was more financially advantageous, the increase for qualified adult in respect of the person concerned was awarded and paid.

The Deputy will be aware that the Government recently announced proposals that pensioners who qualified for state pension (contributory) since September 2012, and whose rate of entitlement was impacted by the 2012 rate band change, may apply for a review to have their entitlement considered under a new Total Contribution Approach (TCA). It will take some time to draft and pass the necessary legislation, and then develop the systems and procedures necessary to administer the new pension entitlement option. When this preparatory work is completed towards the end of 2018, the person concerned can apply for a review of their state pension (contributory) entitlement and the person will be notified of the outcome of that review.

I hope this clarifies the matter for the Deputy.

*Question No. 558 withdrawn.*

### **Disability Allowance Applications**

559. **Deputy John McGuinness** asked the Minister for Employment Affairs and Social Protection the number of applications received by her Department from a person (details supplied) in respect of a disability allowance; and if the person's current application will be reviewed in view of medical evidence submitted. [8564/18]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** I confirm that the person concerned has submitted three applications for disability allowance (DA). The current application, which was received on 1 November 2017 was disallowed on medical grounds and the person in question was notified in writing of this decision on 29 January 2018. A review of all three claims has been carried out and it has been decided that the person now satisfies the medical conditions for receipt of disability

allowance. On completion of the necessary investigations on the other qualifying conditions, the means test and the habitual residence condition, a decision will be made and the person concerned will be notified directly of the outcome.

### **Domiciliary Care Allowance Appeals**

560. **Deputy Michael Healy-Rae** asked the Minister for Employment Affairs and Social Protection the status of an appeal for a domiciliary carer's allowance by a person (details supplied); and if she will make a statement on the matter. [8582/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Social Welfare Appeals Office has advised me that two appeals by the person concerned were registered in that office on 23rd November and 5th December 2017 respectively. 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 cases in question will be referred to an Appeals Officer who will make a summary decision on the appeals 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.

### **Occupational Injuries Benefit Applications**

561. **Deputy James Browne** asked the Minister for Employment Affairs and Social Protection the position on an application for illness benefit by a person (details supplied); when payment will commence; if there was a delay in the processing of same; the reason a medical certificate as signed by a doctor in the hospital was not acceptable; the reason the person was required to pay for a general practitioner to provide a medical certificate; and if she will make a statement on the matter. [8634/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Injury Benefit is a weekly payment in respect of incapacity for work due to an accident arising out of and in the course of employment. For the purpose of the scheme, an accident while on an unbroken journey between one's normal place of residence and one's place of employment, is regarded as an accident at work. Benefit can be paid for up to 26 weeks from the date of the accident/injury/disease.

The person concerned made a claim for Occupational Injury Benefit which was registered in on 31 January 2018. There is no payment for the first 6 days of Injury Benefit and no payment for Sundays. Claims are dealt with in chronological order and, under normal circumstances, it takes approximately two weeks from the date of registration to receive payment on a claim. The person concerned received a payment to their bank account on 12 February 2018.

In the first instance, a letter from a hospital is required following a customer's treatment there. However, a social welfare certificate is necessary in order to process a claim. The certificate can only be obtained from a G.P., who is reimbursed from my Department. There is no charge to the patient for the certificate. It is at discretion of the G.P. whether to charge for a

consultation.

I hope this clarifies the matter for the Deputy.

### **State Pensions Payments**

562. **Deputy Fiona O'Loughlin** asked the Minister for Employment Affairs and Social Protection if a situation relating to the State pension payment of a person (details supplied) will be investigated. [8646/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** An agency arrangement has been in place, at the request of the person concerned, since 5 December 2008.

Details of any concerns arising from the pension payment arrangements of the person concerned should be submitted in writing directly to State pension (contributory), Department of Employment Affairs and Social Protection, College Road, Sligo F91 T384.

I hope this clarifies the matter for the Deputy.

### **Household Benefits Scheme**

563. **Deputy Noel Rock** asked the Minister for Employment Affairs and Social Protection her plans for a payment to persons with a disability for their television licence; and if she will make a statement on the matter. [8654/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The free television licence is received as part of the household benefits package (HHB) which also comprises the electricity or gas allowance. The package is generally available to people living in the State, aged 66 years or over who are in receipt of a social welfare type payment or who satisfy a means test. The package is also available to carers and people with disabilities under the age of 66 who are in receipt of certain welfare type payments. Widows and widowers aged from 60 to 65 whose late spouses had been in receipt of the household benefits package retain that entitlement. My Department will spend approximately €237 million this year on the household benefits package for over 435,000 customers.

Disability related payments that are qualifying payments for HHB include:

- Invalidity Pension
- Disability Allowance
- Blind Person's Pension
- Incapacity Supplement or Workmen's Compensation, with Disablement Pension, for at least 12 months
- a Social Security Invalidity Pension/Benefit (from a foreign Social Security Agency) or equivalent payment for at least 12 months, from a country covered by EC Regulations, or from a country with which Ireland has a Bilateral Social Security Agreement.
- Disability Living Allowance with Severe Disablement Allowance (from the United Kingdom) for at least 12 months

My Department pays a bulk payment to the Department of Communications, Climate Action and Environment for the free television licence element of the HHB package. Customers entitled to this element of the HHB package do not receive any cash payment.

I have no plans at this time to expand entitlement for receipt of HHB to include people with disabilities who are not in receipt of a qualifying payment from my Department or to introduce a scheme that will provide payment to persons with a disability to pay their TV licence. Any decision to do so would have to be considered in the context of overall budgetary negotiations.

I hope this clarifies the matter for the Deputy.

### **Departmental Properties**

564. **Deputy Róisín Shortall** asked the Minister for Employment Affairs and Social Protection the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership or part ownership of, or under the control of, her Department and the agencies under her remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if she will make a statement on the matter. [8664/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** There are no vacant residential dwelling units under the remit of my Department or that of the statutory bodies operating under the aegis of my Department.

### **Film Industry**

565. **Deputy Peadar Tóibín** asked the Minister for Employment Affairs and Social Protection the steps taken by Scope to ensure that much of the self-employment in the film industry is not bogus self-employment; and the investigations Scope has made in the past five years to ensure that those registered as self-employed are actually self-employed. [8674/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Bogus self-employment arises where an employer wrongly treats a worker as an independent contractor in order to avoid tax and social insurance contributions. There are robust arrangements in place for dealing with complaints of bogus self-employment. Social welfare inspectors inspect a wide range of businesses, as part of their on-going compliance operations. Inspections are also undertaken jointly with other agencies including the Revenue Commissioners and Workplace Relations Commission. Where evidence of non-compliance is detected, this will be pursued.

While there have been no targeted investigations of the film industry, officials investigate specific cases referred to my Department's Scope section. This section determines employment status and the correct class of pay-related social insurance (PRSI). Where misclassification of workers as self-employed is detected, the correct status and class is determined and social insurance arrears are collected as required. Under the Social Welfare Consolidation Act, there are specific offences in relation to employment contributions. On conviction, fines and or imprisonment can ultimately be imposed.

In 2009 the Revenue Commissioners issued a Guidance Note, "Taxation of individuals engaged in the Irish film industry" which provided advice on the issue of self-employment, including the type of occupations that could be considered to be self-employments in the context of that industry.

All employers, including those in the film industry, carry the same obligations in relation to

compliance with employment and social welfare law. Any worker who has concerns about their employment and PRSI status should contact my Department and the matter will be investigated. This can only happen with the cooperation of the worker.

### **Social Insurance Payments**

566. **Deputy Michael McGrath** asked the Minister for Employment Affairs and Social Protection the options open to a person (details supplied) in County Cork to continue to pay PRSI contributions or receive credits that would be reckonable for the State contributory pension. [8695/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Self-employed persons are liable for PRSI at the Class S rate of 4% which entitles them to access long-term benefits such as state pension (contributory) and widow's, widower's or surviving civil partner's pension (contributory) as well as guardians payment (contributory), maternity benefit, paternity benefit and adoptive benefit. Ordinary employees who have access to the full range of social insurance benefits pay PRSI Class A at the rate of 4%. In addition, their employers make a PRSI contribution of 10.85% in respect of their employees, resulting in the payment of a combined 14.85% rate per employee under full-rate PRSI Class A. (For employees earning less than €376 per week, the rate of employer's PRSI is 8.6%).

Self-employed workers who become ill may access social insurance supports by establishing eligibility to assistance-based payments such as disability allowance. In assessing means from self-employment, income from the previous twelve months is used as an indicator of likely future earnings.

Given the variety of self-employment situations, the means assessment procedures are applied in a flexible manner to ensure that any circumstances that would be likely to lead to a significant variation, either upward or downward, in the level of a person's income from one year to the next are taken into consideration. As in the case of a non-self-employed claimant for disability allowance, the means of spouse, civil partner or co-habitant will be taken into account in deciding on entitlement to a payment.

There is also a Voluntary Contribution Scheme which allows those who are no longer working or who otherwise are not paying PRSI, to protect their PRSI entitlement to certain social insurance benefit, including state pension. A person can apply to join the scheme from 1 year to 5 years from the end of the year in which contributions were last paid, as an employee or as a self-employed worker.

Voluntary Contributions (VCs) are designed to facilitate employees and self-employed individuals, who are no longer paying PRSI, to pay contributions directly to the Department on a voluntary basis, to protect their future state pension contributory, widow(er)'s contributory pension and guardian's contributory pension entitlements.

The scheme is most frequently used by employees who have retired early, or by self-employed individuals who are not required to pay PRSI Class S because their annual income falls below the annual €5,000 liability threshold. To become a voluntary contributor an individual must have paid at least 520 weeks of compulsory PRSI from either employment or self-employment prior to application.

Budget 2017 introduced a range of improvements for the self-employed. Since March 2017, self-employed people now have access to the Treatment Benefit scheme which includes free eye and dental exams, and contributions towards the cost of hearing aids. Treatment benefit

entitlements was also extended in October 2017 so as to provide further Dental and Optical Benefits for both the self-employed and employees.

Self-employed workers are also eligible for the Invalidity Pension from December 2017. This is a major reform as, for the first time, self-employed people have access to the safety-net of State income supports, without having to go through a means test, if they become permanently incapable of work as a result of an illness or disability.

### Disability Allowance Payments

567. **Deputy Maurice Quinlivan** asked the Minister for Employment Affairs and Social Protection the reason disability allowance appeals awarded in December 2017 have yet to be paid. [8727/18]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** I can confirm that all disability allowance appeals awarded up to and including week ending 4 February 2018 have been dealt with, other than a small number of cases where the Department is awaiting final details from an applicant before implementing the Appeals Officer's decision.

I trust this clarifies the matter for the Deputy.

### Community Employment Schemes Data

568. **Deputy Pearse Doherty** asked the Minister for Employment Affairs and Social Protection further to Parliamentary Questions Nos 310 and 311 of 7 March 2017, the details in respect of community employment schemes for 2017 and to date in 2018; and if she will make a statement on the matter. [8786/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Further to parliamentary question numbers 310 and 311 of 7 March 2017 the number of Community Employment (CE) projects for 2017 is provided by county, in tabular form in table 1. In addition, the total number of participants and supervisors for 2017 is provided in table 2.

The details for 2018 is currently being compiled and will be forwarded directly to the Deputy, together with the number of projects supported through the CE programme which have been amalgamated for the period 2017 and to date in 2018.

**Table 1: CE Projects by County (Year End Figures)**

County	2017
Carlow	15
Cavan	12
Clare	25
Cork	82
Donegal	49
Dublin	207
Galway	63
Kerry	45
Kildare	30

County	2017
Kilkenny	18
Laois	15
Leitrim	8
Limerick	50
Longford	14
Louth	27
Mayo	33
Meath	17
Monaghan	10
Offaly	18
Roscommon	16
Sligo	19
Tipperary	45
Waterford	35
Westmeath	20
Wexford	44
Wicklow	23
Total	940

**Table 2: Number of CE Participants and Supervisors (Year End Figures)**

	2017
Participants	21,832
Supervisors	1,357
Total	23,189

I hope this clarifies the matter for the Deputy.

### Social Welfare Overpayments

569. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection if she will review the manner in which investigations into overpayments are carried out to ensure strict adherence to due process and natural justice; and if she will make a statement on the matter. [8803/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Overpayments of social welfare assistance and benefit payments arise as a consequence of decisions made under the relevant sections of the Social Welfare (Consolidation) Act, 2005. As part of the process of finalising a decision and assessing an overpayment, the deciding officer or designated person (in the case of the administration of payments under the Supplementary Welfare Allowance provisions), is required to engage with the person concerned and offer them the opportunity to provide additional information in support of their claim. In addition, the customer may seek a review or an appeal any decision to the independent Social Welfare Appeals Office.

I am satisfied that the current processes meet the needs of members of the public and the administration of the social welfare system and do not currently have plans to change them.

I hope this clarifies the matter for the Deputy.

## State Pensions

570. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the extent to which provision continues to exist to allow credit in respect of employment in the context of the determination of eligibility for a State pension in respect of a period of employment in which contributions are omitted; and if she will make a statement on the matter. [8804/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Article 70(3)(a) of Statutory Instrument No. 312 of 1996 (Social Welfare (Consolidated Contributions and Insurability) Regulations 1996 allows the award of employment contributions to a person *which have not been paid*, in circumstances where this has not occurred with their consent or connivance, or due to their negligence.

The Department will carry out a review of the record of any customer who makes contact, advising of the possibility that contributions may be missing from their social insurance record.

Such a review can take a number of forms, depending on the nature of the issues raised; and can include (but is not limited to) the following;

- Examination of any documentation provided by the customer
- A full check of the Department's systems for the employment
- A check for Revenue returns relating to the period in question
- Referral to a social welfare inspector for a full investigation into the period concerned.

All cases where contributions may be missing are investigated in full; and in each case a decision as to the outcome for the customer's social insurance record is made and communicated back to the customer.

I hope this clarifies the matter for the Deputy.

## Youth Unemployment Measures

571. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the extent to which the various youth unemployment alleviation measures continue to result in successful full-time job placements; and if she will make a statement on the matter. [8805/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Government policy to reduce unemployment is twofold. First, through policies set out in the Action Plan for Jobs, to create an environment in which business can succeed and create jobs; and second, through Pathways to Work, to ensure that as many as possible of these new jobs and other vacancies that arise in our economy are filled by people taken from the Live Register, including young people.

Under the Government's policies to support the young unemployed, the first intervention is to provide case officer support to help newly unemployed young people find and secure sustainable jobs. There is monthly engagement with all young jobseekers by a case officer, and a Personal Progression Plan is developed to chart the steps to be taken to facilitate a return to employment, which may include further education and training or other opportunities.

For those who do not find employment, through the process just described, additional offers are provided for. Most such offers (over 70%) are in existing further education or training programmes. Others are in existing community-based employment programmes/workplace based interventions such as CE, Gateway and Tús and First Steps; or in subsidies to employers, through JobsPlus Youth. Long-term unemployed jobseekers under-25 are also referred to Job-Path, a contracted, payment-by-results employment services that provides additional resources and supports to those long-term unemployed.

The strategy document *Pathways to Work 2016 to 2020* includes some additional actions in relation to addressing youth unemployment:

1) increase the relative share of workplace-based interventions (Gateway, TÚS, Positive to Work etc.) for youth unemployed;

2) ensure the frequency of engagement with all young unemployed people is a minimum of one case officer meeting per month;

3) restructure the First Steps programme for young unemployed people to improve take-up by offering a higher level of support to jobseekers and employers

4) implement the Defence Forces Skills for Life employment support programme.

Each of these actions is either ongoing or has been completed.

Later this year I will be introducing a new work experience programme targeted specifically at young jobseekers who are long-term unemployed or who face significant barriers to gaining employment. The new Youth Employment Support Scheme (YESS) will provide them with the opportunity to learn basic work and social skills in a supportive environment while on a work placement. Operational details are currently being finalised and I hope to launch the Scheme during Quarter 2 this year.

Reflecting the impact of government policy, and the overall improvement in the labour market, youth unemployment continues to fall with a rate of 13.7% (34,300 persons) in January 2018 estimated by CSO, as compared to 14.6% (42,100 persons) in January 2017 and a peak rate of almost 32% in 2012. (The actual number of young people unemployed is estimated to have peaked at 97,800 persons in late 2010.)

Eurostat figures indicate that the number of young people in full-time employment has grown from 84,000 in mid-2012 to 138,000 in mid-2017.

I am satisfied that the current policy approach, together with an improving labour market, will continue to address youth unemployment and support further improvements in the labour market situation for young people.

### **Social Welfare Payments Waiting Times**

572. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the extent to which backlogs have been addressed in respect of various headings and payments operated by her Department; and if she will make a statement on the matter. [8808/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The prompt processing of applications remains a priority for my Department. Each scheme area is continuously monitored and reviewed to ensure customers are responded to as quickly as possible, and their applications are processed as expeditiously as possible.

All applications are registered promptly. In some schemes, this is done through the scanning of claim documents onto the system while, in other schemes, this involves an officer inputting data. The time taken to carry out means tests and/or medical assessments where these are required is not measured separately, while a determination on habitual residence, where required, is an integral part of the decision-making process.

Schemes that require a high level of documentary evidence from the customer, particularly in the case of illness-related schemes, can take longer to process. Similarly, means-tested payments can also require more detailed investigation and interaction with the applicant, thereby lengthening the decision-making process. Delays can also arise where information is required from social security organisations in other jurisdictions and where additional information has been requested from the applicant but remains outstanding.

This means that processing times vary across schemes, depending on the differing qualification criteria. For example, in January 2018, it took on average 1 week to award a jobseeker's benefit payment, which is based on social insurance contributions, while it took 2 weeks to award a jobseeker's allowance payment, which is means-tested.

In the same month, it took on average:

- 10 weeks to award an application for carer's benefit, which is based on a medical assessment of care requirements, an assessment of the level of care being provided and social insurance contributions; while

- an application for carer's allowance took 18 weeks to award, which has similar medical and care provision conditionality but it is also means-tested.

As part of the Department's programme of service delivery modernisation, a range of initiatives aimed at streamlining the processing of claims, supported by modern technology, have been implemented in recent years. Operational processes, procedures and the organisation of work are continually reviewed to ensure that processing capability is maximised.

The staffing needs for all areas within my Department are continuously reviewed, taking account of workloads, management priorities and the competing demands arising, to ensure that the best use is made of all available resources. This is done with a view to providing an efficient service to those who rely on the schemes operated by the Department.

The table sets out the average time to award for the principal schemes operated by my Department in January 2018.

I hope this clarifies the matter for the Deputy.

#### **Average time to award for principal DEASP schemes, January 2018**

Schemes	Average time to award (weeks)
Jobseeker's Benefit	1
Jobseeker's Allowance	2
One-Parent Family Payment	4
State Pension Contributory (Domestic)	6
Widow, Widower's and Surviving Civil Partners Contributory Pension	4
Widowed Parent Grant	1
State Pension Non-Contributory	13

Schemes	Average time to award (weeks)
Household Benefits	1
Free Travel	3
Domiciliary Care Allowance	11
Supplementary Welfare Allowance	1
Child Benefit (Domestic & FRA)	3
Child Benefit (Over 16)	1
Child Benefit (Additional Child)	1
Maternity Benefit	6
Paternity Benefit	6
Carer's Allowance	18
Carer's Benefit	10
Disability Allowance	14
Invalidity Pension	6

### Written Answers Nos. 573-590

#### Exceptional Needs Payments

573. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection if provision will be made whereby emergency payments are made available in cases of extreme hardship by way of exceptional needs payment or otherwise; and if she will make a statement on the matter. [8809/18]

576. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the number of applications for exceptional needs payment pending or refused in 2017; and if she will make a statement on the matter. [8812/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 573 and 576 together.

Under the supplementary welfare allowance (SWA) scheme, my Department may make a single exceptional needs payment (ENP) to help meet essential, once-off expenditure which a person could not reasonably be expected to meet out of their weekly income. The Department may make an urgent needs payment (UNP) to a person who may not normally qualify for SWA but who has an urgent need which they cannot meet from their own resources or an alternative is not available at that time. The Government has provided over €36.4 million for ENPs and UNPs in 2018.

The ENP scheme is demand led and payments are made at the discretion of the officers administering the scheme taking into account the requirements of the legislation and all the relevant circumstances of the case in order to ensure that the payments target those most in need of assistance.

The legislation does not confer a statutory right or entitlement to ENPs. The guidelines issued to staff administering the ENP scheme assist them in the decision making process. The principal consideration in making a payment under the ENP scheme is to address a particular once-off and exceptional need. The guidelines do not affect the discretion available to officers in issuing an ENP to assist an individual or household in any particular hardship situation which

may arise, so that the payments target those most in need of assistance.

Statistics are maintained relating to payments under the ENP and UNP schemes, however they are not maintained on the number of applications or the outcome of those applications. There were over 103,000 ENPs and UNPs issued under the scheme in 2017.

If the Deputy has concerns in respect of a particular case he should bring it to the attention of the Department.

I trust this clarifies the matter for the Deputy.

### **Pensions Data**

574. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the number of applications for old age (contributory) pension on appeal; and if she will make a statement on the matter. [8810/18]

575. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the number of applications for old age (non-contributory) pension on appeal; and if she will make a statement on the matter. [8811/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 574 and 575 together.

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 am advised by the Chief Appeals Officer that there were 269 state pension (contributory) and 221 state pension (non-contributory) appeals on hands at the end of January 2018.

*Question No. 576 answered with Question No. 573.*

### **Social Welfare Benefits**

577. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection her plans to address issues of contributory entitlements such as illness benefit or other similar payments in which the persons qualify for a payment approximately half of that applicable to an old age pensioner; and if she will make a statement on the matter. [8813/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** For certain social insurance schemes, namely illness benefit, jobseeker's benefit and health and safety benefit, graduated rates apply where the average weekly earnings are less than €300 per week.

The rate of payment depends on the person's level of earnings in the governing PRSI contribution year. For illness benefit claims made in 2018, the governing contribution year is 2016. Where the average weekly earnings are €300 or more the personal rate of payment is €193 weekly (this will increase to €198 per week, from the 26th of March 2018).

The table outlines the current graduated rates payable. These rates will all proportionately increase as a result of Budget 2018 from the last week of March 2018.

Average weekly earnings	Personal rate
Less than €150.00	€86.70
€150.00 and less than €220.00	€124.60
€220.00 and less than €300.00	€151.20
€300.00 or more	€193.00

Graduated rates were introduced in 1993 with the extension of full social insurance cover to part-time workers from April 1991. In the absence of graduated rates, a situation would exist whereby part-time workers on low incomes would have access to weekly social welfare payments in excess of their income from employment. For instance, someone earning €38 a week or more is liable for PRSI Class A contributions. Given that the maximum personal rate of these schemes is currently €193 a week, without graduated rates, the social welfare benefits available would be more than five times the level of income from employment for some people.

It should be noted that a recipient of a graduated rate of illness benefit with limited means can claim Supplementary Welfare Allowance (SWA) as a “top-up” payment if the rate of illness benefit is below the maximum rate of SWA, subject to meeting the scheme criteria. Application may be made to the Community Welfare Services at the local Intreo Centre.

If a recipient of a graduated rate of illness benefit is medically assessed as being incapable of work for the next 12 months and satisfies the PRSI contribution requirements, he or she can apply for the Invalidity Pension scheme, which has a higher rate of payment than Illness Benefit.

I trust this clarifies the matter for the Deputy.

### Social Welfare Appeals Data

578. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the applications for various social welfare payments which are most commonly refused on application and referred to appeal or oral hearing; the number of cases subsequently rejected or approved on appeal; and if she will make a statement on the matter. [8814/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** 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.

The tables below provide the details which have been requested by the Deputy in respect of 2016 and 2017.

The schemes with the highest number of appeals to the Social Welfare Appeals Office in 2016 and in 2017 were - disability allowance (4,912 in 2016/5,077 in 2017), carer’s allowance (3,887 in 2016/3,200 in 2017), jobseeker’s allowance - means (2,050 in 2016/1,504 in 2017), jobseeker’s allowance - payments (2,031 in 2016/1,676 in 2017), supplementary welfare allowance (1,970 in 2016/1,302 in 2017), invalidity pension (1,362 in 2016/1,381 in 2017) and domiciliary care allowance (1,198 in 2016/1,199 in 2017).

Details of appeal outcomes for the above schemes are set out in the tables below. Overall, 59.2% of the 23,220 appeals which were finalised in 2016 had a favourable outcome for the appellant, i.e. were either allowed in full or in part, or resolved by way of a revised decision by a Deciding Officer/Designated Person. 60.1% of the 18,980 appeals finalised in 2017 had a favourable outcome for the appellant.

Of the 16,990 appeals which were finalised by Appeals Officers in 2016, 6,527 (38.4%) were determined following an oral hearing. 4,251 (65.1%) of these had a favourable outcome for the appellant. Of the 13,556 appeals finalised by Appeals Officers in 2017, 5,412 (39.9%) were determined following an oral hearing. 3,444 (63.6%) of these had a favourable outcome for the appellant.

There are a number of reasons why a decision which was refused at first instance might be successful on appeal and it is not necessarily the case that the first decision was wrong.

Where new evidence is provided with an appeal the original decision may be revised by the Deciding Officer or Designated Person as was the case in some 37 per cent of favourable appeal outcomes in both 2016 and 2017. Where the decision was not revised in the Department in light of the appeal contentions, further evidence is often provided by the appellant as the appeal process proceeds and in addition, the Appeals Officer may gain insights when they meet the appellant in person at the oral hearing which may influence the outcome of the appeal.

Decisions concerning entitlement to a social welfare payment or insurability of employment often require a high level of judgment and may involve complex legal questions. The Courts have found that decision makers are required to be free and unrestricted in discharging their functions.

Where an appellant requests an oral hearing, the request is generally granted unless the Appeals Officer is of the opinion that the appeal can be allowed on a summary basis, or where there is clearly nothing to be gained by granting an oral hearing, for example where the appeal question relates to contribution conditions or means and the underlying PRSI contribution figures or means are not disputed. Social Welfare legislation provides that an Appeals Officer may determine an appeal without an oral hearing where s/he is of the opinion that it can be determined fairly on the basis of the documentary evidence provided. In general, where there is a conflict in the documentary evidence presented, an Appeals Officer will convene an oral hearing in order to explore the evidence and seek to resolve any conflict.

I trust this clarifies the matter for the Deputy.

#### **Appeal Receipts 2016 – 2017**

	2016	2017
Adoptive Benefit	-	2
Blind Person's Pension	13	19
Carers Allowance	3,887	3,200
Carers Benefit	95	110
Child Benefit	595	473
Disability Allowance	4,912	5,077
Illness Benefit	819	443
Death Benefit	1	-
Partial Capacity Benefit	42	38
Domiciliary Care Allowance	1,198	1,199
Deserted Wives Benefit	7	7
Deserted Wives Allowance	-	1
Farm Assist	196	130
Bereavement Grant	3	1
Family Income Supplement	510	477

Questions - Written Answers

	2016	2017
Invalidity Pension	1,362	1,381
Liabile Relatives	23	9
Maternity Benefit	87	84
Paternity Benefit	1	16
One Parent Family Payment	313	244
State Pension (Contributory)	366	408
State Pension (Non-Contributory)	397	370
State Pension (Transition)	2	3
Occupational Injury Benefit	56	51
Disablement Pension	298	347
Occupational Injury-Medical Care	4	2
Incapacity Supplement	9	7
Guardian's Payment (Con)	38	34
Guardian's Payment (Non-Con)	17	16
Jobseeker's Allowance (Means)	2,050	1,504
Jobseeker's Allowance	2,031	1,676
Pre-Retirement Allowance	-	2
BTW Family Dividend	52	43
Jobseeker's Transitional	43	41
Recoverable Benefits & Assistance	24	25
Jobseeker's Benefit	637	545
Treatment Benefit	5	1
Carer's Support Grant *	164	164
Insurability of Employment	151	132
Supplementary Welfare Allowance	1,970	1,302
Survivor's Pension (Con)	49	45
Survivor's Pension (Non-con)	26	23
Widows Parent Grant	8	6
All Appeals	22,461	19,658

\* Previously called Respite Care Grant table contd.

Outcome of Disability Allowance Appeals 2016-2017

	Appeals Finalised	Revised Deciding Officers Divisions	Appeals allowed by Appeals Officer	Appeals Partly Allowed by Appeals Officers	Appeals Disallowed by Appeals Officers	Withdrawn
2016	5,175	815	2,830	88	1,367	75

2017	4,934	563	2,975	70	1,211	115
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**Outcome of Carer's Allowance Appeals 2016-2017**

## Favourable Decisions

	Appeals Finalised	Revised Deciding Officers Decisions	Appeals Allowed by Appeals Officers	Appeals Partly Allowed By Appeals Officers	Appeals Disallowed by Appeals Officers	Withdrawn
2016	3,624	815	1,375	145	1,237	52
2017	3,416	780	1,204	161	1,199	72

**Outcome of Jobseeker's Allowance (Means) Appeals 2016-2017**

## Favourable Decisions

	Appeals Finalised	Revised Deciding Officers Decisions	Appeals Allowed by Appeals Officers	Appeals Partly Allowed by Appeals Officers	Appeals Disallowed by Appeals Officers	Withdrawn
2016	2,159	338	287	120	1,216	198
2017	1,453	264	187	82	708	212

**Outcome of Jobseeker's Allowance (Payments) Appeals 2016-2017**

## Favourable Decisions

	Appeals Finalised	Revised Deciding Officers Decisions	Appeals Allowed by Appeals Officers	Appeals Partly Allowed by Appeals Officers	Appeals Disallowed by Appeals Officers	Withdrawn
2016	2,033	324	525	98	945	141
2017	1,573	309	349	66	665	184

**Outcome of Supplementary Welfare Allowance Appeals 2016-2017**

## Favourable Decisions

	Appeals Finalised	Revised Deciding Officers Decisions	Appeals Allowed by Appeals Officers	Appeals Partly Allowed by Appeals Officers	Appeals Disallowed by Appeals Officers	Withdrawn
2016	2,032	346	532	75	923	156
2017	1,349	229	304	34	602	180

**Outcome of Invalidation Pension Appeals 2016-2017**

## Favourable Decisions

Questions - Written Answers

	Appeals Finalised	Revised Deciding Officers Decisions	Appeals Allowed by Appeals Officers	Appeals Partly Allowed by Appeals Officers	Appeals Disallowed by Appeals Officers	Withdrawn
2016	1,654	642	682	10	302	18
2017	1,348	691	365	7	262	23

**Outcome of Domiciliary Care Allowance Appeals 2016-2017**

Favourable Decisions

	Appeals Finalised	Revised Deciding Officers Decisions	Appeals Allowed	Appeals Partly Allowed	Appeals Disallowed	Withdrawn
2016	1,344	469	596	18	250	11
2017	801	343	297	10	135	16

**Number and Outcomes of Appeals determined following Oral Hearings 2016**

	Allowed	Partially allowed	Disallowed	No. of Oral Hearings
Blind Person's Pension	3	-	2	5
Carers Allowance	844	85	550	1,479
Carers Benefit	8	2	5	15
Child Benefit	23	12	34	69
Disability Allowance	1,305	51	487	1,843
Illness Benefit	82	3	68	153
Partial Capacity Benefit	5	-	5	10
Domiciliary Care Allowance	263	7	109	379
Deserted Wives Benefit	4	1	3	8
Farm Assist	23	26	29	78
Liabile Relatives	-	-	1	1
Family Income Supplement	32	5	20	57
Invalidity Pension	347	4	109	460
Maternity Benefit	9	1	4	14
One Parent Family Payment	49	15	50	114
State Pension (Contributory)	16	6	32	54

	Allowed	Partially allowed	Disallowed	No. of Oral Hearings
State Pension (Non-Contributory)	45	20	53	118
State Pension (Transition)	1	1	1	3
Occupational Injury Benefit	9	1	6	16
Disablement Pension	101	10	63	174
Incapacity Supplement	1	1	3	5
Guardian's Payment (Con)	9	1	5	15
Guardian's Payment (Non-Con)	8	1	2	11
Jobseeker's Allowance (Means)	136	56	182	374
Jobseeker's Allowance	225	59	221	505
Jobseeker's Transitional	3	1	8	12
Recoverable Benefits & Assistance	1	-	2	3
Jobseeker's Benefit	54	14	41	109
Carer's Support Grant *	20	2	11	33
Insurability of Employment	17	2	28	47
Supplementary Welfare Allowance	178	25	133	336
Survivor's Pension (Con)	9	5	6	20
Survivor's Pension (Non-con)	3	1	2	6
Widows Parent Grant	-	-	1	1
All Appeals	3,833	418	2,276	6,527

\* Previously called Respite Care Grant

### Number and Outcome of Appeals Determined following Oral Hearings 2017

Questions - Written Answers

	Allowed	Partially Allowed	Disallowed	No. of Oral Hearings
Blind Person's Pension	1	1	-	2
Carers Allowance	831	100	555	1,486
Carers Benefit	11	2	10	23
Child Benefit	35	7	30	72
Disability Allowance	1,077	35	433	1,545
Illness Benefit	78	6	81	165
Partial Capacity Benefit	5	1	5	11
Domiciliary Care Allowance	167	9	63	239
Deserted Wives Benefit	1	1	1	3
Farm Assist	17	12	26	55
Liabile Relatives	-	2	2	4
Family Income Supplement	25	6	37	68
Invalidity Pension	187	4	78	269
Maternity Benefit	3	-	4	7
One Parent Family Payment	36	13	23	72
State Pension (Contributory)	14	9	45	68
State Pension (Non-Contributory)	40	23	35	98
State Pension (Transition)	-	-	1	1
Occupational Injury Benefit	-	-	7	7
Disablement Pension	58	14	44	116
Occupational Injury-Medical Care	-	-	1	1
Incapacity Supplement	3	1	1	5
Guardian's Payment (Con)	9	-	4	13
Guardian's Payment (Non-Con)	3	-	2	5

	Allowed	Partially Allowed	Disallowed	No. of Oral Hearings
Jobseeker's Allowance (Means)	111	50	144	305
Jobseeker's Allowance	171	33	165	369
Jobseeker's Benefit	25	9	35	69
Jobseeker's Transitional	4	3	-	7
BTW Family Dividend	1	-	1	2
Carer's Support Grant *	18	1	18	37
Insurability of Employment	22	3	10	35
Supplementary Welfare Allowance	122	15	96	233
Survivor's Pension (Con)	3	-	5	8
Survivor's Pension (Non-con)	3	3	6	12
All Appeals	3,081	363	1,968	5,412

\* Previously called Respite Care Grant

### Social Welfare Eligibility

579. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the extent to which the self employed can qualify for various social welfare supports now and in the future; and if she will make a statement on the matter. [8815/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Self-employed workers 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, paternity benefit, treatment benefit (from March 2017). Entitlement to invalidity pension was extended to the self-employed from December 2017.

This compares favourably with employees who, in general, are liable to the PRSI Class A rate of 4%. In addition their employers are liable to PRSI at the rate of 8.6% on weekly earnings up to and including €376 or at the rate of 10.85% where weekly earnings exceed €376. Accordingly the combined rate of PRSI rate paid in respect of Class A employees is 12.6% or 14.85%, depending on the level of weekly earnings. These Class A employees are entitled to the full range of social insurance benefits.

The issue of extending additional social insurance benefits to the self-employed paying Class S PRSI was considered in the Actuarial Review of the Social Insurance fund (SIF) as at

31 December, 2015, which I published in October 2017. The review, required by legislation, was carried out by independent consultants, KPMG. It examines the projected income and expenditure of the SIF over the course of the 55 year period from 2016 to 2071.

The review found that the fund currently has a modest surplus of income over expenditure. In 2016 there was a surplus of €0.4 billion on expenditure of €8.8 billion and receipts of €9.2 billion. However, this will reduce over the next two years and will return to a small shortfall in 2020. The annual shortfalls are projected to increase from 2021 onwards as the ageing of the population impacts. Projections indicate that, in the absence of further action to tackle the shortfall, the excess of expenditure over income of the fund will increase significantly over the medium to long term. The shortfall in expenditure over income is projected to increase from €0.2 billion in 2020 to €3.3 billion by 2030 and to €22.2 billion by 2071. It should be noted that as self-employed workers were to be eligible to apply for invalidity pension from December 2017, the cost of this introduction has been factored into the actuarial review's findings.

As part of the review the independent consultants were required to project the additional PRSI expenditure if invalidity pension and illness, jobseeker's and carer's benefits were extended to Class S self-employed workers and the PRSI contribution rates required to provide these benefits on a revenue neutral basis.

The review found that the combined cost of introducing the invalidity, illness, jobseeker's and carer's benefits for PRSI Class S contributions is estimated to be €118 million in 2018, rising steadily to €223 million in 2020. By 2025 the projected cost is €413 million and over the period of the review the cost would rise to €1.3 billion in 2071.

The review indicates that, where these benefits are extended to the self-employed, the Class S rate of PRSI contribution would need to increase substantially in order to ensure that the benefits are delivered in a revenue neutral manner. It estimates that when expenditure on the additional benefits is considered over the entire projection period, PRSI rates would need to increase by 94% under a scenario of no subvention from the exchequer. This is equivalent to an increase of the Class S contribution rate from the current 4% rate to 7.8%.

This increased contribution is attributable to the costs of extending these additional benefits to PRSI Class S contributors. It does not take account of the value to PRSI Class S contributors of access to the range of existing benefits, and in particular State pension contributory. The consultants estimated that the typical cost of State pension (contributory) on its own is of the order of 10% to 15%, depending on other factors including rate of average earnings and date of commencing paying PRSI. Adding in the other benefits referenced the total Class S rate of contribution to ensure revenue neutrality would be of the order of 20% per annum.

The findings of the Review will play an important role in informing the overall debate on policy developments in relation to the SIF in the years ahead, including the financial sustainability of the Fund given the expected demographic challenges and consideration of extending the scope of benefits for workers generally, including the self-employed.

### **Social Welfare Benefits**

580. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the extent to which her department can assist those in danger of becoming homeless with particular reference to situations whereby a primary payment is terminated and rent support likewise as a consequence resulting in hardship, anxiety and despair; if in such cases rent support will not be terminated until all has been decided; and if she will make a statement on

the matter. [8816/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Rent supplement plays a vital role in housing families and individuals, with the scheme supporting some 33,400 recipients for which the Government has provided €180 million for in 2018.

Continued entitlement to rent supplement is not linked to entitlement to other social welfare schemes, however the rent supplement claim may be reviewed following a decision to suspend or disallow a primary social welfare payment as there may be a change to the claimant's circumstances that could affect eligibility. During a review of a rent supplement claim, the Community Welfare Service (CWS) staff will engage with the claimant to establish continued eligibility as quickly as possible and limit any delay to payments.

Any person in this situation is encouraged to contact the Department's CWS responsible for their rent supplement claim to discuss their circumstances. I can assure the Deputy that every effort is made so that rent supplement tenants are supported by my Department.

I trust this clarifies the matter for the Deputy.

### **Youth Unemployment Data**

581. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the extent of youth unemployment; and if she will make a statement on the matter. [8817/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Irish youth unemployment has fallen from a peak of 31.2% in 2012 to 13.7% in January 2018. Irish youth unemployment has thus fallen from well above the EU average in 2012 (23%) to well below the current figure EU figure of 19.1%. The long-term unemployment rate for young people has fallen from over 15% at peak to below 4% in the third quarter of 2017.

Youth unemployment figures can be expected to fall further this year in line with the continuing forecast fall in overall unemployment. Additionally, Ireland is on course to bring youth unemployment below 12% and long-term unemployment below 2.5% in accordance with Pathways to Work targets for 2020.

These trends indicate that together with improvements in the labour market and economic recovery, our approach to youth employment, which focuses in the first instance on enhancing processes and policies for assisting young unemployed people to find and secure sustainable jobs, has been relatively successful.

Under the Youth Guarantee process case officers engage with unemployed young people, on a monthly basis, to prepare and implement personal progression plans for employment. Where young people do not find work quickly, additional supports are offered through places on employment and training schemes.

As part of this range of opportunities, later this year I will be introducing a new work experience programme targeted exclusively at young jobseekers who are long-term unemployed and face a significant barrier to gaining employment.

The Youth Employment Support Scheme (YESS) will provide young job seekers with the opportunity to learn basic work and social skills in a supportive environment while on a work placement. Host Organisations will be encouraged to hire participants who have performed well

and will qualify for a financial subsidy under JobsPlus Youth. YESS will compliment other initiatives such as the expanded range of Apprenticeships and Career Traineeships. Operational details are currently being finalised and I hope to launch the Scheme in Q.2, 2018.

I am confident that these measures, and continuing economic recovery, will support further reductions in youth unemployment and add to the substantial improvements that have already been seen over the last few years.

### **Unemployment Data**

582. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection extent of long term unemployment; and if she will make a statement on the matter. [8818/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Government policy to reduce unemployment is twofold. First, through policies set out in the Action Plan for Jobs, to create an environment in which business can succeed and create jobs; and second, through Pathways to Work to ensure that as many of these new jobs and other vacancies that arise in our economy are filled by people taken from the Live Register, and in particular the long-term unemployed.

To date, these policies have been effective in reducing long-term unemployment. For example, the most recent data show that the rate of long-term unemployment in Ireland has fallen from a peak of 9.5% in 2012 to 2.8% in Q3, 2017. This downward trend indicates that Ireland is well on course to bring long-term unemployment below 2.5% in accordance with Pathways to Work targets for 2020, and maybe even improve on it.

Policy continues to focus on support for the long-term unemployed. For example, the Pathways to Work 2016-2020 strategy prioritises long-term unemployed people – most notably through the roll-out of JobPath to engage more systematically with this group; through targeted wage subsidies under JobsPlus; and through reserved places for long-term unemployed job-seekers on employment and training programmes.

I am confident these measures, and continuing economic recovery, will support further reductions in long-term unemployment and add to the substantial improvements that have already been seen over the last few years.

### **Social Welfare Appeals Data**

583. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the number of appeal decisions in respect of various refusals for payments that have been overturned on appeal in the past four years to date; and if she will make a statement on the matter. [8819/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I understand the Deputy's question relates to the outcome of appeals made to the Social Welfare Appeals Office over the past four years.

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.

The tables below provide the details which have been requested by the Deputy from 2014 to 2017.

Overall, 60.1% of the 18,980 appeals which were finalised in 2017 had a favourable outcome for the appellant, i.e. were either allowed in full or in part, or resolved by way of a revised decision by a Deciding Officer/Designated Person. The equivalent figures for the previous years were 2016 (59.2%), 2015 (58.8%) and 2014 (56.5%).

There are a number of reasons why a decision which was refused at first instance might be successful on appeal and it is not necessarily the case that the first decision was wrong.

Where new evidence is provided with an appeal the original decision may be revised by the Deciding Officer or Designated Person as was the case in some 37 per cent of favourable appeal outcomes in both 2017 and 2016, some 35% in 2015 and some 30% in 2014. Where the decision was not revised in the Department in light of the appeal contentions, further evidence is often provided by the appellant as the appeal process proceeds and in addition, the Appeals Officer may gain insights when they meet the appellant in person at oral hearing which may influence the outcome of the appeal.

Decisions concerning entitlement to a social welfare payment or insurability of employment often require a high level of judgment and may involve complex legal questions. The Courts have found that decision makers are required to be free and unrestricted in discharging their functions.

I trust this clarifies the matter for the Deputy.

#### Outcome of Appeals by Category 2014

	Revised DO Decision	Allowed	Partially Allowed	Disallowed	Withdrawn
State Pension (Non-Contributory)	64	64	23	162	19
State Pension (Contributory)	22	36	5	112	7
State Pension (Transition)	4	4	1	19	2
Survivor's Pension (Contributory)	4	17	4	33	1
Bereavement Grant	12	2	-	71	1
Jobseeker's Allowance – Payments	395	775	129	1,450	229
Jobseeker's Allowance-Means	454	439	176	1,708	295

Questions - Written Answers

	Revised DO Decision	Allowed	Partially Allowed	Disallowed	Withdrawn
One Parent Family Payment	173	165	29	245	141
Survivor's Pension (Non-Con)	8	6	4	8	5
Deserted Wife's Allowance	1	-	-	1	-
Supplementary Welfare Allowance	462	852	128	1,496	295
Farm Assist	46	57	30	113	42
Pre-Retirement Allowance	1	-	-	1	-
Jobseeker's Benefit	173	218	46	473	83
Deserted Wife's Benefit	-	2	-	1	2
Maternity Benefit	6	5	-	16	-
Adoptive Benefit	-	-	-	1	-
Treatment Benefits	-	-	-	2	-
Partial Capacity Benefit	17	27	4	37	8
Disability Allowance	671	3,860	100	2,010	90
Blind Pension	3	7	1	15	-
Carer's Allowance	463	1,240	177	1,451	55
Domiciliary Care Allowance	506	701	24	334	10
Carers Support Grant	21	61	1	64	9
Illness Benefit	596	247	20	311	385
Injury Benefit	1	4	-	9	1

	Revised DO Decision	Allowed	Partially Allowed	Disallowed	Withdrawn
Invalidity Pension	584	2,133	15	747	43
Disablement Benefit	59	111	19	212	6
Incapacity Supplement	8	10	1	6	3
Medical Care	2	2	-	-	1
Carer's Benefit	42	37	4	43	8
Child Benefit	184	110	40	346	17
Family Income Supplement	289	94	15	141	13
Guardian's Payment (Non-Contributory)	3	9	1	5	2
Guardian's Payment (Contributory)	7	16	2	23	1
Widowed Parent Grant	-	3	-	11	-
Insurability	20	13	4	62	17
Liable Relative's	5	-	-	12	33
TOTAL APPEALS: 31,211	5,306	11,327	1,003	11,751	1,824

table contd.

**Outcome of Appeals by Category 2015**

	Revised DO Decision	Allowed	Partially Allowed	Disallowed	Withdrawn
State Pension (Non-Contributory)	54	61	27	145	30
State Pension (Contributory)	48	36	5	113	10
State Pension (Transition)	-	-	2	6	-
Survivor's Pension (Contributory)	1	7	1	21	1

Questions - Written Answers

	Revised DO Decision	Allowed	Partially Allowed	Disallowed	Withdrawn
Death Benefit	-	-	-	1	-
Bereavement Grant	3	1	-	19	-
Jobseeker's Allowance – Payments	260	536	116	972	175
Jobseeker's Transitional	8	1	1	5	6
Jobseeker's Allowance-Means	299	284	108	1,336	229
One Parent Family Payment	84	112	18	138	57
Survivor's Pension (Non-Con)	8	4	1	11	1
Deserted Wife's Allowance	1	1	-	-	-
Supplementary Welfare Allowance	373	634	77	1,069	177
Farm Assist	29	30	15	89	22
Pre-Retirement Allowance	-	-	1	-	-
Jobseeker's Benefit	120	160	38	317	53
Deserted Wife's Benefit	1	7	7	2	1
Maternity Benefit	19	3	1	27	1
Homemakers	-	-	-	1	-
Treatment Benefits	-	-	-	1	-
Partial Capacity Benefit	7	13	-	13	5
Disability Allowance	1,443	3,384	85	1,751	77
Blind Pension	1	6	-	10	1

	Revised DO Decision	Allowed	Partially Allowed	Disallowed	Withdrawn
Carer's Allowance	579	1,352	155	1,355	50
Domiciliary Care Allowance	313	571	40	226	8
Carers Support Grant	43	33	2	56	4
Illness Benefit	508	199	16	211	286
Injury Benefit	9	11	-	26	3
Invalidity Pension	511	1,135	17	421	37
Disablement Benefit	43	105	20	180	3
Incapacity Supplement	6	7	-	4	-
Medical Care	3	-	-	-	14
Carer's Benefit	52	25	5	27	1
Child Benefit	172	83	35	331	11
Family Income Supplement	167	88	8	141	10
Back To Work Family Dividend	9	1	-	14	3
Guardian's Payment (Non-Cont)	4	10	1	5	-
Guardian's Payment (Contributory)	11	15	3	18	1
Widowed Parent Grant	-	-	-	7	-
Insurability	5	20	-	71	11
Liable Relative's	4	-	-	22	5
Recoverable Benefits & Assistance	2	4	2	5	-
TOTAL APPEALS: 25,406	5,200	8,939	807	9,167	1,293

**Outcome of Appeals by Category 2016**

	Revised DO Decision	AllowedBy AO	Partially AllowedBy AO	Disallowed	Withdrawn
State Pension (Non-Contributory)	81	76	30	166	30
State Pension (Contributory)	56	33	13	201	9
State Pension (Transition)	-	1	1	2	1
Widow's/ Widower's Pension (Contributory)	7	12	5	34	2
Death Benefit	-	-	-	1	-
Bereavement Grant	-	1	-	1	-
Jobseeker's Allowance - Payments	324	525	98	945	141
Jobseeker's Transitional	6	12	1	15	5
Jobseeker's Allowance -Means	338	287	120	1,216	198
One Parent Family Payment	59	89	27	121	51
Widow's/ Widower's Pension (Non-Contributory)	1	5	1	14	1
Supplementary Welfare Allowance	346	532	75	923	156
Farm Assist	45	31	29	94	16
Jobseeker's Benefit	155	151	40	304	54
Deserted Wife's Benefit	-	5	1	4	1
Maternity Benefit	12	17	1	60	1

	Revised DO Decision	AllowedBy AO	Partially AllowedBy AO	Disallowed	Withdrawn
Treatment Benefits	-	-	-	6	-
Partial Capacity Benefit	7	9	-	16	3
Disability Allowance	815	2,830	88	1,367	75
Blind Pension	2	5	1	11	-
Carer's Allowance	815	1,375	145	1,237	52
Domiciliary Care Allowance	469	596	18	250	11
Respite Care Allowance	56	37	2	49	7
Illness Benefit	341	136	5	168	230
Injury Benefit	13	13	1	30	2
Invalidity Pension	642	682	10	302	18
Disablement Benefit	45	140	13	164	9
Incapacity Supplement	5	1	1	7	-
Medical Care	2	-	-	-	1
Carer's Benefit	32	11	3	23	2
Child Benefit	190	68	29	295	19
Family Income Supplement	177	125	18	135	15
Back To Work Family Dividend	12	1	-	49	3
Guardian's Payment (Non-Con)	3	10	1	5	1
Guardian's Payment (Contributory)	4	16	1	20	1
Widowed Parent Grant	2	-	-	8	1
Insurability	20	30	4	72	13

Questions - Written Answers

	Revised DO Decision	AllowedBy AO	Partially AllowedBy AO	Disallowed	Withdrawn
Liabe Relative's	12	-	-	9	-
Recoverable Benefits & Assistance	6	9	1	12	1
TOTAL APPEALS: 23,220	5,100	7,871	783	8,336	1,130

**Outcome of Appeals by Category 2017**

	Revised DO Decision	Allowed	Partially Allowed	Disallowed	Withdrawn
State Pension (Non-Contributory)	78	75	34	128	28
State Pension (Contributory)	76	35	12	218	13
State Pension (Transition)	-	1	-	2	-
Survivor's Pension (Contributory)	7	8	-	15	1
Death Benefit	-	-	-	1	-
Bereavement Grant	-	1	-	-	-
Jobseeker's Allowance – Payments	309	349	66	665	184
Jobseeker's Transitional	10	10	4	6	7
Jobseeker's Allowance-Means	264	187	82	708	212
One Parent Family Payment	54	67	19	67	50
Survivor's Pension (Non-Con)	3	7	4	9	0
Supplementary Welfare Allowance	229	304	34	602	180
Farm Assist	28	22	18	60	14

	Revised DO Decision	Allowed	Partially Allowed	Disallowed	Withdrawn
Pre-Retirement Allowance	1	-	-	-	-
Jobseeker's Benefit	117	83	21	206	52
Deserted Wife's Benefit	-	2	1	2	-
Maternity Benefit	8	10	3	49	1
Paternity Benefit	3	1	-	3	1
Adoptive Benefit	-	-	-	2	-
Treatment Benefits	-	-	-	1	-
Partial Capacity Benefit	11	15	1	14	4
Disability Allowance	563	2,975	70	1,211	115
Blind Pension	3	1	1	7	3
Carer's Allowance	780	1,204	161	1,199	72
Domiciliary Care Allowance	343	297	10	135	16
Carers Support Grant	45	35	2	72	1
Illness Benefit	140	118	8	189	59
Injury Benefit	2	3	-	27	6
Invalidity Pension	691	365	7	262	23
Disablement Benefit	30	86	19	109	6
Incapacity Supplement	3	3	1	3	-
Medical Care	1	-	--	1	-
Carer's Benefit	39	23	2	37	3
Child Benefit	154	68	23	178	15

	Revised DO Decision	Allowed	Partially Allowed	Disallowed	Withdrawn
Family Income Supplement	267	76	15	130	15
Back To Work Family Dividend	4	7	-	25	5
Guardian's Payment (Non-Contributory)	2	5	1	7	-
Guardian's Payment (Contributory)	4	13	2	14	-
Widowed Parent Grant	-	-	-	2	-
Insurability	11	34	4	37	53
Liable Relative's	-	-	4	11	2
Recoverable Benefits & Assistance	3	3	-	20	-
<b>TOTAL APPEALS:</b> 18,980	4,283	6,493	629	6,434	1,141

### Housing Policy

584. **Deputy Jackie Cahill** asked the Minister for Housing, Planning and Local Government his plans to introduce legislation or regulations that would encourage vulture funds to make residential properties that are in their ownership available to the market to reduce the shortage of housing (details supplied); and if he will make a statement on the matter. [8071/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The introduction of legislation or regulations of the kind referred to would be a matter for the Minister for Finance.

Under the Government's Rebuilding Ireland Action Plan on Housing and Homelessness there is a scheme in place, administered by the Housing Agency, for the acquisition of dwellings being disposed of by banks and private equity funds. An acquisitions fund of €70m, which is a revolving fund, was established in 2017 with the objective of acquiring 1,600 units over the period to 2020 for social housing use.

Under this Fund, as at 31 January 2018, the Agency had bids accepted on 443 properties. Contracts have been signed for 399 units and 384 of these purchases have closed. The process of selling properties on to Approved Housing Bodies (AHBs) is well underway. As of 31 January 2018, the Agency had signed purchase option agreements for 314 properties with AHBs and the onward sale of 45 units to AHBs have been completed in full, with €10m being made available for reinvestment by the Agency in further purchases.

## **Irish Water Administration**

585. **Deputy John McGuinness** asked the Minister for Housing, Planning and Local Government when legislation or regulations needed to make Irish Water accountable to the Comptroller and Auditor General will be in place. [8476/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I refer to the reply to Question No. 342 on 1 February 2018 which sets out the position in this matter. The position is unchanged.

## **Local Authority Staff Remuneration**

586. **Deputy Marcella Corcoran Kennedy** asked the Minister for Housing, Planning and Local Government if the case of a person (details supplied) who has been offered a position at the minimum entry point on a pay scale will be reviewed; and if he will make a statement on the matter. [8555/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Under section 159 of the Local Government Act 2001, it is the Chief Executive of each local authority who is responsible for the staffing and organisational arrangements necessary for carrying out the functions of the Council. In this regard, it is a matter for the Chief Executive of Dublin City Council to ensure that the correct procedures are applied to starting pay on recruitment from open competitions.

In January 2011, my Department conveyed instructions through Circular 02/2011, set out below, to all local authorities in relation to a Government decision, that starting pay on recruitment from open competitions should be at the minimum point of the relevant scale. It is open to a Chief Executive to make a business case to my Department should they feel a candidate's experience warrants a higher placing on a pay scale; however this is something that is only used in exceptional cases.

In 2015, my Department conveyed an instruction to local authorities through Circular 05/2016, also below, with regard to the scenario where a public servant moving from one public sector organisation to another retains their salary level if they are moving to a post that is analogous to the one they are moving from. However, from the details supplied, this scenario does not apply given it involves a downward grade move i.e. from Senior Quantity Surveyor to the grade below that, Executive Quantity Surveyor. The fact that the candidate is first on the panel bears no relevance or entitlement to their placing on an incremental scale; the same rules apply regardless of a candidate's position on a panel.

In this instance, it would appear that Dublin City Council has correctly applied the rules relating to starting pay.

## **Local Authority Housing Mortgages**

587. **Deputy Catherine Murphy** asked the Minister for Housing, Planning and Local Government the arrangements that were made with banks to provide letters of refusal in the context of the new local authority mortgage scheme; the options available in cases in which refusals are occurring but the banks or building societies will not provide a letter to this effect; if this situation was anticipated; if discussions were held with the lending institutions; and if he will make a statement on the matter. [8080/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):**

Following a review of the two existing local authority home loan schemes, the House Purchase Loan and the Home Choice Loan, a new loan offering - the Rebuilding Ireland Home Loan - was introduced on 1 February 2018.

It has been a feature of all local authority mortgage lending since 1987 that loan applicants must provide documentary evidence of being unable to secure sufficient finance from two financial institutions. There is no change to this requirement under the new Rebuilding Ireland Home Loan. The reason that such a requirement exists is that local authorities are not competing with commercial lenders, rather local authorities, as they have done for many years, are providing low cost and affordable mortgages to credit worthy first time buyers, who are unable to secure adequate loan finance from commercial lenders. It is only when an applicant has been offered an insufficient loan amount by two commercial lenders, that they may apply for a Rebuilding Ireland Home Loan.

My Department is not aware, either currently or historically, of difficulties arising for local authority applicants in securing the necessary evidence of inadequate loan offers from two financial institutions. Any applicant with concerns in this regard should contact the Housing Section of their local authority or the Rebuilding Ireland Homeloan helpdesk at (051) 349720.

### **Water Quality**

588. **Deputy Thomas Byrne** asked the Minister for Housing, Planning and Local Government the status of the national rollout of testing alarm systems to ensure the non-occurrence of elevated chlorine levels in the public water supply. [8114/18]

589. **Deputy Thomas Byrne** asked the Minister for Housing, Planning and Local Government if his attention has been drawn to the recent malfunction of an elevated chlorine alarm system in an area (details supplied) in County Meath which resulted in a water ban for over 500 homes. [8115/18]

590. **Deputy Thomas Byrne** asked the Minister for Housing, Planning and Local Government the number of water plants that have been fitted and not fitted respectively with testing of alarm systems for elevated chlorine levels. [8116/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 588 to 590, inclusive, together.

Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels.

While monitoring chlorine levels is an operational matter for the utility, my Department was advised of the recent chlorine-related incident in Co. Meath which resulted in a water use ban affecting some 1,200 persons being imposed on 7 February 2018. I understand that following the successful resolution of the matter, normal water service was restored to the homes concerned on 8 February 2018.

Chlorine is the most commonly used disinfectant in water treatment in Ireland. It is added at the water treatment plant and for larger networks may require boosting at key locations including reservoirs and pumping stations to ensure the correct levels of chlorine are maintained throughout the entire network.

I understand that Irish Water is currently undertaking a national programme of works to

improve the quality of drinking water and increase water quality compliance levels across the country. As part of this programme over €40 million is to be invested in the upgrade and standardisation of disinfection systems currently installed in over 830 public drinking water treatment plants.

I am advised by Irish Water that the Disinfection Programme is being carried out in two phases. Phase 1 involves the assessment of the condition and performance of the existing disinfection systems at water treatment plants across the country. This will determine the works required to ensure that the treatment plant disinfection process meets the specified requirements. Phase 2 then involves carrying out any necessary upgrade works. Such works may include upgrade of chemical storage and treatment processing infrastructure, upgrade of ultraviolet (UV) disinfection systems, upgrade of monitoring systems and generation of Critical Process Alarms.

Irish Water is currently identifying and planning the appropriate mitigation measures to be carried out at water treatment plants throughout the country to achieve water quality compliance. To date, Irish Water has assessed over 450 sites and commenced upgrades to over 130 water treatment plants.

Chlorine levels in drinking water are monitored primarily via a rigorous sampling programme which tests the levels of chlorine in the water at various points from the treatment plant to the customer's tap. Any changes to chlorine levels are fully investigated and any necessary actions agreed. This monitoring programme is supplemented by alarms which can alert to issues often associated with the point at which chlorine is added. To ensure a fully robust system all points of chlorine addition will be considered over time including the boosting points along a network. Irish Water has begun this process, which will take some time to complete given the vast amount of assets to be audited and adjusted when reservoirs, pumping stations and boosting points within a network are included.

### **Mortgage Insurance**

591. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government if mortgage protection insurance is a mandatory requirement of the new first-time buyers council mortgage; if so, the reason therefor; and the nature of the policies required. [8121/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The local authority mortgage protection insurance (MPI) scheme is overseen by the Mortgage Protection Committee which is a sub-committee of the County and City Management Association (CCMA) and is representative of the CCMA, local authorities, the Housing Finance Agency and my Department. The local authority MPI scheme has applied to all house purchase loans approved by local authorities after 1 July 1986 including the new Rebuilding Ireland Home Loan introduced on 1 February 2018.

The Consumer Credit Act 1995 applied conditions on lenders which applied to local authorities as well as commercial lenders. Under section 126 of the Consumer Credit Act 1995 the lender is legally required to ensure that a prospective borrower has mortgage protection insurance in place before drawing down a mortgage. Where a lender offers a particular policy sub-section 2(d) of section 126 of the Act provides that the borrower can source an alternative policy to suit their needs. However, sub-section 2(d) does not apply to local authorities.

One of the conditions of the scheme, which is a group policy, is that it is obligatory for all local authority borrowers who meet the eligibility criteria to join the scheme. Altering this condition would have a negative impact on the scheme and increase the cost for all existing bor-

rowers. The group policy is a commercial insurance product which is procured in accordance with EU procurement rules. A local authority housing loan applicant who is not eligible for the local authority MPI scheme must source a suitable comparable individual MPI policy from the market.

It is important to note that the local authority MPI scheme covers disability as well as death and that the disability cover is for the full period of the disability and not just 12 months as is the case in the majority of MPI policies available.

Standard MPI products are individually priced based on a member's age, amongst other factors, whereas the local authority MPI scheme is a group arrangement offering a single group rate per €1,000 sum assured to all participants in the scheme. Aside from the difference between an individual and a group rate, the following factors have the main influence on determining the price of the local authority MPI scheme:

- standard mortality and morbidity factors based on population actuarial statistics;
- the local authority borrowers' risk profile;
- the terms and conditions of the local authority MPI scheme and, in particular, the fact that all local authority housing loan borrowers are accepted without medical evidence;
- the claims experience of the local authority MPI scheme.

In determining the rate for the local authority MPI scheme, consideration was given to all of the above factors, and the procurement process that was undertaken reflected those requirements. It is important to also point out that there are a number of additional features of the local authority MPI scheme as follows:

- in the event of a claim, the insurance covers the amount of the mortgage repayable on death which is similar to standard MPI;
- the member's mortgage repayments are covered if there is a claim as a result of disability and not death; this additional feature is not included in standard MPI products;
- an extra cover of €3,000 is also provided in the event of a member's death, which is not included in standard MPI products;
- the local authority MPI scheme covers members to age 75 for death, while ordinary MPI is usually based on a ceasing age of 65 unless an older age is agreed and priced.

The Mortgage Protection Committee which oversees the scheme endeavours to achieve a balance between the most economic rate to be charged for the scheme and the benefits provided.

### **Irish Water Remit**

592. **Deputy Bríd Smith** asked the Minister for Housing, Planning and Local Government the functions and operations that are the remit and responsibility of Irish Water. [8133/18]

593. **Deputy Bríd Smith** asked the Minister for Housing, Planning and Local Government the reason Irish Water is reported to be refusing to undertake responsibility for works that are concerned with surface level water management. [8134/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 592 and 593 together.

Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels.

Section 7 of the Water Services (No. 2) Act 2013 provided for the transfer of water services functions, with some exceptions, of the city and county councils to Irish Water. Water services functions in Part 4A of the Act of 2007 (which relate to domestic waste water treatment systems) and Part 6 of the same Act (which relate to rural water services) did not transfer to Irish Water.

The provision, operation and maintenance of sewers, other than storm water sewers, are amongst the functions transferred to Irish Water. However, the operation and maintenance of storm water sewers remains a function of the local authorities. The operation and maintenance of road gullies is the responsibility of the relevant road authority under the Roads Act 1993.

### **Social and Affordable Housing Data**

594. **Deputy Catherine Connolly** asked the Minister for Housing, Planning and Local Government the number and location of homes built under the affordable homes scheme that remain unsold by county, in tabular form; the outstanding debt on those homes in relation to capital cost and interest accruing; and if he will make a statement on the matter. [8158/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The information requested is being compiled and will be forwarded to the Deputy in accordance with Standing Orders.

### **Mortgage Insurance**

595. **Deputy Thomas P. Broughan** asked the Minister for Housing, Planning and Local Government the parameters for mortgage protection for mortgages granted under the Rebuilding Ireland home loan scheme; the mortgage protection options open to these persons; and if he will make a statement on the matter. [8190/18]

596. **Deputy Thomas P. Broughan** asked the Minister for Housing, Planning and Local Government if he will report on the Rebuilding Ireland home loan scheme and mortgage protection options for mortgages; if a person with a mortgage is open to source appropriate and competitive mortgage protection from providers; his views on whether their consumer rights are being restricted; and if he will make a statement on the matter. [8191/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 595 and 596 together.

Mortgage protection insurance must be in place before a Rebuilding Ireland Home Loan is drawn down. The local authority mortgage protection insurance (MPI) scheme is overseen by the Mortgage Protection Committee, which is a sub-committee of the County and City Management Association (CCMA) and is representative of the CCMA, local authorities, the Housing Finance Agency and my Department. The local authority MPI scheme has applied to all house purchase loans approved by local authorities after 1 July 1986.

The Consumer Credit Act 1995 applied conditions on lenders which applied to local authorities as well as commercial lenders. Under section 126 of the Consumer Credit Act 1995 the lender is legally required to ensure that a prospective borrower has mortgage protection insurance in place before drawing down a mortgage. Where a lender offers a particular policy

sub-section 2(d) of section 126 of the Act provides that the borrower can source an alternative policy to suit their needs. However, subsection 2(d) does not apply to local authorities.

One of the conditions of the scheme, which is a group policy, is that it is obligatory for all local authority borrowers who meet the eligibility criteria to join the scheme. Altering this condition would have a negative impact on the scheme and increase the cost for all existing borrowers. The group policy is a commercial insurance product which is procured in accordance with EU procurement rules. A local authority housing loan applicant who is not eligible for the local authority MPI scheme must source a suitable comparable individual MPI policy from the market.

It is not possible to compare standard mortgage protection insurance (MPI) products commercially available with the local authority MPI product. It is important to note that the local authority MPI scheme covers disability as well as death and that the disability cover is for the full period of the disability and not just 12 months as is the case in the majority of MPI policies available.

Standard MPI products are individually priced based on a member's age, amongst other factors, whereas the local authority MPI scheme is a group arrangement offering a single group rate per €1,000 sum assured to all participants in the scheme. As a result, it would not be valid to attribute the difference in cost between this scheme and standard MPI to any one issue as this is not comparing like with like. Aside from the difference between an individual and a group rate, the following factors have the main influence on determining the price of the local authority MPI scheme:

- standard mortality and morbidity factors based on population actuarial statistics;
- the local authority borrowers' risk profile;
- the terms and conditions of the local authority MPI scheme and, in particular, the fact that all local authority housing loan borrowers are accepted without medical evidence;
- the claims experience of the local authority MPI scheme.

In determining the rate for the local authority MPI scheme, consideration was given to all of the above factors, and the procurement process undertaken reflected those requirements. It is important to also point out that there are a number of additional features of the local authority MPI scheme, including:

- in the event of a claim, the insurance covers the amount of the mortgage repayable on death which is similar to standard MPI;
- the member's mortgage repayments are covered if there is a claim as a result of disability and not death; this additional feature is not included in standard MPI products;
- an extra cover of €3,000 is also provided in the event of a member's death, which is not included in standard MPI products;
- the local authority MPI scheme covers members to age 75 for death, while ordinary MPI is usually based on a ceasing age of 65 unless an older age is agreed and priced.

The Mortgage Protection Committee which oversees the scheme endeavours to achieve a balance between the most economic rate to be charged for the scheme and the benefits provided.

597. **Deputy Róisín Shortall** asked the Minister for Housing, Planning and Local Government the number of days to the expiry of a tenancy that a tenant must face to be eligible for the homeless HAP scheme; the rationale for the number of days; and the statutory basis for same. [8194/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Any household assessed as eligible for social housing is immediately eligible for housing support through the Housing Assistance Payment (HAP) scheme. Once a household has been deemed eligible for social housing support, it is a matter for the local authority to examine the suite of social housing supports available, including the HAP scheme, to determine the most appropriate form of social housing support for that household in the administrative area of that local authority. This function also includes determining when it is appropriate to refer a household for Homeless HAP Place Finder services.

The Homeless HAP supports and Place Finder Service have been operational since February 2015, across the four housing authorities in the Dublin Region, and are being implemented through the Dublin Region Homeless Executive (DRHE). The focus of the interventions remains the transitioning of qualified households from emergency accommodation, including hotels, into private rented tenancies. To qualify for these specific additional supports available to homeless households, a household must have been determined by the relevant local authority to be homeless within the meaning of section 2 of the Housing Act 1988. The operation of local homeless services, including the Place Finder Service is a matter for each local authority.

### **Water Meters Data**

598. **Deputy Catherine Murphy** asked the Minister for Housing, Planning and Local Government if new build commercial and residential structures are supplied with a water meter; the body responsible for its installation; and if he will make a statement on the matter. [8211/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels, pursuant to Section 7 of the Water Services (No. 2) Act 2013 which provided for the transfer to Irish Water of all water services functions conferred on the county and city councils by the Water Services Act 2007. Section 32 of the 2007 Act sets out responsibilities in respect of general water services functions and includes the installation and maintenance of meters.

Irish Water has produced Standard Details and a Code of Practice which outlines acceptable design and construction practices for contractors which must be adhered to, to connect to Irish Water infrastructure.

I am advised by Irish Water that according to this Code of Practice all new housing developments that are currently being completed by contractors are required to have a meter-ready boundary box installed. Before the establishment of Irish Water, local authorities also applied this requirement. This applies to new houses; houses where the refurbishment requires planning permission; and apartment blocks which will be fitted with bulk meters. These pre-installed meter-ready boundary boxes will enable Irish Water to fit meters in developments in a planned programme of works, consistent with recommendations made in the 2017 Report of the Joint Oireachtas Committee on the Future Funding of Water Services (JOCFFDWS), to allow for effective leak detection and conservation.

The Report of the JOCFFDWS, which was approved by both Houses of the Oireachtas,

includes a number of recommendations in relation to the continued use of metering to support water conservation, to reduce leakages and to ensure compliance with the Water Framework Directive. My Department continues to work with Irish Water and the Commission for Regulation of Utilities to ensure that effective water conservation arrangements are reflected in investment plans and connection policies.

In respect of non-domestic properties, local authorities previously had responsibility for the installation of water meters, and they continue to do so on behalf of Irish Water.

### **Local Authority Housing Maintenance**

599. **Deputy Seán Crowe** asked the Minister for Housing, Planning and Local Government the amount each local authority has budgeted for repair and maintenance of its housing stock in each year for the past four years; and the amount of housing stock each has in tabular form. [8226/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Section 58 of the Housing Act 1966 provides that the management and maintenance of local authority housing stock is a matter for each individual local authority. This includes the implementation of planned maintenance programmes and carrying out of responsive repairs and pre-letting repairs. My Department does not, therefore, retain the information sought by the Deputy.

Regarding the number of houses that are owned by local authorities, the National Oversight and Audit Commission (NOAC), in their annual reports on Performance Indicators in Local Authorities, publishes a range of information in relation to social housing stock, including the total number of dwellings in each local authority area. The most recent NOAC report containing this information shows almost 130,000 homes provided directly by Local Authorities and is available at the following link: <http://noac.ie/wp-content/uploads/2016/12/2015-PI-Report.pdf>.

### **Planning Data**

600. **Deputy Seán Crowe** asked the Minister for Housing, Planning and Local Government the number of times each local authority has been to court as plaintiff against unauthorised developments in the past four years in tabular form. [8227/18]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** My Department does not maintain the information sought. While planning statistics are compiled by each planning authority on an annual basis for collation and publication on my Department's website at the following link <http://www.housing.gov.ie/planning/statistics/planning-statistics-1>, these statistics do not include planning enforcement-related information, such as attendance at court for cases relating to unauthorised development.

### **Solar Energy Guidelines**

601. **Deputy Seán Crowe** asked the Minister for Housing, Planning and Local Government if solar farms need an environmental impact assessment before they can be built. [8228/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):**

The EU Environmental Impact Assessment (EIA) Directive specifies projects which, by virtue of their nature, size or location, are likely to have significant effects on the environment and should be subject to EIA. The Directive requires projects listed in Annex I of the Directive to be subject to mandatory EIA and provides that Member States may determine whether projects listed in Annex II of the Directive shall be subject to EIA.

Projects requiring an EIA by a planning authority or An Bord Pleanála (the Board), as appropriate, in respect of an application for planning consent are listed in Schedule 5 of the Planning and Development Regulations 2001 (the Regulations), which transposes the list of projects in Annexes I and II of the EIA Directive.

Proposals for individual renewable energy development projects may be subject to environmental impact assessment (EIA) as part of the planning process. Part 2 of Schedule 5 of the Regulations includes certain renewable energy development projects, such as wind energy projects and, in accordance with the Directive, certain thresholds have been set below which development need not necessarily be subject to EIA. EIA is also required in the consideration of planning applications, other than in the circumstances referred to above, where a development is likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7 of the Regulations.

At present, while solar farm development projects are not specifically listed as requiring assessment under the EIA Directive or under the Regulations, such development proposals may be required by a planning authority to undertake an environmental impact assessment, taking into account the criteria listed in Schedule 7 which include the characteristics of the proposed project having regard to its size, its cumulation with other development, pollution and nuisances, and the risk of accidents as well as the location of the proposed development having regard to the existing land use, the environmental sensitivity of the geographical area and the absorption capacity of the natural environment in the area of the proposed development.

### **Asbestos Remediation Programme**

**602. Deputy Seán Crowe** asked the Minister for Housing, Planning and Local Government the assistance his Department is providing to families that have asbestos on their property to help mitigate against its future harm. [8229/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** My Department does not have any grant available specific to the removal of asbestos from homes.

The Housing Adaptation Grant Schemes for Older People and People with a Disability provide a range of grants for necessary improvement works or adaptations to houses in order to facilitate the continued independent occupancy of their own homes by older people and people with a disability. These schemes cover works reasonably necessary for the purposes of rendering a house more suitable for the accommodation of applicants, and could in those circumstances include the removal of asbestos.

The schemes are administered by local authorities and it is a matter for each local authority to determine how the funding is apportioned between the various grant measures and to manage the operation of the schemes in their areas from within the capital allocations provided by my Department.

For private home owners, it is recommended that expert advice should be sought in dealing with asbestos materials and if removal is necessary it should only be done by a competent contractor with the required training.

## Water and Sewerage Schemes Status

603. **Deputy Robert Troy** asked the Minister for Housing, Planning and Local Government the status of an application to provide a group sewerage scheme (details supplied). [8243/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** My Department's Multi-annual Rural Water Programme 2016-2018 includes funding of group sewerage schemes, through Measure 4(d) where clustering of households on individual septic tanks is not a viable option, particularly from an environmental perspective.

Local authorities were invited in January 2016 to submit bids under the programme. The invitation envisaged no more than two demonstration group sewerage schemes being brought forward under the measure in any one year of the programme. The demonstrations will allow my Department, over the course of the programme, to determine the appropriate enduring funding levels and relationship with the current grant scheme. A proposed Group Sewerage Scheme for Marlinstown, Mullingar was included by Westmeath County Council in its bids under the measure. In total, 83 bids were received from 17 local authorities requesting funding under this measure.

An Expert Panel was convened by my Department to examine the 2016 bids from local authorities for projects under a number of the programme's measures, including 4(d) and to make recommendations to the Department on funding. The Panel recommended a priority list of demonstration schemes under this measure to my Department, which accepted the recommendations in full when approving the rural water allocation for 2016. The priority list recommended by the Panel did not include Marlinstown Group Sewerage Scheme.

As only two demonstration projects can be advanced in any given year and a priority list of new demonstration group sewerage schemes has already been identified for the duration of the programme, there is currently no scope for any additional schemes.

A copy of the Expert Panel's report and consideration of all proposals under the programme is available on my Department's website at the following link :

*<http://www.housing.gov.ie/water/water-services/rural-water-programme/group-water-schemes-and-rural-water-issues>.*

My Department will shortly initiate a short, focused review of the wider investment needs relating to rural water services, including the overall approach to funding rural water issues. The review will focus on governance, supervision and monitoring of the sector and the capital investment requirements. It is anticipated that the review group will engage with relevant stakeholders and will aim to complete its work by mid 2018. The process will inform preparations for a new multi-annual programme for the period 2019-2021.

## Mortgage Insurance

604. **Deputy Seán Haughey** asked the Minister for Housing, Planning and Local Government if his attention has been drawn to the fact that local authorities are insisting that applicants under the new Rebuilding Ireland home loan scheme take out mortgage protection which results in lower amounts being loaned to them; his views on whether it is appropriate for applicants to be obliged to take mortgage protection from local authorities which are also the mortgage advisers in similar cases; if his attention has been further drawn to the fact that local authorities are quoting more than three times the average amount which can be obtained elsewhere in the

market for mortgage protection; and if he will make a statement on the matter. [8275/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):**

The Rebuilding Ireland Home Loan is targeted at first time buyers who wish to own their own home, have access to an adequate deposit and have the capacity to repay a mortgage, but who are unable to access a mortgage sufficient for them to purchase their first home. It is a matter for local authorities, as lenders, to satisfy themselves that an applicant(s) has the borrowing and repayment capacity to cover all the costs involved in a house purchase. The amount to be loaned to an applicant is determined in accordance with the rules governing the loan and the associated statutory credit policy.

The local authority mortgage protection insurance (MPI) scheme is overseen by the Mortgage Protection Committee which is a sub-committee of the County and City Management Association (CCMA) and is representative of the CCMA, local authorities, the Housing Finance Agency and my Department. The local authority MPI scheme has applied to all house purchase loans approved by local authorities after 1 July 1986.

The Consumer Credit Act 1995 applied conditions on lenders which applied to local authorities as well as commercial lenders. Under section 126 of the Consumer Credit Act 1995 the lender is legally required to ensure that a prospective borrower has mortgage protection insurance in place before drawing down a mortgage. Where a lender offers a particular policy sub-section 2(d) of section 126 of the Act provides that the borrower can source an alternative policy to suit their needs. However, sub-section 2(d) does not apply to local authorities.

One of the conditions of the local authority scheme, which is a group policy, is that it is obligatory for all local authority borrowers who meet the eligibility criteria to join the scheme. Altering this condition would have a negative impact on the scheme and increase the cost for all existing borrowers. The group policy is a commercial insurance product which is procured in accordance with EU procurement rules. A local authority housing loan applicant who is not eligible for the local authority MPI scheme must source a suitable comparable individual MPI policy from the market.

It is not possible to compare standard mortgage protection insurance (MPI) products commercially available with the local authority MPI product, as the benefits differ significantly. For example, the local authority MPI scheme covers disability as well as death and the disability cover is for the full period of the disability, and not just 12 months as is the case in the majority of MPI policies available.

Standard MPI products are individually priced based on a member's age, amongst other factors, whereas the local authority MPI scheme is a group arrangement offering a single group rate per €1,000 sum assured to all participants in the scheme. As a result, it would not be valid to attribute the difference in cost between this scheme and standard MPI to any one issue as this is not comparing like with like. Aside from the difference between an individual and a group rate, the following factors have the main influence on determining the price of the local authority MPI scheme:

- standard mortality and morbidity factors based on population actuarial statistics;
- the local authority borrowers' risk profile;
- the terms and conditions of the local authority MPI scheme and, in particular, the fact that all local authority housing loan borrowers are accepted without medical evidence;
- the claims experience of the local authority MPI scheme.

In determining the rate for the local authority MPI scheme, consideration was given to all of the above factors, and the procurement process undertaken reflected that. It is important to also point out that there are a number of additional features of the local authority MPI scheme as follows:

- in the event of a claim, the insurance covers the amount of the mortgage repayable on death which is similar to standard MPI;
- the member's mortgage repayments are covered if there is a claim as a result of disability and not death; this additional feature is not included in standard MPI products;
- an extra cover of €3,000 is also provided in the event of a member's death, which is not included in standard MPI products;
- the local authority MPI scheme covers members to age 75 for death, while ordinary MPI is usually based on a ceasing age of 65 unless an older age is agreed and priced.

The Mortgage Protection Committee which oversees the scheme endeavours to achieve a balance between the most economic rate to be charged for the scheme and the benefits provided.

### **Local Authority Housing Waiting Lists**

605. **Deputy Richard Boyd Barrett** asked the Minister for Housing, Planning and Local Government if a decision to remove a family from the housing list due to temporarily exceeding the income thresholds is open to appeal; and if he will make a statement on the matter. [8276/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Local authorities are by law (Section 63(1) of the Local Government Act 2001) independent in the performance of their functions. The assessment of applicants and the provision of social housing support is entirely a matter for the local authority concerned in accordance with its allocation scheme. Management of the lists of qualified households awaiting accommodation, including the allocation and transfer of tenancies, is a matter for the relevant housing authority in accordance with Sections 20 and 22 of the Housing (Miscellaneous Provisions) Act 2009 and associated Social Housing Assessment and Allocation Regulations, respectively.

For the purpose of assessing households under the income eligibility criteria, the Social Housing Assessment Regulations 2011 (as amended) prescribe the maximum net income limits that can be set for each housing authority to be applied in assessing an applicant's eligibility for social housing support.

Income is assessed under the Household Means Policy, which applies in all housing authorities. Under the policy, net income for social housing assessment is defined as gross household income less income tax, PRSI and the universal social charge. The policy provides for a range of income disregards, and housing authorities also have discretion to disregard income that is temporary, short-term or once off.

The Social Housing Assessment Regulations 2011, as amended, prescribe maximum net income limits for each housing authority, in different bands according to the area, with income being defined and assessed according to a standard household means policy. The income bands and the authority area assigned to each band were based on an assessment of the income needed to provide for a household's basic needs plus a comparative analysis of the local rental cost of housing accommodation across the country. The limits also reflect a blanket increase of €5,000 introduced prior to the new system coming into operation, in order to broaden the base from

which social housing tenants are drawn and thereby promote sustainable communities.

I understand that many local authorities have internal complaints and appeals systems which may be used to appeal cases. However, the 2011 Regulations do not provide housing authorities with any discretion to exceed the thresholds that apply to their administrative areas.

### **Pyrite Remediation Programme**

606. **Deputy Joe Carey** asked the Minister for Housing, Planning and Local Government the advice he would give to persons in County Clare that are effected by pyrite on the best course of action to have the problem addressed; if the possibility of including these properties in the State pyrite remediation scheme will be examined; and if he will make a statement on the matter. [8412/18]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English) (Deputy Damien English):** The Pyrite Resolution Act 2013 provides the statutory framework for the establishment of the Pyrite Resolution Board and for the making of a pyrite remediation scheme to be implemented by the Board with support from the Housing Agency.

The provisions of the Act apply only to dwellings affected by significant damage attributable to pyritic heave consequent on the presence of reactive pyrite in the subfloor hardcore material and not to damage arising in any other circumstance, e.g. such as pyrite in concrete blocks.

The pyrite remediation scheme is a scheme of “last resort” for affected homeowners who have no other practical option to obtain redress and is limited in its application and scope. The full conditions for eligibility under the scheme are set out in the scheme which is available on the Board’s website, *www.pyriteboard.ie*.

The scheme is applicable to dwellings, which are subject to significant damage attributable to pyritic heave established, in accordance with I.S. 398-1:2013 - Reactive pyrite in sub-floor hardcore material – Part 1: Testing and categorisation protocol. In this regard, it is a condition of eligibility under the scheme that an application to the board must be accompanied by a building condition assessment with a damage condition rating of 2. Dwellings which do not have a damage condition rating of 2 are not eligible to apply under the scheme. This ensures that, having regard to the available resources, the focus of the scheme is on dwellings which are most severely damaged by pyritic heave. I have no proposals to amend this eligibility criterion.

As matters currently stand, the position is that the scheme is based on the information that was available to the Board at the time of its adoption in February 2014 and having regard to the detail set out in the Report of the Pyrite Panel (July 2012).

The panel undertook a desktop study, in conjunction with a stakeholder consultation, to establish certain facts in relation to the potential exposure of pyrite in dwellings. The information was gathered from a number of sources including local authorities, structural guarantee providers, representatives of homeowners, private builders, construction professionals and public representatives and was cross referenced to verify, as far as practicable, its validity.

Seventy four estates were identified to the Pyrite Panel, as possibly having pyrite. At that time all of these estates were located in the five local authority areas of Dublin City, Fingal, Kildare, Meath and Offaly, although the scheme was subsequently amended in February 2015 in the light of relevant information that emerged in the local authority areas of Dun Laoghaire-Rathdown and South Dublin with regard to pyritic heave in a small number of housing develop-

ments, i.e. one development in each of the two local authority areas.

Any proposal to amend the scheme is, in the first instance, a matter for the pyrite resolution board and any such proposal would require detailed consideration of the evidence. The recommendations of the pyrite panel, which informed the establishment of the pyrite remediation scheme, were premised on a number of pertinent factors. I would support the view that similar factors would need to be examined by the Pyrite Resolution Board in advance of extending the scheme to other areas, given the scheme is ultimately one of last resort.

As a minimum, in order to consider the appropriateness or otherwise of amending the scheme, I understand that the Board would require a report addressing the following information: -

- the extent and severity of damage to dwellings in the local authority area caused by pyritic heave in the subfloor hardcore;
- verification, if available, that the damage has been caused by pyrite;
- the background to the occurrence of the damage;
- details of any structural warranty policies for the dwellings;
- the history of the estate's construction, numbers, type of dwellings etc;
- the source of the hardcore supplied to dwellings in the estate; and
- any supporting geological assessments.

In addition to the above, the board may also make such further enquiries as it considers necessary in order to assist it in considering the matter. In this regard, it would be advisable for the residents to confirm the nature of the pyrite problems in the area, i.e. do the problems stem from reactive pyrite in the subfloor hardcore material which is giving rise to pyritic heave and consequential significant pyritic damage.

The Board may be contacted by phone at Lo call 1890 252842 or by email to [info@pyrite-board.ie](mailto:info@pyrite-board.ie) or alternatively at [oireachtasinfo@pyriteboard.ie](mailto:oireachtasinfo@pyriteboard.ie)

### **Seaweed Harvesting Licences**

**607. Deputy Catherine Connolly** asked the Minister for Housing, Planning and Local Government the number and status of outstanding licence applications for seaweed harvesting; the number of licences granted in each of the past five years; the location, licensee, fees attached and term of the licence; the number in operation; and if he will make a statement on the matter. [8499/18]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English) (Deputy Damien English):** There are some 17 applications to harvest seaweed on hands in my Department that have yet to be determined. During the course of assessing the applications it became clear that certain rights to harvest seaweed exist. My Department is in the process of ascertaining, with the assistance of the Attorney General, the legal interface and relationship between these traditional harvesting rights and the current applications.

These applications, most of which are by companies, are effectively on hold until such time

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as my Department is in a position to bring clarity to the regulatory regime applying to the harvesting of wild seaweed. At that point the applications on hand will come before me for determination. Work on this complex legal issue is continuing and I hope to have made substantial progress on the matter in the second quarter of this year.

Two licences have been issued since 2013, details of which can be found at the following links:

*<http://www.housing.gov.ie/planning/foreshore/applications/raheen-environmental-limited>; and <http://www.housing.gov.ie/planning/foreshore/applications/bioatlantis-ltd>.*

### **Water and Sewerage Schemes**

608. **Deputy Peter Burke** asked the Minister for Housing, Planning and Local Government if relief measures will be put in place for individual members of group water schemes in view of the discontinuation of the domestic water charging regime; and if he will make a statement on the matter. [8617/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I refer to the reply to Question No. 680 of 13 February 2018. The position is unchanged.

### **Ministerial Communications**

609. **Deputy Mary Lou McDonald** asked the Minister for Housing, Planning and Local Government further to Parliamentary Questions Nos 698, 699 and 700 of 13 January 2018, if following a High Court judgment (details supplied) regarding libel he will revoke his predecessors public statement on 24 April 2013 which includes the same selected excerpt from a report as used by a council. [8635/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The public statement of my predecessor and the associated report were not the subject of the High Court judgment referred to in the details supplied by the Deputy.

The case in question concerned a statement made in a press release issued by the Council on 23 April 2013. The plaintiffs brought proceedings against the council claiming that the last paragraph of the press release was defamatory towards them. This paragraph stated that a delay in sanctioning a loan to purchase a site, caused by the need to carry out an independent review as a result of allegations made by the plaintiffs, had resulted in a loss to the Council of circa €200,000 in respect of interest foregone and administrative costs.

No such statement was made by my predecessor nor is it made in the report. Against that background, I see no basis for taking the step referred to.

### **Departmental Properties**

610. **Deputy Róisín Shortall** asked the Minister for Housing, Planning and Local Government the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of or part ownership of or under the control of both his Department and agencies under his remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if he will make a statement on the matter. [8668/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** My Department does not own, either in whole or in part, or control any dwellings.

The information requested in relation to bodies under the aegis of my Department is a matter for the individual bodies concerned. Arrangements have been put in place by each agency to facilitate the provision of information directly to Members of the Oireachtas. The contact email address for each agency is set out in the table.

Agency	Email address
An Bord Pleanála	Oireachtasqueries@pleanala.ie
Ervia, Gas Networks Ireland	oireachtas@ervia.ie
Housing Finance Agency	oireachtas.enquiries@hfa.ie
Housing Sustainable Communities Agency	publicreps@housingagency.ie
Irish Water	oireachtasmembers@water.ie
Local Government Management Agency	corporate@lgma.ie.
Ordnance Survey Ireland	Oireachtas@osi.ie
Property Registration Authority	reps@prai.ie
Pyrite Resolution Board	oireachtasinfo@pyriteboard.ie
Residential Tenancies Board	OireachtasMembersQueries@rtb.ie
Valuation Office	reps@valoff.ie

### Seaweed Harvesting Licences

611. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government further to Parliamentary Question No. 660 of 13 February 2018, the County Clare coastline that could potentially be affected by plans to sell the harvesting rights of kelp disk seaweed to a company (details supplied) in percentage terms. [8771/18]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English) (Deputy Damien English):** As I outlined in the reply to Question No. 660 of 13 February 2018, the role of my Department in relation to seaweed harvesting is to regulate the activity in accordance with the Foreshore Act 1933, as amended. The Act provides that a licence may be granted to remove beach material, including seaweed. Any licence granted would be temporary in nature. The Foreshore Act does not include any mechanism under which harvesting rights may be sold to any third party.

### Road Network

612. **Deputy Jackie Cahill** asked the Minister for Housing, Planning and Local Government if the required funding will be made available to Tipperary County Council for the provision of infrastructure to provide pedestrian and cyclist access to the new ETB apprentice training centre at Archerstown, Thurles, County Tipperary from the N62 junction at Turtulla Cross; and if he will make a statement on the matter. [8785/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The funding of roads infrastructure generally is a matter for my colleague, the Minister for Transport, Tourism and Sport.

My Department is not in receipt of any request for funding in respect of roads infrastructure at Archerstown, Thurles, County Tipperary.

While my Department will be issuing a call shortly for proposals under the second round of the Local Infrastructure Housing Activation Fund, it will be for Tipperary County Council to decide whether the roads infrastructure referenced by the Deputy facilitates the early delivery of housing, in line with the general objectives of the Fund, and whether to submit a proposal to my Department in this regard.

### **Water Services Infrastructure**

613. **Deputy Kevin O’Keeffe** asked the Minister for Housing, Planning and Local Government the number of dwellings per development which have sought planning permission from their respective local authorities but cannot proceed to development due to the fact Irish Water is not in a position to permit a connection to the respective public sewers in each local authority, in tabular form. [8798/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** While planning statistics are compiled by each planning authority on an annual basis for collation and publication on my Department’s website at the following link: <http://www.housing.gov.ie/planning/statistics/planning-statistics-1>, my Department does not gather or publish the information sought by the Deputy.

Irish Water is focused on growth activities supporting economic development, including supporting housing development, through investment in the network and treatment plants in respect of water and waste water. Developers are encouraged to contact Irish Water with a pre-connection enquiry as early as possible in their project. The pre-connection enquiry process enables a developer to obtain upfront knowledge of whether a connection is technically feasible or not, as well as an indication of the works required to facilitate the connection. Irish Water also engages with planning authorities in prioritising infrastructure in support of housing development and delivering this in the shortest possible time.

### **Housing Adaptation Grant Data**

614. **Deputy Jan O’Sullivan** asked the Minister for Housing, Planning and Local Government further to Parliamentary Question No. 670 of 13 February 2018, the funding allocated to each local authority for council tenants under the housing adaption grant scheme for older persons, in tabular form; and if he will make a statement on the matter. [8800/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** My Department provides funding under the disabled persons grant, DPG, scheme to local authorities for adaptations and extensions to the existing social housing stock to meet the needs of local authority tenants. The scheme applies to adaptations that are necessary to address the needs of older people or people with a disability who may require stair-lifts, grab-rails, showers, wet-rooms or ramps etc. My Department also provides funding for extensions that might arise in relation to overcrowding or to facilitate the installation of a downstairs bedroom or bathroom. 90% of the cost is provided by my Department, with local authorities covering the remaining 10% from within their own resources.

The funding provided by my Department to local authorities for the scheme in 2017 is set out below:

Local Authority	Expenditure (€)
Carlow County Council	417,351
Cavan County Council	406,099
Clare County Council	545,234
Cork City Council	2,521,106
Cork County	845,634
Donegal County Council	304,047
Dublin City Council	1,897,701
Dun Laoghaire/Rathdown County Council	454,678
Fingal County Council	255,253
Galway City	38,389
Galway County Council	346,344
Kerry County Council	325,857
Kildare County Council	765,384
Kilkenny County Council	314,792
Laois County Council	100,645
Leitrim County Council	79,447
Limerick City and County Council	602,628
Longford County Council	26,479
Mayo County Council	337,090
Meath County Council	239,286
Monaghan County Council	143,227
Offaly County Council	289,365
Roscommon County Council	11,507
Sligo County Council	500,222
South Dublin County Council	511,758
Waterford City and County Council	321,239
Westmeath County Council	149,787
Wexford County Council	404,482
Total	13,155,034

### National Monuments

615. **Deputy Thomas Byrne** asked the Minister for Culture, Heritage and the Gaeltacht her plans to increase amenities on the Hill of Tara; and her views on the lack of parking and other vital services at this location. [8090/18]

618. **Deputy Thomas Byrne** asked the Minister for Culture, Heritage and the Gaeltacht when a report that was commissioned by her Department on the conservation and management of the Hill of Tara will be published; and her views on whether there is a need for increased services, for example, more parking and toilet facilities at this location. [8125/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** I propose to take Questions Nos. 615 and 618 together.

I refer the Deputy to my reply to Parliamentary Question No. 69 on 23 January 2018.

## **Turf Cutting Compensation Scheme Applications**

616. **Deputy Michael Healy-Rae** asked the Minister for Culture, Heritage and the Gaeltacht the status of an application by a person (details supplied) to cut their bog; and if she will make a statement on the matter. [8239/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** An application for compensation under the cessation of turf cutting compensation scheme has been received by my Department from the individual referred to in the Deputy's Question. With respect to 36 raised bog natural heritage area sites, the qualifying criteria for the scheme are that:

- The applicant must have had a legal interest (ownership or a turbary right (right to cut turf)) in one of these sites 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 14 January 2014;
- The turf resource on the site has not been exhausted; and
- No turf cutting or associated activity is ongoing on the property.

My Department is examining the application in view of the qualifying criteria for the scheme. I am advised that contact has recently been made with the applicant with a view to establishing the bog plot that he was cutting on. My Department will be in a position to further process the application when this information is received.

## **Deer Culls**

617. **Deputy John Brassil** asked the Minister for Culture, Heritage and the Gaeltacht the status of a deer management plan for Killarney National Park, County Kerry; and if she will make a statement on the matter. [8101/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** I refer the Deputy to the Topical Issues debate on this matter in this House on Wednesday last, 14 February. As part of its regular on-going management operations, the Department carries out localised annual deer counts on State lands, when appropriate.

Deer have the potential to impact significantly on woodlands, including the iconic yew, oak and also wet woodlands, within the Park, e.g. by bark stripping of mature trees and preventing regeneration.

The Department commissioned a comprehensive survey and report in the winter of 2016 on the distribution, population density and population structure of red deer and sika deer in KNP. The study found that the total estimated red deer density over the entire study area of 13.64km<sup>2</sup> was some 708 deer.

A further census of areas of the park was commissioned by NPWS Southern Division and conducted in spring 2017.

As part of the Department's ongoing proactive management of the habitats and species in Killarney National Park, during 2018 it is proposed to conduct a Killarney National Park Deer Census. This work will be undertaken by external specialists. It is hoped to initiate this process shortly.

Question No. 618 answered with Question No. 615.

### National Parks

619. **Deputy John Brassil** asked the Minister for Culture, Heritage and the Gaeltacht the progress that has been made to control the spread of rhododendron in Killarney National Park; and if she will make a statement on the matter. [8129/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** My Department is committed to tackling the spread of invasive species in Killarney National Park, most particularly *Rhododendron ponticum*, the control of which is difficult, costly, and labour intensive. The Deputy will be aware that my Department has, for many years, pursued a very vigorous multi-faceted approach to the control of rhododendron in Killarney National Park.

The strategy and programmes forming our approach to tackling this invasive species are based upon sound science and are subject to monitoring, periodic review and adaptation. The Department is committed to continuing this work with ongoing monitoring and review importantly ensuring it is informed by scientific basis. In 2017 the Department spent nearly €300k, a significant portion of its national budget, on the eradication of rhododendron in Killarney National Park.

The Department has in its employ a number of specialist staff who advise and report on the Rhododendron management in Killarney National Park. In the past, approximately 3,000 of the over 10,000 hectares in Killarney National Park were, to some extent, affected. The Department remains of the opinion that the existing management programme has made significant inroads into the problem with approx. 2,000 of the 3,000 hectares, involving some 40 different sites, under effective control.

The on-going programme of works, at this time, is comprised of four primary elements;

1. the initial clearance and follow-up maintenance work by contractors;
2. on-going maintenance work by volunteers and students;
3. a Rhododendron eradication management contract; and,
4. on-going work by NPWS staff including co-ordination, research, and monitoring.

### National Parks and Wildlife Service Staff

620. **Deputy John Brassil** asked the Minister for Culture, Heritage and the Gaeltacht her views on whether staffing levels are adequate to manage the spread of rhododendron and control deer numbers in Killarney National Park; and if she will make a statement on the matter. [8137/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** Management of invasive species such as *Rhododendron Ponticum* and management of deer within Killarney National Park are two of a large number of actions and interventions carried out by field staff of my Department on an ongoing basis. Of my Department's total staff, I understand that some 330 work in the area of natural heritage through the National Parks and Wildlife Service (NPWS) of my Department. In addition, my Department takes on in the region of 70 seasonal staff during the year to assist the NPWS. Frontline conservation Rangers are deployed

through a regional structure and assignments are determined in light of Departmental business needs and priorities.

Staffing levels across my Department are kept under regular review in line with emerging business needs and Government policy on public sector pay and staffing as advised by the Department of Public Expenditure and Reform. Within this staffing context, in addition to conservation management work such as the activities mentioned by the Deputy, officials of my Department carry out scientific research, survey work and monitor compliance with national and European law in relation to nature conservation across the country. They conduct patrols and site visits to enforce the various provisions of national and EU legislation, as required, and many of these officers carry out work in more than one county. They also investigate, for example, reports of breaches of legislation including illegal snaring or ‘digging out’ of badgers, as well monitoring compliance at coursing events etc.

With specific regard to the issues of rhododendron and deer management raised by the Deputy, my Department is committed to addressing such activities and has robust management programmes in place. Killarney National Park is managed on an ongoing and proactive basis by experienced NPWS regional management, in line with IUCN principles, the Wildlife Act and EU Law with regard to habitats and species.

My Department has for many years pursued a very vigorous multi-faceted approach to the control of Rhododendron in Killarney National Park. The strategy and programmes forming our approach to tackling this invasive species are based upon sound science and are subject to monitoring, periodic review and adaptation. The Department is committed to continuing this work with ongoing monitoring and review importantly ensuring it is informed by scientific basis. In 2017 the Department spent nearly €300,000, a significant portion of its national budget, on the eradication of rhododendron in Killarney National Park.

The Department has in its employ a number of specialist staff - including one person specifically dedicated full time to its rhododendron management programme - who advise and report on the rhododendron management in Killarney National Park. In the past, approximately 3,000 of the over 10,000 hectares in Killarney National Park were, to some extent, affected. The Department remains of the opinion that the existing management programme has made significant inroads into the problem with approximately 2,000 of the 3,000 hectares, involving some 40 different sites, under effective control.

The on-going programme of works, at this time, is comprised of four primary elements:

1. the initial clearance and follow-up maintenance work by contractors;
2. on-going maintenance work by volunteers and students;
3. a Rhododendron eradication management contract; and,
4. on-going work by NPWS staff including co-ordination, research, and monitoring.

With regard to deer, the Deputy will be aware that my Department staff proactively manage the deer population within the National Park on an ongoing basis as part of their regular, routine conservation management practices. There is a significant challenge in attempting to balance the demands of agriculture, forestry and conservation with the need to ensure that deer populations occupying the same land resources are managed at sustainable levels, and in a responsible and ethical manner. Ultimately, however, where deer species are increasing in range and numbers, depending on the annual count and instances of damage caused by deer to habitats (especially woodland), culls need to be carried out to ensure that deer populations do not reach levels that would have negative ecological consequences. The Deputy will be aware my De-

partment's regional NPWS staff have conducted several such culls in recent years.

### Hare Coursing Regulation

621. **Deputy Clare Daly** asked the Minister for Culture, Heritage and the Gaeltacht if her attention has been drawn to the fact that a club (details supplied) held a meeting in adverse weather conditions on 11 February 2018 putting the welfare of the dogs and hares at risk; and if her Department will review licensing conditions to take into consideration adverse weather conditions that compromise the safety and welfare of the animals that are exploited for the purposes of hare coursing events. [8231/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** It is my understanding that the Deputy is referring to the National Coursing Meeting held on 10th, 11th and 12th February last. This coursing meeting was monitored by officials from the National Parks and Wildlife Service (NPWS) of my Department on each of the three days of the meeting. In addition, officials of my Department monitored the trials for this meeting. The officials have reported that they did not find any issues of concern relating to the conditions of the licences granted to the ICC. This monitoring report will be published on the NPWS website in due course.

### Wildlife Conservation

622. **Deputy Clare Daly** asked the Minister for Culture, Heritage and the Gaeltacht her views on the increased reports of a shortage of hares; and the actions her Department will take to honour EU directive 92/43/EEC which directs that the State maintain a hare population at a favourable conservation level. [8232/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** EU Directive 92/43/EEC (the Habitats Directive) requires Ireland to make a detailed report every six years on the conservation status of all listed species, including the hare. Ireland's most recent report in 2013 included a comprehensive assessment of the range, population status, habitat and threats for the Irish hare. The report can be downloaded at <https://www.npws.ie/article-17-reports-0/article-17-reports-2013>. The next report is due in 2019.

The 2013 report stated that the Hare is found throughout the country from coastal habitats to upland heath and bog. The Hare is widespread and common in Ireland with a broad habitat niche. None of the identified threats are considered likely to impact on its conservation status in the foreseeable future and the Overall Conservation Status was assessed as Favourable.

In addition to the reporting requirements of the EU Habitats Directive, data on the distribution of the hare is being collected continuously by the National Biodiversity Data Centre and the recent Atlas of Mammals in Ireland 2010-2015 provided a summary of the species' range, demonstrating that it remains widespread across the country.

My Department recently commissioned a new assessment of the status of hare's population in Ireland. The survey work to inform this population assessment will extend over two years to provide for a comprehensive review of the national situation. The first round of surveys began in December 2017, with a second survey season to follow in winter 2018/19. The final report is due in July 2019.

**EU Directives**

623. **Deputy Clare Daly** asked the Minister for Culture, Heritage and the Gaeltacht if information will be provided on matters (details supplied) further to the award of the contract for a review of the derogation process under Article 9(a) of the EU birds directive. [8571/18]

624. **Deputy Clare Daly** asked the Minister for Culture, Heritage and the Gaeltacht if information on matters (details supplied) will be provided further to the review of the derogation process under Article 9(a) of the EU birds directive for the protection of public health and safety and in view of her Department's previously stated non-competence in matters of public health and safety. [8572/18]

625. **Deputy Clare Daly** asked the Minister for Culture, Heritage and the Gaeltacht if the review of the derogation process under Article 9(a) of the EU birds directive will be completed in time to inform the 2018 derogation declaration, which is normally published on or before 30 April each year; and if not, her plans in regard to the derogation declaration due to be made on 1 May 2018. [8573/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** I propose to take Questions Nos. 623 to 625, inclusive, together.

My Department is currently undertaking a review of the derogation process under Article 9 of the EU Birds Directive which will take account of all relevant factors, including perceived threats, distribution and population data available in respect of all the bird species in the derogations. ANIAR Ecology were recently appointed by my Department to undertake the review following a public tendering process. The Terms of Reference for the review include

1. Review the existing General and Air Safety Declarations (2017/18) including species covered, time periods covered, geographic areas covered, reasons stated for inclusion and methods of control and having examined and taking account of

i. Relevant National and European legislation

ii. Information available on bird species which are included in the current declarations and any other bird species proposed to be included in the Declarations in the future, including information on population and population trends of, distribution of, and threats to such species

iii The extent to which such bird species give rise to issues in relation to

1. Public health and safety

2. Air safety

3. Serious damage to crops, livestock, forests, fisheries or water

4. Protection of flora or fauna.

2. Recommend in relation to 2018/19 and future years which bird species should be included in the annual Declarations with in relation to each case, the reasons for recommending inclusion in accordance with legislation, which time periods should be covered, which geographic areas should be covered, and which control methods are appropriate. Also where species included in the current (2017/18) Declarations are not being recommended for inclusion in 2018/19, outline reasons for this.

3. Recommend guidance and criteria for use by the Department for future annual reviews of the General Declaration and the Air Safety Declaration.

Further details in relation to the Terms of Reference and information on the deliverables are included in the Request for Tender Document (Tender No. 123861) available on the Government e-tenders website at

*www.etenders.gov.ie.*

Among other issues the consultants will consider public health and safety issues in the context of the derogation process and will also review the position in other EU countries.

The contract is for a period of five months with the final report scheduled for mid-June 2018. An interim report is due from the consultants by April 2018 to include recommendations in respect of the derogation process including in relation to the 2018/19 declarations.

It is my understanding that the consultants have commenced a consultation process with relevant stakeholders with a wider and more detailed public consultation process will commence following the completion of the interim report.

### **Ferry Services**

626. **Deputy Mick Barry** asked the Minister for Culture, Heritage and the Gaeltacht if the decision to replace the ferry to Tory Island built in 1992 with a 1976 built model will be reviewed; and if she will make a statement on the matter. [8652/18]

**Minister of State at the Department of Culture, Heritage and the Gaeltacht (Deputy Joe McHugh):** My Department provides funding for passenger and ferry services to Ireland's inhabited offshore islands, including Toraigh. It also has a range of supports in place for the island, in the context of its responsibility to support our offshore islands, but also in support of the Gaeltacht community.

In 2017, my Department ran an open tender competition, in accordance with public procurement rules, for the provision of a passenger and light cargo ferry service for Toraigh Island. At the early stages of this process, I, along with officials from my Department, met with representatives from Tory Island Co-op. The islanders requested that it be a condition of the new contract that the duration of the journey would be no longer than 30 minutes. This request was deemed impractical as to be this specific in a tender document could result in no tenders being received in a very limited market.

Two tenders were received and, following evaluation, the contract for this service was awarded to the company, Réalt na Maidne Teo, using the vessel, MV Queen of Aran. This contract will come into effect from 1 April 2018 and run for a 5 year period. While this vessel is, indeed, older than the one currently used on the service, it is currently undergoing a full refit, in consultation with the Marine Survey Office (MSO) of the Department of Transport, Tourism and Sport which has statutory responsibility for the safety of passenger vessels in Ireland.

Once in operation, the new service will be a considerable improvement on that currently provided:

- The vessel will have a newly installed lift for passengers with impaired mobility.
- The vessel will be faster than the current vessel and carry more passengers
- A dedicated bus service will be provided between An Bun Beag and Machaire Rabhartaigh on days when it cannot dock at the latter pier. Previously, islanders had to arrange taxis from An Bun Beag to Machaire Rabhartaigh.

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- The operator will provide additional cargo services as part of the contract.

The Department of Culture, Heritage and the Gaeltacht has long recognised that Toraigh is unique among the offshore islands. In addition to ferry services, in 2016, the Department agreed to fund additional winter time helicopter services to Toraigh, moving from a fortnightly to a weekly service.

There has been continuous contact between myself, my Department and representatives of Comharchumann Thoraí in relation to this issue. I have met with representatives from the island on a number of occasions - September 2017, at a public meeting in Toraigh on 12 January 2018, again on 2 February, to discuss the commencement of the contract and islanders' concerns.

Recognising the concerns expressed by islanders, my Department has offered a number of options for future ferry services to Toraigh. These include:

- The building of a new vessel to service the island, or the purchase of a new vessel
- Development of the pier at Machaire Rabhartaigh in order to accommodate any new ves.

Subsidising the provision of a separate fast ferry service for the island to supplement the new service scheduled to commence on 1st April 2018, its existing heavy cargo service and the island's weekly winter air service. This fast ferry service would require a small boat with a capacity of between 12 and 20 passengers, operating alongside the main service and the island's subsidised weekly winter air service.

These options have been presented to the representatives from the co-op, who have agreed to consider them and revert to my Department in due course.

At every stage of this process, I have reiterated my commitment to pursuing these options. I would point out that with the exception of the complementary fast ferry service, the options of a newly built, or a newly purchased vessel, and the associated developments at Machaire Rabhartaigh pier will take time to progress. The Deputy will also be pleased to learn that the development of the pier at Machaire Rabhartaigh and the provision of a new passenger vessel for the island has been included in the new National Development Plan, Project Ireland 2040, announced last week.

In the meantime, the Department has in place a legal contract to commence the new ferry service provided by Réalt na Maidne Teo on 1 April 2018.

### **Departmental Properties**

627. **Deputy Róisín Shortall** asked the Minister for Culture, Heritage and the Gaeltacht the number of vacant habitable dwelling units and vacant derelict residential dwelling units in the ownership of or part ownership of or under the control of both her Department and agencies under her remit; the county in which each unit is located; the length of time each unit has been vacant, in tabular form; and if she will make a statement on the matter. [8661/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** I refer the Deputy to my response to Parliamentary Question No. 1921 of 16 January, 2018.

