

## 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 18, inclusive, answered orally.*

*Questions Nos. 19 to 58, inclusive, resubmitted.*

*Questions Nos. 59 to 63, inclusive, answered orally.*

### Defence Forces Deployment

64. **Deputy Niamh Smyth** asked the Taoiseach and Minister for Defence his plans for the reinstatement of troops in the Border counties in view of Brexit; and if he will make a statement on the matter. [48210/18]

65. **Deputy Niamh Smyth** asked the Taoiseach and Minister for Defence his plans to reintroduce a new Army barracks or Defence Forces base in counties Cavan and Monaghan or the greater Border region in view of Brexit and the possible reintroduction of a hard Border; and if he will make a statement on the matter. [48211/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I propose to take Questions Nos. 64 and 65 together.

As part of a whole of Government approach, my Department is engaged in forward planning with the other Departments involved in addressing all issues relevant to the UK's decision to leave the European Union. This engagement involves the identification of key strategic, operational and policy issues arising from Brexit.

As I have said in response to this question in the past, the UK's decision to leave the EU does not of itself give rise to additional border control requirements and accordingly there is no reason to revisit previous decisions on the location of military installations across the country, including in the border region. The avoidance of a hard border on the island is fundamental to the draft Brexit agreement reached last week between the EU and the UK government. As such, there are no plans to reintroduce a new Army barracks or Defence Forces base in counties Cavan and Monaghan or the greater Border region.

Furthermore, and as I have also outlined previously in this regard, it is important to note that primary responsibility for the internal security of the State rests with the Minister for Justice and Equality and An Garda Síochána. Accordingly, responsibility for the security aspect of border control rests with An Garda Síochána, while the Revenue Commissioners also have responsibilities relating to their particular mandate.

Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of Aid to the Civil Power which, in practice, means to provide assistance and support to An Garda Síochána when requested to do so. The Defence Forces also provide support to the

Revenue Commissioners, again, when requested to do so.

There is ongoing close liaison between An Garda Síochána and the Defence Forces regarding security matters and regular coordination and liaison meetings take place. My Department will of course continue to monitor the ongoing situation to ensure that both it and the Defence Forces are fully prepared to address any potential issues that might arise in the defence area as a consequence of Brexit.

*Questions Nos. 66 to 68, inclusive, answered orally.*

### **Defence Forces Medical Services**

69. **Deputy Mick Wallace** asked the Taoiseach and Minister for Defence the status of efforts to recruit a psychiatrist to the Defence Forces medical corps; if he is satisfied that Defence Forces members receive adequate mental health supports; and if he will make a statement on the matter. [48213/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** A review of the Defence Forces psychiatric service recommended the employment of a full time military psychiatrist. The previous incumbent providing these services to the Defence Forces on contract retired in May 2018 while arrangements were being made to implement this recommendation.

In the intervening period, patients presenting to Defence Forces Primary Carers (Medical Officers or contracted civilian GPs) with a requirement for urgent psychiatric assessment are referred to HSE A&E Departments. Here they are assessed by the duty on-call psychiatric staff who triage referrals and these patients will either be admitted for in-patient care or referred onward to HSE outpatient psychiatric services where appropriate.

To continue to provide an interim in-house service until such time as the military psychiatrist position could be filled, efforts were made to engage a locum psychiatrist. However, this proved to be unsuccessful.

Subsequently, it was agreed to launch a procurement process to contract a third-party private service provider for psychiatric services as a bridging arrangement pending the appointment of a locum or full time psychiatrist.

In addition, a direct entrant competition for the position of military psychiatrist was launched on 26th July 2018 and closed on 30th September 2018. No applications were received for this competition and further options are now under consideration as to how to proceed.

It must be stressed that there is no delay in referring patients requiring immediate psychiatric care or assessment. When presenting to HSE A & E Departments, those requiring hospitalisation are immediately admitted. For non-urgent outpatient cases the waiting time is approximately 3 months. In order to provide Defence Forces Primary Carers with the broadest range of options possible in dealing with the spectrum of cases that present to them, they have also been authorised to refer cases to local external private psychiatrists for outpatient treatment where deemed appropriate.

With regard to mental health supports generally, I can assure the Deputy that the health and welfare of the men and women of the Defence Forces is a high priority for me. Mental health services are part of a range of medical and non-medical services provided to ensure that Defence Forces personnel are medically fit to undertake the duties assigned to them.

In addition to the clinical supports I have already outlined, non-medical mental health services are provided by the Personnel Support Service (PSS). The PSS makes confidential services, including critical incident stress management, and psychosocial support available to all Defence Forces personnel through its network of Barrack Personnel Support Service Officers and occupational social workers at formation, unit and barrack level.

The PSS also supports contingents before, during and after overseas deployments and its trained personnel are deployed in response to any significant operational incidents at home or overseas. The service is also available to the families of serving personnel.

As additional support, my Department has arranged the provision of a confidential counselling, referral and support service, on a wide range of personal and work related issues, for serving members of the Defence Forces, civilian employees and Civil Defence members. A Freephone confidential helpline is available on a 24/7 basis 365 days a year and is staffed by fully-trained and experienced counsellors.

While I am satisfied that the available medical services offer comprehensive supports to Defence Forces members, I can assure the Deputy that they are kept under constant review.

### **Defence Forces Expenditure**

70. **Deputy Bríd Smith** asked the Taoiseach and Minister for Defence the amount of the budget in 2018 which will be taken by additional costs associated with PESCO related activities; and if he will make a statement on the matter. [48393/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Ireland joined Permanent Structured Cooperation (PESCO) in December, 2017 following Government and Dáil approval. As part of our participation in PESCO, Ireland has committed to regularly increase our defence budgets in real terms. It should be noted that regularly does not mean annually but rather over the medium term. The allocations for defence announced in the budget for 2019 mean that Ireland's defence expenditure will increase in real terms over the coming three years.

Joining PESCO does not involve an additional cost to the Exchequer. Additional costs may arise in respect of participation in specific PESCO projects similar to the case where the Defence Forces participate in European Defence Agency Projects. The projects where Ireland has confirmed our participation relate to the ongoing development of Defence Forces capabilities for peace support and crisis management operations. Costs associated with participation on these projects would be incurred in the normal course and will therefore be met from within the Defence Vote

As a participant in PESCO, Ireland is required to participate in one PESCO project. As identified in the Council Decision of 6th March establishing the first list of PESCO projects, I have confirmed Ireland's participation in two PESCO projects - (1) The European Union Training Mission Competence Centre and (2) Upgrade of Maritime Surveillance. Ireland also confirmed Observer status on 8 first round PESCO projects.

In relation to the second round of PESCO projects agreed this week at the Foreign Affairs Council, Ireland, while not committing to participating in any further projects, did confirm interest as Observer in the following 3 projects :

- Project EU Radio Navigation Solutions (EURAS)

- Counter Unmanned Aerial System (C-UAS)
- European UAS Competence, Education and Training Centre

At this stage, there have been no additional costs associated with PESCO related activities in 2018 other than costs associated with attendance by Defence Forces Subject Matter Experts at PESCO project planning meetings. This may change as capabilities are developed through the PESCO projects. However, it is expected that sharing the costs of capability development across a number of member States should prove cost neutral in terms of overall projected defence expenditure.

*Question No. 71 answered with Question No. 68.*

### Defence Forces Operations

72. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence the number of occasions each month in 2018 that Defence Forces personnel were involved in aid to civil power duties at Shannon Airport; the number involved; and the cost of same. [47822/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Department of Justice and Equality and An Garda Síochána have primary responsibility for the internal security of the State. Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of Aid to the Civil Power (ATCP) which, in practice, means to assist An Garda Síochána when requested to do so. On each occasion that the support of the Defence Forces is required, including at Shannon Airport, An Garda Síochána issues a form C70 to the Defence Forces to request their assistance.

The number of occasions that Defence Forces personnel were involved in aid to civil power duties at Shannon Airport from 1 January 2018 to 14 November 2018, by month; the number of deployments involved; and the cost of same are set out in the following tabular statement:

MONTH	DEPLOYMENTS	COST
JANUARY	13	€15,187.67
FEBRUARY	16	€13,767.80
MARCH	24	€15,316.59
APRIL	29	€14,890.18
MAY	21	€15,281.43
JUNE	47	€15,101.14
JULY	18	€15,246.27
AUGUST	45	€15,562.71
SEPTEMBER	27	€14,866.74
OCTOBER	19	€15,257.99
NOVEMBER (up to 14 Nov)	11	€14,679.22

For security reasons it would not be appropriate to disclose the details regarding the number of personnel assigned to each deployment.

I am satisfied that there is ongoing and close liaison between both An Garda Síochána and the Defence Forces, and between my Department and the Department of Justice and Equality

regarding security matters generally, including the Defence Forces ATCP roles.

*Questions Nos. 73 and 74 answered with Question No. 67.*

### **Military Aircraft Landings**

75. **Deputy Catherine Connolly** asked the Taoiseach and Minister for Defence the cost to date in 2018 to the Defence Forces of all foreign military aircraft landings here by location and number; and if he will make a statement on the matter. [48212/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The only costs accrued to the Defence Forces in relation to foreign military aircraft landings are when they assist An Garda Síochána in their Aid to the Civil Power (ATCP) role in Shannon Airport. Since 5 February 2003, the Gardaí have requested support from the Defence Forces at Shannon Airport on occasion. The cost of the presence of Defence Forces at Shannon Airport performing ATCP duties with regard to all military aircraft landing at Shannon Airport in 2018, up to 14 November 2018, is €165,157.74 for 270 deployments. For security reasons it would not be appropriate to disclose the details regarding the number of personnel assigned to each deployment.

These costs relate to security duty allowance paid to members of the Defence Forces, rations and fuel. The cost of ATCP operations are met entirely from the Defence Vote.

I am satisfied that there is ongoing and close liaison between both An Garda Síochána and the Defence Forces, and between my Department and the Department of Justice and Equality regarding security matters generally, including the Defence Forces ATCP roles.

### **Defence Forces Remuneration**

76. **Deputy Brian Stanley** asked the Taoiseach and Minister for Defence if his Department, in conjunction with the command structure within the Defence Forces, has reached a decision on improving the special allowances paid to soldiers. [48209/18]

77. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which pay and conditions for the Defence Forces continues to receive appropriate attention with particular reference to ongoing concerns in this regard; and if he will make a statement on the matter. [48350/18]

78. **Deputy Brian Stanley** asked the Taoiseach and Minister for Defence the progress made in addressing the low pay rates for lower ranked members of the Defence Forces. [48208/18]

86. **Deputy Bobby Aylward** asked the Taoiseach and Minister for Defence the steps being taken to ensure better pay and working conditions for members of the Defence Forces; the steps being taken to ensure appropriate supports are available to both current and former members of the Defence Forces who may be experiencing financial difficulties; if he is satisfied that recruitment methods are sufficient; and if he will make a statement on the matter. [48216/18]

92. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence the initiatives he has suggested to improve Defence Forces pay and conditions. [47824/18]

98. **Deputy Brendan Ryan** asked the Taoiseach and Minister for Defence if allowances and payments will be restored to Defence Forces personnel in line with the restoration of allowances to other public sector workers; if so, if the allowances will be restored prior to Christmas

to alleviate financial distress; and if he will make a statement on the matter. [48437/18]

99. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which issues relating to pay and conditions within the Defence Forces have been resolved or are under review; and if he will make a statement on the matter. [48627/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I propose to take Questions Nos. 76 to 78, inclusive, 86, 92, 98 and 99 together.

Similar to other sectors in the public service, the pay of Permanent Defence Force personnel was reduced as one of the measures to assist in stabilising national finances during the financial crisis.

The recovery in the economy has provided the fiscal resources to provide for a fair and sustainable recovery in public service pay scales.

Pay is being restored to members of the Defence Forces and other public servants in accordance with public sector pay agreements. The focus of these increases is weighted in favour of those on lower pay.

Members of the Permanent Defence Force have received the pay increases due under the Lansdowne Road Agreement. In addition in 2017, following negotiations with PDFORRA, improved pay scales for general service recruits and privates, who joined the Permanent Defence Force post 1 January 2013, were implemented.

In 2016, the Government established the Public Service Pay Commission to provide objective advice to Government in relation to Public Service pay policy. Following the publication of the Public Service Pay Commission report in May 2017, the Government initiated negotiations on an extension to the Lansdowne Road Agreement.

The Public Service Stability Agreement 2018-2020 provides for increases in pay ranging from 6.2% to 7.4% over the lifetime of the Agreement. The focus of these increases is weighted in favour of those on lower pay. The increases due from 1 January 2018 and 1 October 2018 have been paid to Permanent Defence Force personnel. Further increases in pay are scheduled for 2019 and 2020.

By the end of the current Public Service Pay agreement the pay of all public servants (including members of the Defence Forces), earning under €70,000 per annum, will be restored to pre FEMPI levels. The restoration of the 5% reduction to allowances cut under FEMPI is also scheduled in the agreement

New entrants who joined the Defence Forces since 2011, will also benefit from the measures which were recently announced in relation to interventions at points 4 and 8 of the relevant pay scales for all such new entrants to the public service. This measure, should it be accepted by the Permanent Defence Force Representative Associations, will be effective from 1 March 2019.

There are many factors and personal circumstances which can give rise to an individual needing support and advice in respect of particular financial difficulties. The Personnel Support Service provides a confidential information, education, support and referral service to Defence Forces personnel and their families, giving access to information and services within and outside the military community.

In accordance with the provisions of Public Services Stability Agreement 2018-2020, the Government has tasked the Public Service Pay Commission with conducting a more comprehensive examination of the specific recruitment and retention challenges in the Defence Forces,

which the Commission identified in Chapter 6 of its report in May 2017.

The Department of Defence and military management have collated and prepared the data requested. An initial tranche of material relating to Air Corps pilots was submitted earlier this year. Further material relating to the broader Defence sector has been sent to the Department of Public Expenditure and Reform who are co-ordinating the response on behalf of the Public Service Pay Commission.

The Commission's work is on-going. The Government will give due consideration to the findings and recommendations that arise from the work of the Commission.

### **Defence Forces Operations**

79. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence his views on the recent statement by Chancellor Merkel in relation to the establishment of an EU army; and the steps he will take to ensure Irish neutrality is protected. [48346/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** As stated in the Lisbon Treaty protocols, the Lisbon Treaty does not provide for the creation of an EU Army. There is no legal basis for the establishment of an EU army, and there is no proposal set out to change this.

Within the EU, it is accepted that defence and security is a national competence and that any decisions, including any deepening of EU cooperation, require unanimity. Ireland continues to have a strong and equal voice on defence issues within the EU institutions.

Any decision to further deepen EU cooperation in the area of security and defence with a move to a common defence would require a unanimous decision of the European Council. In addition, any decision by Ireland to participate in any such Common Defence would require the approval of the people in a referendum. Ireland remains constitutionally debarred from participation in any such EU common defence given our Constitutional provisions and the Lisbon Treaty protocols.

At a time when the world has become a more unstable and insecure place, Ireland remains fully supportive of the efforts of EU member States, within the Treaty provisions, to improve the Union's capacity to respond to the challenging security environment, including in the area of defence.

These efforts are being advanced through the implementation of the EU Global Strategy of Foreign Policy and Security, the Commission's European Defence Action Plan and through enhanced cooperation with international partners.

Ireland's approach to all of these areas will as always be both constructive and realistic and we remain strong supporters of initiatives which improve the capacity of the EU to contribute to international peace and security, particularly in support of the UN and to delivering the necessary capabilities, both civil and military in this regard.

While we choose to remain neutral, this is not out of any lack of interest in issues underpinning conflicts or any isolationist stance. Ireland's approach to international relations is founded on full and active engagement in the international community in support of international peace and security and the rule of law. We follow and will continue to follow this policy approach - militarily neutral but fully engaged - because, as committed members of the United Nations, we subscribe fully to the principles set out in the UN Charter.

**Ministerial Meetings**

80. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence the engagement he has had with a group (details supplied); and if he will make a statement on the matter. [48381/18]

89. **Deputy Bríd Smith** asked the Taoiseach and Minister for Defence if he or his officials have met with representatives of a group (details supplied); the progress he has made in addressing the issues it has raised; and if he will make a statement on the matter. [48390/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I propose to take Questions Nos. 80 and 89 together.

I have not met with any group as described by the Deputies. I did however meet with two individuals in relation to the matters raised.

As I have clearly stated to this House, the health and welfare of the men and women of the Defence Forces are a priority for me.

In this regard, there are a number of processes already in train relating to reviewing health and safety procedures in the Air Corps. Firstly, in September 2016, I appointed an independent third party to review allegations made in a number of protected disclosures relating to health and safety issues in the Air Corps which were received in late 2015 and early 2016. The report of the independent third party review was received by my Department in June 2017. Although the report found that the Defence Force's regime appears to be capable of meeting statutory requirements, it makes a number of observations including in relation to documentation, health surveillance, and exposure monitoring. It also notes that the Health and Safety Authority (HSA) is the appropriate statutory body to deal with such matters. I sent the report to those who had made disclosures for their views and I am considering the next steps in the process having received those views and in the context of ongoing litigation.

Separately, and in parallel to the independent review, following an inspection in 2016, the Air Corps has continued to work with the HSA to improve its health and safety regime. I have been informed by the military authorities that the HSA has formally noted the considerable progress made to-date by the Defence Forces towards implementation of a safety management system for the control of hazardous substances. Subject to completion of the improvement plan, the HSA investigation is closed. However, it must be noted that Air Corps health and safety is a matter of ongoing monitoring, supervision and adjustment. The Air Corps is fully committed to implementing improved safety measures that protect workers from potential exposures to chemicals and will ensure risks are as low as reasonably practicable.

As litigation is ongoing it would be inappropriate for me to comment further.

*Question No. 81 answered with Question No. 66.*

*Question No. 82 answered with Question No. 68.*

**Defence Forces Personnel Data**

83. **Deputy Louise O'Reilly** asked the Taoiseach and Minister for Defence the number of medical staff in the Defence Forces by occupation in each of the years 2015 to 2017 and to date in 2018; and if he will make a statement on the matter. [47798/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I wish to state at the outset that the health and wellbeing of our Defence Forces is of the highest priority for me. The provision of a comprehensive range of medical services to ensure this is an issue to which the highest importance is attached, both in the Defence Forces and in my Department.

There are currently 4 Dental Officers, 5 Pharmacists, 1 Clinical Psychologist and 6 Nurses employed by the Defence Forces. These numbers have not changed across the period in question. An additional civilian Clinical Psychologist is currently engaged on a contract basis. There are currently 24 Medical Officers, which includes 4 Officers undertaking the Military Medicine Training Scheme. This number is up from 20 in 2015 and 2016, and 21 in 2017.

The medical services that are provided are constantly under review to ensure that they are of the highest standard and delivered in the most efficient way possible.

### **Defence Forces Personnel**

84. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence if he is satisfied that there are adequate measures to protect female members of the Defence Forces from discrimination, particularly when they have children. [47821/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Defence Forces are committed to gender equality and employ a gender perspective in all policies and regulations. The Defence Forces Diversity and Inclusion Strategy and Action Plan promotes diversity, inclusion and equal opportunities for all members of the Organisation.

Unlike some military organisations, the Defence Forces have no restrictions with regard to the assignment of men or women to the full range of professional and administrative duties. Women, therefore, play a full and meaningful role in all aspects of Defence operations at home and overseas.

Female members of the Permanent Defence Force (PDF) are entitled to the same protected Maternity Leave and Adoptive Leave as applies to all other public servants. The Defence Forces Maternity Policy (2015) also provides for supports on return to the workplace when maternity leave is complete. Other supports in place include:-

- The Defence Forces have initiated a range of family-friendly policies with a focus on improving the work-life balance of serving personnel.

- Personnel Support Services are available including crisis pregnancy support, post natal depression and sudden loss, miscarriage and bereavement counselling.

- Parental Leave

- Shorter Working Leave which a member may be granted leave, without pay and allowances, for the purpose of balancing their working arrangements with outside commitments including school holiday periods of their children.

The Defence Forces Dignity Charter outlines the Organisation's commitment to maintaining a work environment that encourages and supports the right to dignity at work. Bullying, sexual harassment and harassment in any form is not acceptable and will not be tolerated.

Notwithstanding these proactive initiatives, I believe that there is a need to continue to develop and promote strategies over the lifespan of the White Paper that support increased female participation in the Defence Forces and guard against discrimination.

## **Defence Forces Properties**

85. **Deputy Martin Heydon** asked the Taoiseach and Minister for Defence the status of engagement between his Department and Kildare County Council regarding the challenges and potential of the Curragh Plains in the context of conservation and management of the plains and their future usage; and if he will make a statement on the matter. [48398/18]

88. **Deputy Martin Heydon** asked the Taoiseach and Minister for Defence the actions he has taken following the publication of a vision document prepared for Kildare County Council on the future potential of the Curragh Plains; and if he will make a statement on the matter. [48397/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I propose to take Questions Nos. 85 and 88 together.

As the Deputy will be aware, my Department met with Kildare County Council in September to discuss both the challenges facing the Department in the management of the Curragh Plains and their vision paper relating to the future of the Plains.

I am advised that one of the key outcomes from the meeting was the need to develop a joint approach where possible.

Following on from this meeting, an application supported by the Department of Defence was made by Kildare County Council for funding from the Department of Rural and Community Development's Rural Regeneration and Development Fund. I am advised that the outcome of this application is awaited.

The proposal submitted to my colleague, Mr. Michael Ring T.D., Minister for Rural and Community Development, seeks funding to appoint a multidisciplinary consultancy team in order to examine the current and future challenges arising for the Curragh Plains, in the context of the conservation and management of the Plains, and to explore the potential for branding and development of the Plains as a high value visitor and cultural amenity attraction.

With regard to the ongoing conservation and management of the Curragh Plains, the recruitment by my Department's Property Management Branch of additional Curragh Plains land management staff to support the work of the Curragh Maor is expected to be completed shortly. These additional resources will share in the task of overseeing activities on the ground including, but not limited to, litter, sheep branding, patrolling, monitoring users of lands, inspection of property boundaries, illegal encampments and engagement with the public.

Finally, the Deputy may wish to note that the upcoming Curragh Plains environmental maintenance tender competition is due to go to tender early in the new year.

*Question No. 86 answered with Question No. 76.*

## **Naval Service Staff**

87. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence if he is satisfied that there are sufficient trained personnel at each rank and skillset in order to ensure that the Naval Service core objective of coastal protection is sufficiently carried out. [47823/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** As the Deputy will be aware, the Naval Service is the State's principal sea-going agency tasked with a variety

of defence and other roles. While the main day to day role of the Naval Service is to provide a fishery protection service in accordance with the State's obligations as a member of the European Union it also carries out a number of other non-fishery related tasks.

I want to pay tribute to the significant security role which the Naval Service routinely carries out. By its nature, often that security role goes unrecognised or unacknowledged, but it is vital to Ireland's national priorities and interests.

In relation to its sea-fishery protection role, the Sea-Fisheries and Maritime Jurisdiction Act 2006 established the Sea-Fisheries Protection Authority (SFPA) as the competent Authority for securing efficient and effective enforcement of sea fisheries protection legislation and the sustainable exploitation of marine fish resources from the waters around Ireland.

A Service Level Agreement is in place which underpins the relationship between the Sea Fisheries Protection Authority and the Defence Organisation. This Agreement provides for the development of an Annual Control Plan and for agreed reporting and training arrangements. The agreement also provides a forum for sharing information between parties and for dealing with fisheries' control and enforcement issues.

In accordance with this Agreement, the 2018 Annual Control Plan states a target range of between 1,090 and 1,267 patrol days. The lower figure reflects a Naval Service presence in the Mediterranean with the upper figure in place in instances if a Naval Service vessel does not deploy to the Mediterranean.

The Naval Service has an establishment of 1,094 personnel with a current strength at approximately 92%. The breakdown by rank is set out in the following table.

Rank	Establishment	Strength as at 31 October
Commodore	1	1
Captain	2	2
Commander	13	14
Lt. Commander	45	52
Lieutenant	81	44
Sub Lieutenant	41	52
Warrant Officer	6	6
Senior Chief Petty Officer	7	7
Chief Petty Officer	75	70
Senior Petty Officer	15	11
Petty Officer	226	158
Leading Seaman	180	139
Seaman	402	415
Total	1094	971

I am advised that the Naval Service has a comprehensive in house system of training across all ranks, delivered through the Naval College. This is supplemented in relation to the training of apprentices and Marine Engineers as required through other academic institutions. This holistic approach to training ensures that personnel have the necessary skill set to deliver the broad range of services that the Naval Service provides to the State and internationally as required.

*Question No. 88 answered with Question No. 85.*

*Question No. 89 answered with Question No. 80.*

## **Defence Forces**

90. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the date the joint submission to the Public Service Pay Commission was completed; the timeframe for the publication of the submission; and if all the matters raised by military management were included in the submission. [48348/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Public Service Stability Agreement 2018-2020 provides that the Public Service Pay Commission will conduct a comprehensive examination and analysis of underlying difficulties in recruitment and retention in those sectors and employment streams identified in the Commission's Report of May 2017.

The Commission's approach to Phase 2 of its work can be found on its website, which includes the terms of reference for this phase. The Commission has adopted a modular approach to this phase of its work. The Commission has focused on specific areas in the Health Sector in the first module and recently produced a report on nurses and midwives, non-consultant hospital doctors and hospital consultants.

Module 2 provides that the Commission will report on those other grades/specialities where evidence of recruitment and/or retention difficulties were found to exist in Chapter 6 of the Report which the Commission published in May 2017. This includes specific challenges in the Defence sector.

In order to assist the Commission in their analysis, the Department of Defence was requested, earlier this year, to provide specific data. A civil and military team was tasked with collating this material. An initial tranche of material was forwarded to the Commission, through the Department of Public Expenditure and Reform, earlier this year. This material focused on pilots in the Air Corps.

Further material in relation to the broader Defence sector has been forwarded to the Department of Public Expenditure and Reform. The material which has been forwarded is the specific data that was requested to assist the Commission in their work. As outlined on the Commission's website, the Department of Public Expenditure and Reform are coordinating data requested on behalf of Public Service Employers.

Due consideration will be given to the findings and recommendations that arise from the work of the Commission, when this is completed. The publication of material submitted is a matter for the Public Service Pay Commission.

## **Defence Forces Expenditure**

91. **Deputy Bríd Smith** asked the Taoiseach and Minister for Defence the way in which the increase in the budget for his Department will be allocated; if this increase will deal with the working conditions and poor pay of members of the Defence Forces; and if he will make a statement on the matter. [48392/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The total allocation for the Defence Sector in 2019 is €994 million, an increase of €47.5 million on the 2018 provision. This allocation emphasises the importance attached by the Government to ensuring that the Defence Forces have the capabilities necessary to deliver on all the roles assigned by Government.

The Defence Vote has been increased by €37.5 million to €745 million. Capital funding has been increased to €106 million for 2019, an increase of €29 million. This level of capital funding will allow the Defence Organisation to undertake a programme of sustained equipment replacement and infrastructural development across the Army, Air Corps and Naval Service as identified and prioritised in the Defence White Paper.

The 2019 pay allocation of €515.6 m has increased by €6.3 million to meet the costs of Public Sector Stability Agreement 2018-2020 commitments arising in 2019. An additional €2.2 million has been provided to meet essential and ongoing Defence Forces standing and operational costs such as utilities, fuel, catering, maintenance, information technology and training.

An additional €10 million has been allocated to meet the retirement costs of ex members of the Permanent Defence Force and certain dependants, bringing the total allocation for the Army Pensions Vote for 2019 to €249 million.

Similar to other sectors in the public service, the pay of Permanent Defence Force personnel was reduced as one of the measures to assist in stabilising the national finances during the financial crisis. The recovery in the economy has provided the fiscal resources to provide for a fair and sustainable recovery in public service pay scales.

Members of the Permanent Defence Force have received pay increases due under the Lansdowne Road Agreement. In addition in 2017, following negotiations with PDFORRA improved pay scales for general service recruits and privates, who joined the Permanent Defence Force post 1 January 2013, were implemented.

The Public Sector Stability Agreement 2018-2020 provides for increases in pay ranging from 6.2% to 7.4% over the lifetime of the Agreement. The focus of these increases is weighted in favour of those on lower pay. The increases due under the Agreement from 1 January 2018 and 1 October 2018 have been paid to Permanent Defence Force personnel. Further increases in pay are scheduled in 2019 and 2020.

New entrants to the Defence Forces will also benefit from the measures which were recently announced in relation to amendments to the pay scales for new entrant public servants recruited since January 2011.

By the end of the current Public Service Pay agreement, the pay of all public servants (including members of the Defence Forces), earning under €70,000 per annum, will be restored to pre FEMPI levels. The restoration of the 5% reduction to allowances cut under FEMPI is also scheduled in the agreement.

In accordance with the provisions of Public Services Stability Agreement 2018-2020, the Government has tasked the Public Service Pay Commission with conducting a more comprehensive examination of the specific recruitment and retention challenges in the Defence Forces, which the Commission identified in Chapter 6 of its report in May 2017. The Commission's work is on-going and my Department will continue to engage throughout the process.

*Question No. 92 answered with Question No. 76.*

### **Defence Forces Operations**

93. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which participation in international peacekeeping and enforcement is anticipated in the future; and if he will make a statement on the matter. [48351/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** As of 01 November 2018, Ireland is contributing 565 personnel to 9 different missions throughout the world and also to a range of international organisations and National representations. The main overseas missions in which Defence Forces personnel are currently deployed is the United Nations Interim Force in Lebanon (UNIFIL) with 347 personnel and the United Nations Disengagement Observer Force (UNDOF) in Syria with 138 personnel.

Full details of all personnel currently serving overseas are shown in the tabular statement beneath.

The UNIFIL mission in Lebanon continues to represent Ireland's largest overseas deployment with 347 personnel and on 22 May 2018, the Government approved the continued participation of the Defence Forces in UNIFIL for a further 12 month period.

Until recently, Irish troops served as part of a joint Irish-Finnish Battalion in UNIFIL. The Finnish contingent also included an Estonian Platoon comprising some 36 personnel. Due to other National commitments both Finland and Estonia announced earlier this year their intention to withdraw from the Irish-Finnish Battalion in UNIFIL by the end of 2018.

Efforts are on-going to source a partner country to replace the Finnish contingent but, in the interim, I have approved the additional deployment of approximately 106 Defence Forces Personnel to the UNIFIL mission to cover the backfilling of the Finnish contingent for a 12 month period. On 15 November, Ireland assumed full duties and responsibilities of IRISHBATT for the next 12 months until November 2019.

The Department of Defence constantly reviews the deployment of Defence Forces personnel overseas. With regard to any future deployments of Defence Forces personnel overseas, Ireland receives requests, from time to time, in relation to participation in various missions and these are considered on a case-by-case basis.

**MEMBERS OF THE PERMANENT DEFENCE FORCE SERVING OVERSEAS AS OF 01 NOVEMBER 2018**

UN MISSIONS	
UNIFIL (United Nations Interim Force in Lebanon) HQUNIFIL 112th Infantry BattalionUNIFIL Sector West HQ	103298
UNTSO (United Nations Truce Supervision Organisation) Israel & Syria	12
MINURSO (United Nations Mission for the Referendum in Western Sahara)	3
MONUSCO (United Nations Stabilisation Mission in the Democratic of the Congo)	4
UNDOF (COS Staff/FHQ Staff - Camp Faouar - Bravo side)UNDOF 58th Infantry Group (Camp Faouar - Bravo side)	8130
TOTAL	504
UN MANDATED MISSIONS	
EUFOR (EU-led Operation in Bosnia and Herzegovina)	5
EUTM Mali (EU-led Training Mission)	20
KFOR (International Security Presence in Kosovo) HQ	12
Naval Service EU Mission (Op Sophia) Operational HQ/Floating HQ (Operation Sophia HQ - 3 in OHQ & 2 in FHQ)	5
TOTAL NUMBER OF PERSONNEL SERVING WITH UN MISSIONS	546

UN MISSIONS	
ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE)	
Staff Officer, High Level Planning Group, Vienna	1
TOTAL NUMBER OF PERSONNEL SERVING WITH OSCE	1
EU MILITARY STAFF	
Brussels	5
MILITARY REPRESENTATIVES/ADVISERS/STAFF	
Military Adviser, Permanent Mission to UN, New York	1
Military Adviser, Irish Delegation to OSCE, Vienna	1
Military Representative to EU (Brussels)	4
Liaison Officer of Ireland, NATO/PfP (Brussels)	2
EU OHQ Operation Althea, Mons, Belgium	1
Irish Liaison Officer to SHAPE & Military Co-Op Division, Mons, Belgium	3
Joint Technical Group for Disarmament, Demobilisation and Reintegration (JTGDDR) in Mozambique (part time basis)	1
TOTAL NUMBER OF DEFENCE FORCES PERSONNEL SERVING OVERSEAS	565

### Defence Forces Representative Organisations

94. **Deputy Bríd Smith** asked the Taoiseach and Minister for Defence his plans to recommend that the Defence Forces representative associations have access to the industrial relations machinery of the State, including the WRC and Labour Court; his views on whether such access will assist with the crisis in staff retention and numbers; and if he will make a statement on the matter. [48394/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Conciliation and Arbitration (C&A) Scheme for members of the Permanent Defence Force (PDF) provides an established mechanism for the PDF representative associations, that is PDFORRA (the representative association for enlisted personnel) and RACO (the representative association for commissioned officers) to engage with the Official side. Having regard to commitments made under public service pay agreements, members of the PDF can make representations in relation to their pay and conditions through their representative associations.

The C&A scheme, since its inception in the early 1990's has provided the framework to progress many successful negotiated agreements between Defence management and the PDF Representative Associations. In light of the many changes in the industrial relations landscape in the intervening period, I initiated a fundamental review of the scheme, earlier this year.

The report of the review of the scheme was published on 2 October 2018.

The report contains a number of recommendations aimed at improving the efficiency of the scheme. It did not include a recommendation relating to providing the PDF representative associations with access to the WRC and Labour Court.

The parties to the scheme are currently considering the process for implementing the recommendations in the report.

The report recommends that the revised scheme should be reviewed after a three year period. I believe that the opportunity should be afforded to the parties to implement the recommendations and evaluate the operation the scheme again after that time.

### **Defence Forces Expenditure**

95. **Deputy Richard Boyd Barrett** asked the Taoiseach and Minister for Defence his plans for budget increases across his Department in view of the PESCO agreement; and if he will make a statement on the matter. [48408/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** With regard to defence spending, Government policy is defined within the parameters of our national budgetary process and role of Dáil Éireann. Within the EU, it is accepted that defence and security is a national competence, including national spending on defence and security.

As part of Ireland's participation in Permanent Structured Cooperation (PESCO), Ireland has committed to regularly increase our defence budgets in real terms. It should be noted that regularly does not mean annually but rather over the medium term. The allocations for defence announced in the budget for 2019 mean that Ireland's defence expenditure will increase in real terms over the coming three years.

Joining PESCO does not involve an additional cost to the Exchequer. Additional costs may arise in respect of participation in specific PESCO projects similar to the case where the Defence Forces participate in European Defence Agency Projects. The projects where Ireland has confirmed our participation relate to the ongoing development of Defence Forces capabilities for peace support and crisis management operations. Costs associated with participation on these projects would be incurred in the normal course and will therefore be met from within the Defence Vote.

It is expected that sharing the costs of capability development across a number of member States should prove cost neutral in terms of overall projected defence expenditure.

### **Defence Forces Operations**

96. **Deputy Bríd Smith** asked the Taoiseach and Minister for Defence if Ireland's participation in PESCO is a breach of Ireland's neutrality in view of recent comments by EU leaders; if the view of other EU leaders that it is a step toward an EU army is shared by him; and if he will make a statement on the matter. [48391/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** Permanent Structured Cooperation has no implications for Ireland's policy of military neutrality.

The establishment of PESCO represents a further development in EU Cooperation in support of international peace and security under CSDP. Under PESCO, Member States will come together in different groups to develop and make available additional capabilities and enablers for peacekeeping and crisis management operations.

Within the EU, it is accepted that defence and security is a national competence and that any decisions, including any deepening of EU cooperation, require unanimity. Ireland continues to

have a strong and equal voice on defence issues within the EU institutions.

The European treaties require that the EU respects the specific and different policies of Member States in the area of security and defence and that has not been changed or compromised by our participation in PESCO. In addition, the Irish Protocols to the Lisbon Treaty specifically states that the Lisbon Treaty does not provide for the creation of a European army.

The participation criteria for PESCO expressly stipulate that PESCO will be undertaken in full compliance with the Treaty on European Union and the associated protocols and will respect the Member States constitutional provisions. It is also important to note that participation in each project is on an “opt in” basis and is therefore entirely voluntary.

### **Defence Forces Strength**

97. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence the target date for the Permanent Defence Forces to reach its approved strength of 9,500; and if he will make a statement on the matter. [48384/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Government remains committed to achieving the strength target of at least 9,500 personnel for the Permanent Defence Force, as set out in the White Paper on Defence (2015). There are a number of factors, some of which are hard to predict, which will impact on the timeframe within which this will be achieved.

Recruitment has continued in 2018 with the running of two General Service recruit competitions, a Cadet competition, apprentice competitions, instrumentalist competition and direct entry streams. This has resulted in over 600 personnel being inducted to date in 2018. The most recent figures, provided by the military authorities, give the whole time equivalent strength of the Permanent Defence Force as just below 9,000 personnel. Further inductions are scheduled in November and final figures for numbers inducted in 2018 and strength will not be available until year end. Recruitment progress will be reviewed in the coming weeks and this will inform future plans.

The Government is committed to retaining the capacity of the Defence Forces to operate effectively across all roles and to undertake the tasks laid down by Government both at home and overseas.

*Questions Nos. 98 and 99 answered with Question No. 76.*

### **Defence Forces Strength**

100. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which optimum strength in the Defence Forces is being maintained with equal reference to the Army, Naval Service and Air Corps; and if he will make a statement on the matter. [48628/18]

103. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the degree to which he remains satisfied regarding the strength of the Army, Naval Service and Air Corps, with particular reference to ensuring the maintenance of recommended levels of strength throughout all branches; and if he will make a statement on the matter. [48631/18]

107. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the number of vacant posts remaining to be filled at all levels in the Army, Naval Service and Air Corps; and

if he will make a statement on the matter. [48635/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I propose to take Questions Nos. 100, 103 and 107 together.

The following table sets out the current strength (as of 31 October 2018, the latest date for which figures are available from the Defence Forces) in whole time equivalent of the PDF across all services and ranks.

Service	Strength (WTE)	Establishment
Army	7,236	7,520
Air Corps	709	886
Naval Service	993	1,094

The Government remains committed to returning to, and maintaining, the agreed strength of the Permanent Defence Force at 9,500 personnel as set out in the White Paper on Defence (2015).

In order to achieve this target, there are significant recruitment opportunities available in the Permanent Defence Force, at both enlisted and officer level, for eligible individuals who wish to have a rewarding and positive career in service to the State. The Permanent Defence Force continues to offer excellent career opportunities for serving personnel and for new entrants. Two general service recruitment campaigns, an officer cadetships competition, a competition for Air Corps apprentices, a competition for DF School of Music instrumentalists and the 2018 RDF recruitment campaigns all took place this year.

A second general service recruitment campaign, launched on 10 September 2018 and closed on 7 October 2018, attracted 2,111 applications. Successful applicants from this campaign will be inducted early in 2019.

Some 600 personnel have been inducted to date in 2018. Final figures for numbers inducted in 2018 will not be available until year end. Recruitment progress will be reviewed in the coming weeks and this will inform future plans.

### **Defence Forces Training**

101. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which updating of training procedures continues within the Defence Forces at all levels; and if he will make a statement on the matter. [48629/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The primary function of training and education in the Defence Forces is to develop and maintain the capabilities necessary to enable them to fulfil the roles laid down by Government.

The Defence Forces conduct training and education under four broad categories namely; Leadership, Skills, Career, and Collective. Leadership Training is the medium through which the Defence Forces ensure that personnel are prepared for exercising command authority across the full range of military functions both at home and overseas in international operations. Skills Training ensures that Defence Forces personnel have the requisite individual, specialist, and crew skills. Career Training, and education, provides the organisation with the necessary pool of leaders and commanders at all levels. Collective Training allows military personnel to use

their individual, crew, specialist and career training together, to develop integrated and coherent combat forces.

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

The Defence Forces seek to constantly benchmark training across all three arms of the organisation against best military and academic practice. Military best practice is advanced by implementing a policy of standardisation that is in line with EU and NATO/Partnership for Peace partners. Academic best practice is advanced by benchmarking courses through accreditation under the National Framework of Qualifications which is validated by Quality and Qualifications Ireland.

The Defence Forces deliver military programmes and modules meeting national and international standards and engage with external educational institutions in order to facilitate organisational learning. This engagement with national and international educational institutions, military and civilian, aims to ensure that the Defence Forces retain currency with regards to best international practice and employ all relevant modern training methods.

I remain committed to ensuring that the personnel of the Defence Forces continue to be trained to appropriate standards.

### **Defence Forces Training**

102. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which part-time members of the Defence Forces are given opportunities to upgrade their skills on an annual basis; and if he will make a statement on the matter. [48630/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I presume the Deputy is referring to the Army Reserve and Naval Service Reserve in his question.

Members of the Army Reserve and Naval Service Reserve are volunteers who undertake training in their spare time. In order to facilitate the voluntary nature of Reserve Service and to maximise attendance of Reserve personnel, training continues to be organised both in and out of normal working hours, at weekends and during academic and traditional holiday periods.

The primary function of training and education in both the Permanent Defence Force and the Reserve Defence Force is to develop and maintain capabilities necessary to enable personnel to fulfil the roles laid down by Government. The scheduling of training in the Defence Forces, including the Reserve, is underpinned by an analysis of training needed to meet operational output requirements and capability development needs. A long term strategy is adopted with current planning horizons out to 2021. In addition the White Paper on Defence sets out a developmental path for the Reserve and confirms that the primary role of the Reserve is to augment the PDF in crisis situations.

For the current year, a budget of €2.15 million is provided, of which €2.068 million is allocated for Paid Training Mandays for members of the Reserve. Within this budget, seven days annual paid training is provided for in respect of each effective member of the Reserve. The budget also provides for fourteen days paid training for all additional personnel recruited to the Reserve in 2018 along with career and specialist courses for selected members of the Reserve in line with Reserve priorities. This provision is sufficient having regard to the existing strength of the RDF and the voluntary nature of Reserve training.

I am satisfied that members of the Army Reserve and Naval Service Reserve are afforded the opportunity to avail of training and update their skills on an ongoing basis.

*Question No. 103 answered with Question No. 100.*

### **Defence Forces Equipment**

104. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which equipment in the Army, Naval Service and Air Corps continue to be upgraded through the standards equal to the best; and if he will make a statement on the matter. [48632/18]

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

The acquisition of new equipment for the Defence Forces remains a clear focus for me. Future equipment priorities for the Army, Air Corps and Naval Service are considered in the context of the White Paper on Defence as part of the capability development and equipment priorities planning process. The principal aim over the period of the White Paper will be to replace and upgrade, as required, existing capabilities in order to retain a flexible response for a wide range of operational requirements, including response to security risks and other emergencies, both at home and overseas.

The mid life upgrade programme for the Army's fleet of eighty MOWAG Armoured Personnel Carriers will extend the utility of the fleet and provide greater levels of protection, mobility and firepower. Additionally, twenty four 4 x 4 Armoured Utility Vehicles were acquired in 2017, and this year we are taking delivery of ten new armoured logistic vehicles. These measures will provide essential force protection overseas.

The Government is currently investing in updating the Air Corps fleet of aircraft with the replacement of the existing five Cessna aircraft with three larger and more capable fixed wing utility Pilatus PC 12 aircraft which are being equipped for ISTAR (Intelligence, Surveillance, Target Acquisition and Reconnaissance). These aircraft will be delivered in 2019 and 2020. Planning is also in progress to replace the CASA Maritime Patrol aircraft and a tender competition is currently underway in this regard.

The on-going Naval Service ship replacement programme is evidence of the Government's commitment to investment in the Naval Service. Three new Offshore Patrol Vessels were delivered between 2014 and 2017 with a fourth, to be named the LÉ George Bernard Shaw, delivered in recent weeks. In addition, planning is underway for the replacement of the current Naval Service flagship LÉ Eithne with a multi role vessel.

The examples given, while not exhaustive, demonstrate my commitment to update and upgrade the Defence Forces equipment and capability, within the financial envelope available. The National Development Plan provides for a total of €541 million for Defence over the period 2018-2022. This level of capital funding will allow the Defence Organisation to undertake a programme of sustained equipment replacement and infrastructural development across the Army, Air Corps and Naval Service as identified and prioritised in the Defence White Paper.

I am satisfied that the Defence Forces have the necessary modern and effective range of equipment available to them which is in line with best international standards in order to fulfil all roles assigned to them by Government.

## **Defence Forces Personnel Data**

105. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the number of women applying for and enlisting in the Defence Forces, with equal respect to the Army, Naval Service and Air Corps; and if he will make a statement on the matter. [48633/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** As of 31 October 2018, the strength of the Permanent Defence Force stood at just under 9,000 personnel. Of this some 583 personnel, were female, broken down as follows:

- Army: 484 Female Personnel
- Air Corps: 32 Female Personnel
- Naval Service: 67 Female Personnel

The Government is committed to a policy of equal opportunity for men and women throughout the Defence Forces and to the full participation by women in all aspects of Defence Forces activities. This is underlined by a commitment in the Programme for Government to increase the level of female participation in the Defence Forces.

## **Emergency Planning**

106. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which he remains satisfied that the Army, Naval Service and Air Corps remain sufficiently equipped to deal with an emergency or natural disaster that might arise; and if he will make a statement on the matter. [48634/18]

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

In relation to equipment, priorities for the Army, Air Corps and Naval Service are being considered in the context of the lifetime of the White Paper on Defence as part of the capability development and equipment planning process.

The primary function of training and education in the Defence Forces is to develop and maintain the capabilities necessary to deliver on the roles assigned by Government. Engagements with national and international educational institutions, military and civilian, aim to ensure that the Defence Forces retain currency with regard to best international practice and employ relevant modern training methods.

At National level, representation on the Government Task Force on Emergency Planning, by both the Department of Defence and the Defence Forces, ensures the fullest coordination and cooperation in the event of an emergency.

In accordance with the Framework for Major Emergency Management, primary responsibility for responding to emergencies such as severe weather events or terrorist attacks rests with the three designated principal response agencies, namely, the relevant Local Authority, An Garda Síochána, and the Health Service Executive. The Defence Forces provide the fullest possible support in the event of a natural disaster or emergency situation in its Aid to the Civil

Authority and Aid to the Civil Power roles. Major Emergency Plans have been developed by local and regional authorities and these Plans identify the procedures for requesting assistance from the Defence Forces.

The Defence Forces retains a wide range of specialist skills and equipment, which can be deployed in such circumstances. The full spectrum of Defence Forces personnel and equipment are available for deployment in response to any emergencies that may arise.

I am committed to ensuring that the Defence Forces continue to be equipped and trained to best international standards and that this position is kept under on-going review.

*Question No. 107 answered with Question No. 100.*

### **Overseas Missions Data**

108. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the number of military personnel serving at various locations overseas; the level of future deployments if known; and if he will make a statement on the matter. [48636/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** As of 01 November 2018, Ireland is contributing 565 personnel to 9 different missions throughout the world and also to a range of international organisations and National representations. The main overseas missions in which Defence Forces personnel are currently deployed is the United Nations Interim Force in Lebanon (UNIFIL) with 347 personnel and the United Nations Disengagement Observer Force (UNDOF) in Syria with 138 personnel.

Full details of all personnel currently serving overseas are shown in the following tabular statement.

The UNIFIL mission in Lebanon continues to represent Ireland's largest overseas deployment with 347 personnel and on 22 May 2018, the Government approved the continued participation of the Defence Forces in UNIFIL for a further 12 month period.

Until recently, Irish troops served as part of a joint Irish-Finnish Battalion in UNIFIL. The Finnish contingent also included an Estonian Platoon comprising some 36 personnel. Due to other National commitments both Finland and Estonia announced earlier this year their intention to withdraw from the Irish-Finnish Battalion in UNIFIL by the end of 2018.

Efforts are on-going to source a partner country to replace the Finnish contingent but, in the interim, I have approved the additional deployment of approximately 106 Defence Forces Personnel to the UNIFIL mission to cover the backfilling of the Finnish contingent for a 12 month period. On 15 November, Ireland assumed full duties and responsibilities of IRISHBATT for the next 12 months until November 2019.

The Department of Defence constantly reviews the deployment of Defence Forces personnel overseas. With regard to any future deployments of Defence Forces personnel overseas, Ireland receives requests, from time to time, in relation to participation in various missions and these are considered on a case-by-case basis.

### **MEMBERS OF THE PERMANENT DEFENCE FORCE SERVING OVERSEAS AS OF 01 NOVEMBER 2018**

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TOTAL	504
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TOTAL NUMBER OF PERSONNEL SERVING WITH UN MISSIONS	546
ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE)	
Staff Officer, High Level Planning Group, Vienna	1
TOTAL NUMBER OF PERSONNEL SERVING WITH OSCE	1
EU MILITARY STAFF	
Brussels	5
MILITARY REPRESENTATIVES/ADVISERS/STAFF	
Military Adviser, Permanent Mission to UN, New York	1
Military Adviser, Irish Delegation to OSCE, Vienna	1
Military Representative to EU (Brussels)	4
Liaison Officer of Ireland, NATO/PfP (Brussels)	2
EU OHQ Operation Althea, Mons, Belgium	1
Irish Liaison Officer to SHAPE & Military Co-Op Division, Mons, Belgium	3
Joint Technical Group for Disarmament, Demobilisation and Reintegration (JTGDDR) in Mozambique (part time basis)	1
TOTAL NUMBER OF DEFENCE FORCES PERSONNEL SERVING OVERSEAS	565

### Departmental Expenditure

109. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the budget available to his Department remains sufficient to meet requirements in the course of 2018; and if he will make a statement on the matter. [48637/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The total gross budget allocation for the Defence and Army Pensions Votes in 2018 is over €946 million. This allocation provides for the pay and allowances of over 10,400 public service employees (in-

cluding 9,500 members of the Permanent Defence Force), ongoing Defence Forces standing and operational costs and also facilitates investment in essential equipment and infrastructure. It also provides for the payment of pension entitlements to former members of the Defence Forces and certain dependants.

The budget allocation allows the Defence Forces to deliver on all their assigned roles, both at home and overseas, as set out in the White Paper on Defence.

### **Search and Rescue Service Provision**

110. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the Air Corps and the Naval Service continue to co-operate in air and sea rescue missions; and if he will make a statement on the matter. [48638/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The Defence Organisation provides a broad range of services in accordance with its primary security role while it also undertakes a diverse range of non security related tasks.

With reference to Search and Rescue, since 2004 the Irish Coast Guard has overall responsibility for the provision of Search and Rescue services within the Irish Search and Rescue region. Both the Naval Service and the Air Corps provide support to the Irish Coast Guard in maritime Search and Rescue operations on an “as available” basis. A Service Level Agreement is in place setting out their roles and responsibilities in this regard.

The Defence Organisation will continue to provide support, as available, to the Irish Coast Guard in respect of Coast Guard Search and Rescue operations.

### **Passport Applications Fees**

111. **Deputy Dessie Ellis** asked the Tánaiste and Minister for Foreign Affairs and Trade his plans to restore the free passport to persons over 70 years of age; and if he will make a statement on the matter. [48443/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The Passport Service does not provide a reduced fee to any category of adult applicant for a passport, whether for the renewal of a passport or for a first time application. A reduced fee is applied on applications for passports for minors in recognition of the fact that a minor’s passport is valid for only five years. Most adult passports will be issued for a period of ten years. I have asked my staff to review the cost of the standard ten year adult Irish passport and to compare it to the cost of a similar passport in many other jurisdictions. I am satisfied that, at a cost of €80, which breaks down to €8 per year, the Irish passport fee compares favourably with the services offered elsewhere. For example, an adult would have to pay €8.50 per year for a British passport, €8.60 per year for a French passport, €9.70 per year for an American passport and €18.10 per year for an Australian passport.

Based on 2017 application volumes, the Passport Service has calculated the potential annual cost of eliminating the passport application fee for applicants over 70 years of age to be over €3.7m. Given that any shortfall in revenue would have to be met by the taxpayer, a decision to waive or reduce the application fee for any category of applicant would require careful consideration. It is important to ensure that the major upgrades to the passport service technology platforms and business processes as well as significant customer service improvements which

have taken place in recent years can be maintained and further developed.

In the context of the services provided by the Passport Service, I would like to draw attention to the well-advanced Passport Reform Programme, one element of which is an online passport application service which was launched on 30 March 2017.

To date over 273,000 adults have renewed their passport using this online facility. At present, the online passport application service accommodates adult passport renewal applications and passport card applications. The Passport Service is in the process of expanding this service further by the end of 2018.

The online passport application service enables adults to renew their passports within ten working days without the need for paperwork or witnesses. The service is available 24 hours a day, 7 days a week from anywhere in the world. Whilst the online service does not distinguish between applicants based on age, applicants can be assured that the online system will be the cheapest as well as the most efficient, secure and convenient way to apply to renew their passport.

## Human Rights

112. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will report on alleged persecution and intimidation of Christians in parts of Pakistan and India; if he has asked Ireland's ambassadors to raise these reports with the governments concerned; and if he will make a statement on the matter. [48476/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** Under Article 18 of the Universal Declaration of Human Rights, everyone has the right to freedom of thought, conscience and religion. Freedom of religious expression is also a cornerstone of any functioning democracy, and those rights must be guaranteed. Acts of violence and discrimination based on religion or belief, committed in the name of religion or national security, whether by individuals, by groups or by states, must be challenged.

The promotion and protection of human rights is an integral part of Ireland's foreign policy and Ireland works closely with human rights defenders to protect them, the work they do and to promote the value of civil society space. I am aware of the allegations of persecution to which the Deputy refers. I very strongly condemn any violent attacks faced by the Christian community in India and Pakistan, and all forms of persecution on the basis of religion or belief, irrespective of where it occurs, or who the victims are.

Ireland has raised specific cases of persecution on religious grounds with the relevant authorities in India and Pakistan. For example, the case of Asia Bibi, a Christian woman whose conviction for blasphemy in Pakistan was recently overturned, has received much international attention in recent weeks. My Department has raised Ms Bibi's case on a number of occasions both in Dublin with the Embassy of Pakistan and in Islamabad through our Ambassador in Ankara (who is also accredited to Pakistan). Minister Flanagan, when Minister for Foreign Affairs and Trade, raised the case with the Pakistani Chargé d'Affaires *en pied* in January 2016. The European Union has also raised the case with the Pakistani authorities. Minister Flanagan also raised concerns on the blasphemy laws with his Pakistani counterpart on the margins of the UN General Assembly in September 2016.

Officials from my Department, including in our Embassies in New Delhi and Ankara, will continue to monitor the human rights situation in India and Pakistan, including allegations of persecution on religious grounds. In doing so, we will work in close cooperation with the EU

and like-minded states on the issue.

### **Middle East Peace Process**

113. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Foreign Affairs and Trade the steps he is taking with Ireland's EU partners to achieve a long-term settlement between Israel and Palestine; and if he will make a statement on the matter. [48477/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The peace process in the Middle East is currently at a standstill, and I have made clear my view that the international community needs to do more to attempt to break this deadlock. The violent events in recent months have clearly demonstrated the risks of the continued absence of political progress. Ireland has worked consistently to maintain an international focus on the issue, and support for the two state solution.

The EU remains firmly committed to a two state solution to the conflict. With the prospects for peace continuing to deteriorate on the ground, EU Foreign Ministers have discussed the Peace Process on numerous occasions over the last year, most recently at the informal Foreign Ministers meeting in August. There we considered how the EU can productively engage and better use all the levers at our disposal to influence the parties to the conflict. We must ensure that the EU's support for the region is focused on delivery of the two-state solution.

EU colleagues share a great concern about threats to the viability of the two state solution, stemming principally from the settlement policy of the Israeli Government, which is diminishing the physical space in which a Palestinian state will be built.

Along with other EU colleagues I have sought to encourage and influence the United States in its current consideration of a Middle East initiative, so long as it addresses the needs of both parties to the conflict. I have also visited the region three times since taking up my role as Minister for Foreign Affairs and Trade to engage directly with both Israeli and Palestinian leaders on how Ireland can add value and help facilitate progress. And I have indicated my intention to hold an informal ministerial meeting in Ireland, for a small number of Arab and European Foreign Ministers. I believe this style of gathering could be useful in promoting the exchange of ideas on how to restart the stagnated peace process.

This issue will remain a high priority on my agenda in the coming months.

### **Human Rights**

114. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade if Ireland has taken action at an intergovernmental or bilateral level in regard to the human rights violations perpetrated by the Nicaraguan Government against its people, which are documented in reports (details supplied); and if he will make a statement on the matter. [48499/18]

115. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade if his attention has been drawn to an increase in repression of peaceful protests in Nicaragua; if he will raise the matter with his Nicaraguan counterpart; and if he will make a statement on the matter. [48510/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I propose to take Questions Nos. 114 and 115 together.

The situation in Nicaragua remains deeply concerning. The reports of violence, arbitrary detention, and persecution of civil society leaders, peaceful protesters and those who have assisted them paint a troubling picture of repression.

I once again strongly condemn any use of violence and reiterate my calls on all actors to respect the right to peaceful protest and to freedom of expression. I also call on authorities to ensure full accountability for all acts of violence, while ensuring due process for all prisoners.

I am aware of the reports to which the Deputy refers and the worrying accounts they contain of a pattern of human rights abuses and repression. Compounding this climate of impunity is a lack of official cooperation with the international missions investigating human rights abuses.

The UN Office of the High Commissioner for Human Rights (OHCHR) was expelled from the country following the publication of its report. The Group of Independent Experts (GIEI) and the Follow-Up Mechanism of Nicaragua (MESENI), set up by the Inter-American Commission of Human Rights (IACHR), have also both reported difficulties in working with the authorities. I urge the Government of Nicaragua to allow the OHCHR officials to re-enter the country, and to cooperate fully with the GIEI and MESENI, so that they can effectively carry out their important work.

Ireland regularly engages on this issue at EU and international level. The EU and its Member States, including Ireland, calls on the government of Nicaragua to act on the findings and recommendations by the IACHR and OHCHR, to ensure full accountability for perpetrators of human rights abuses and the disarming and disbanding of armed groups.

Ireland also supported the declaration in October by the EU High Representative on behalf of the EU on the situation in Nicaragua.

The statement expressed the EU's serious concern at the situation, and urged the government of Nicaragua to allow the return of the OHCHR to enable it to continue its mission, as well as calling on the government of Nicaragua to stop the disproportionate use of force against demonstrators, halt arrests based on laws which criminalise peaceful protest, allow free peaceful demonstrators and re-establish the full respect of due process for all detainees.

I echo the EU call on the government of Nicaragua to resume the national dialogue. I believe that inclusive dialogue remains the only way of negotiating a peaceful and democratic resolution to this crisis, and of restoring the trust of the Nicaraguan people in the country's institutions.

Ireland supports EU action taken to support international and local initiatives to address the human rights situation, promote a culture of peace, and to provide support to victims of the crisis and their families. It is important to monitor the humanitarian consequences of the crisis and its impact on the population.

Officials in the Department of Foreign Affairs and Trade, both in Dublin and in our Embassy in Mexico, which has responsibility for diplomatic relations with Nicaragua, have been monitoring the situation closely. The Deputy Foreign Minister of Nicaragua, Valdrack Jaentschke, was met by officials in my Department on 1 October last and was informed of our strong attachment to the European Union position on Nicaragua. He was also advised of the importance we attach to the establishment of a genuine national reconciliation process.

We have been engaging regularly with partner organisations on the ground, and raising the issue at international level where appropriate. Ireland greatly values the work of these partner organisations and will continue to engage with them.

*Questions - Written Answers*  
**Tax Clearance Certificates**

116. **Deputy Paul Kehoe** asked the Minister for Finance when a person (details supplied) can expect to receive a tax clearance certificate; and if he will make a statement on the matter. [48441/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that a tax clearance certificate has issued to the person concerned.

**Revenue Documents**

117. **Deputy Peter Burke** asked the Minister for Finance the reason a company (details supplied) was denied a trader account number, TAN; the way in which it can apply again; and if he will make a statement on the matter. [48435/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that the relevant Local Authority has confirmed there is an outstanding issue in regard to the current operation of the business in question. While the issue remains unresolved, it is not possible for Revenue to issue a Trader Account Number (TAN) to the company.

By way of general information, to obtain a TAN, an applicant must satisfy the following conditions:

- Operate at a premises where the business may legally be carried on,
- Operate as a sole trader, partnership, or a company registered with the Companies Registration Office,
- Be registered under Section 65 of the Value Added Tax Consolidation Act 2010 for the purpose of carrying on a business,
- Hold a current Tax Clearance Certificate (TCC) in accordance with Section 1095 of the Taxes Consolidation Act 1997.

Revenue has confirmed that it will re-examine the company's TAN application as soon as the unresolved issue is rectified with the Local Authority.

**Betting Regulations**

118. **Deputy Fiona O'Loughlin** asked the Minister for Finance if the proposed 100% increase in turnover tax for the bookmaker and-or betting industry will be considered; if detailed research has been conducted into the impact of such a tax on the viability of the bookmaking industry and the employees that would lose their jobs; if he will consider setting the turnover tax at a lower more equitable rate; and if he will make a statement on the matter. [48524/18]

**Minister for Finance (Deputy Paschal Donohoe):** As announced in the Budget I have increased the rate of betting duty from 1 per cent to 2 per cent for all bookmakers and the rate of betting intermediary duty from 15 per cent to 25 per cent on the commission earned for betting intermediaries. These measures will take effect from 1 January 2019.

The rate of betting duty at 1 per cent on the amount of bets wagered in Ireland is at an all-time low, and betting duty receipts are exceptionally low when compared to other sectors sub-

ject to excise taxes. It is also the case that there is no VAT applied on betting transactions. With the Betting (Amendment) Act 2015 now well embedded in, I believe it is timely to increase the rates of Betting Duty and Betting Intermediary Duty.

I acknowledge that advances in technology have challenged existing business models and have changed the structure of many markets, including the betting market, with more betting taking place online. I further acknowledge that smaller bookmakers may have ongoing difficulties competing in that environment or indeed with large retail bookmakers. While I have sympathy for small bookmakers I cannot apply the increase to some bookmakers and not others. Ultimately many taxes on goods or services are passed through to the end consumers and bookmakers will need to make commercial decisions on such matters.

I should point out that my Department held a consultation with the sector last year asking if the current model was appropriate and the overwhelming response was that it was. The main focus of the sector's engagement during this consultation was to oppose any increase in the betting duty, which leaves me with few options in this regard other than to impose a straight forward increase in the current regime.

Finally, we must also acknowledge the raised public consciousness of the problem of gambling in society. While problem gambling can result in the problem gambler, and their family, bearing the severest of economic and of course personal costs, the social costs of problem gambling can extend to their employers and to public institutions in the health, welfare and justice systems, such costs ultimately borne by taxpayers. This needs to be better reflected within the betting duty regime.

### **Tax Credits**

119. **Deputy Tom Neville** asked the Minister for Finance if the case of persons (details supplied) will be examined by the Revenue Commissioners; and if he will make a statement on the matter. [48569/18]

**Minister for Finance (Deputy Paschal Donohoe):** Section 465 of the Taxes Consolidation Act 1997 provides a tax credit where the claimant proves that s/he maintains a permanently incapacitated child at any stage during the year of assessment. The legislation requires that, for the year of claim, the person making the claim must be the parent of the incapacitated child or must have custody and be maintaining the child at his or her own expense.

I am advised by Revenue that the person in question claimed the relief in respect of two incapacitated children for the years 2013 to 2017. As part of routine enquiries, Revenue recently requested the person to confirm their status as parent or custodian to the children for the years in question. Revenue has also spoken directly to the person to clarify the reason for the enquiry and to explain the type of supporting documentation required.

### **Tax Yield**

120. **Deputy Michael McGrath** asked the Minister for Finance the discretionary revenue raising measures in each of the years up to 2023, in tabular form, corresponding to row h. of table 3 in the 2018 summer Economic Statement. [48575/18]

**Minister for Finance (Deputy Paschal Donohoe):** The discretionary revenue measures for the years up to 2023 are outlined in Table A8 of the Economic and Fiscal Outlook published in

Budget 2019.

The relevant part of the table is reproduced below for the Deputy's convenience.

	2017	2018	2019	2020	2021	2022	2023
Discretionary Revenue Measures (DRM), € billions	-0.1	0.9	1.0	0.3	0.1	-0.2	0.0

### Government Expenditure

121. **Deputy Michael McGrath** asked the Minister for Finance if the capital allocations outlined in the National Development Plan are included both in the general Government expenditure figure and the gross fixed capital formation figure in table A8 of the Budget 2019 Economic and Fiscal Outlook; and if he will make a statement on the matter. [48576/18]

**Minister for Finance (Deputy Paschal Donohoe):** The general government expenditure and gross fixed capital formation figures in Table A8 of the Economic and Fiscal Outlook published in Budget 2019, take into account capital allocations as outlined in the National Development Plan.

The National Development Plan forms the basis for the voted capital allocations outlined in Table 8.

Thereafter, the general government gross fixed capital formation figure adds in any relevant expenditure from other general government bodies, assesses the voted expenditure and classifies it accordingly within the statistical framework.

### Government Expenditure

122. **Deputy Michael McGrath** asked the Minister for Finance the precommitted expenditure in each of the years up to 2023, in tabular form, corresponding to row j of table 3 in the 2018 summer economic statement; if he will divide this between demographics and capital expenditure, that is, divided into nominal and rolled over four years; and if he will make a statement on the matter. [48577/18]

**Minister for Finance (Deputy Paschal Donohoe):** Precommitted expenditure in each of the years up to 2021 was outlined in the Mid-Year Expenditure Report published by the Department of Public Expenditure and Reform shortly following the 2018 Summer Economic Statement. For 2019, this included an increase of c. €1.5 billion in capital expenditure as part of the National Development Plan, €0.4 billion for public service pay increases, €0.4 billion for demographic costs and €0.3 billion in carryover costs.

The Budget 2019 Expenditure Report includes the cost of the Public Service Stability Agreement (€390 million in 2020 and €260 million in 2021), demographics (€450 million in 2020 and €460 million in 2021) as well as the carryover of current expenditure measures (€311 million in 2020).

As noted in the report, these estimates will be reassessed during 2019 and will be set out in the 2019 Mid-Year Expenditure Report.

### Government Deficit

123. **Deputy Michael McGrath** asked the Minister for Finance the projected structural deficit for the scenario outlined in table A8 of the Budget 2019 Economic and Fiscal Outlook; and if he will make a statement on the matter. [48578/18]

**Minister for Finance (Deputy Paschal Donohoe):** The projected structural balance can be found in Table 1 of the Economic and Fiscal Outlook published in Budget 2019. The relevant part of the table is reproduced below for the Deputy's convenience.

	2017	2018	2019	2020	2021	2022	2023
Structural balance, per cent of GDP	0.4	-1.0	-0.7	0.0	0.2	1.0	1.4

While slightly outside the 0.5 per cent structural deficit target the European Commission applies a discretionary margin of 1/4 percentage points when assessing achievement of the MTO, given the uncertainty in the estimates of the output gap.

The European Commission's own forecasts, published earlier this month, project a structural deficit of 0.5 per cent of GDP for 2019.

#### VAT Rate Application

124. **Deputy Jackie Cahill** asked the Minister for Finance if he will address a matter (details supplied) regarding VAT charges; and if he will make a statement on the matter. [48622/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised that the Revenue Commissioners continues to prioritise the identification of shadow economy operators across all sectors. The Revenue Commissioners welcomes any information that individuals or businesses may have to offer in relation to such activity.

Details on how to report such activity are available on Revenue's website at <https://www.revenue.ie/en/corporate/assist-us/reporting-shadow-economy-activity/reporting.aspx>.

#### VAT Rate Application

125. **Deputy Brendan Griffin** asked the Minister for Finance his plans to apply VAT on health supplements; and if he will make a statement on the matter. [48623/18]

**Minister for Finance (Deputy Paschal Donohoe):** Currently, the standard rate of VAT applies to food supplements. However, there is a Revenue concession which allows the zero rate to be applied to certain types of food supplements (vitamins, minerals and fish oils). The practice of zero rating vitamins, minerals and fish oil food supplements has been applied since the introduction of VAT in November 1972 when the marketplace for food supplements was small. However, this concession is proving to be extremely problematic.

Elements of the food supplement industry has made a sustained challenge to the application of the standard rate of VAT to a range of food supplements. There are concerns that while elements of the industry apply the correct rates, others have a competitive advantage by applying the zero rate to products that are properly liable at the 23% VAT rate. Their argument is generally that the products concerned are similar and compete with other products that are zero rated.

There has been protracted correspondence on the issues raised which has raised concerns

regarding possible non-compliance in the sector, in particular the zero rating of products that should be standard rated which may result in a degree of unfair competition between compliant and non-compliant businesses.

Revenue's position is that food supplements are not food and, as such, are not entitled under VAT law to the zero rate of VAT; therefore, the standard rate of VAT applies. The concession in relation to vitamins and the like is proving unworkable as the industry seeks to use the concession to achieve a zero rating for much of the product range in the sector.

After consultations between Revenue, Department of Health and my Department concerning policy options that might be considered in the context of Finance Bill 2018, reservations were expressed by the Department of Health as to the implications a change might have on the promotion of food supplements in certain circumstances. For these reasons, I decided not to make any changes in this year's Budget and Finance Bill. However, I have asked my officials to address this matter in the context of the Tax Strategy Group next year.

### **Office of Public Works Projects**

126. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform if reinforcement works on Fenit Island (details supplied) will be considered; and if he will make a statement on the matter. [48535/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Department for Housing, Planning and Local Government has overall responsibility for Government policy on coastal strategy. In the first instance, the management of problems of coastal protection in the area indicated remains a matter for Kerry County Council. They may carry out coastal protection works using their own resources, but where necessary, they may also put forward proposals to relevant central Government Departments, including the OPW, for funding of appropriate measures depending on the infrastructure or assets under threat.

Following the severe storms of Winter 2013/2014 and on foot of submissions made by the Local Authority, funding of €1,243,270 was allocated to Kerry County Council for coastal protection repair works for infrastructure damaged during those storms. This initial allocation included funding of €44,000 drawn-down for a project at Fenit Beach. This funding was a once off allocation and no further funding is available under this stream. The submitted and agreed programme of storm damage repair works did not include works for a project to repair the sea wall at Fenit Island.

The OPW also operates the Minor Flood Mitigation Works and Coastal Protection Scheme, under which applications for funding from Local Authorities are considered for measures costing up to €750,000 in each instance. It is open to Kerry County Council to apply for funding under this scheme. Funding of up to 90% of the cost is available for projects that meet the eligibility criteria, including a requirement that the proposed measures are cost beneficial.

Funding of €176,166 was approved under this scheme on the 10th July, 2018 for a coastal project at Kilfenora, Fenit.

Funding of €225,000 was also approved in March, 2018 for a Coastal Erosion & Flood Risk Management Study for the Tralee Bay region (Ballyheigue to Brandon Point) – the Local Authority has advised that access issues at Fenit Island are listed in the areas of particular concern. The OPW understands that the Local Authority is currently in the process of appointing Consultants to carry out this Study. Because intervention within a coastal area may cause problems further along the coast, any proposed intervention measures are best developed in conjunction

with a formal coastal erosion risk management study to carefully investigate the problem and explore the full range of management options.

### **Office of Public Works Projects**

127. **Deputy Aindrias Moynihan** asked the Minister for Public Expenditure and Reform when a car park will be constructed at a Garda station (details supplied); and if he will make a statement on the matter. [48571/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I can confirm that the Office of Public Works (OPW) received an enquiry from local Gardaí about developing the parking facilities at the Garda Station in question. A quotation for the work has been provided to Garda Estate Management which must approve funding before the work can be scheduled by OPW for delivery.

### **Built Heritage Investment Scheme**

128. **Deputy Brendan Ryan** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 141 of 26 June 2018, if the OPW and the Department of Culture, Heritage and the Gaeltacht have completed their review; if the phase 2 restoration works to Maynooth Castle is included for funding; if not, if it is being considered under other funding mechanisms; and if he will make a statement on the matter. [48494/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** A review of the national monuments portfolio work priorities for 2019 has recently been undertaken by the Office of Public Works and the Department of Culture Heritage and the Gaeltacht. Although this process is still ongoing, it is nevertheless clear that the proposed Phase 2 project at Maynooth is not a priority and will not be progressing. The proposal is not being considered under any other funding scheme.

### **School Equipment**

129. **Deputy Kate O'Connell** asked the Minister for Education and Skills if assistive technology will be provided to a person (details supplied). [48444/18]

**Minister for Education and Skills (Deputy Joe McHugh):** Under the Assistive Technology scheme, as set out in my Department's Circular 0010/2013, funding is provided to schools towards the cost of computers and specialist equipment, which are required for educational purposes. Equipment is provided under this scheme for children who, in order to access the school curriculum, require essential specialist equipment which they do not already have, or which cannot be provided for them through the school's existing IT provision.

The criteria which must be evidenced to qualify for support under the Department's Assistive Technology scheme are that the professional reports state in each case that the equipment is essential for the effective education of the child, illustrating how the recommended equipment is to be used for educational purposes throughout the school day. Equipment may only be provided where medical and/or other professional reports outline that the degree of communicative disability is such that this equipment is essential to allow the pupil to access education and set out how the equipment will provide for this.

The type of equipment provided under the assistive technology scheme is varied, and includes audiological supports for students with hearing impairment, braille equipment for children with visual impairment, and computer equipment with associated modified software for students with physical or severe communicative disabilities.

Communication devices or medical or therapy related devices which are not specific educational interventions or equipment specifically required as essential for school educational access, and which have a general application outside of school, are not provided for under the Assistive Technology scheme, however. Such equipment is normally provided for children with disabilities by the Health Service Executive (HSE).

With regard to the student referred to by the deputy, a letter issued to his school on 27 February 2018, granting written sanction to purchase equipment that would enable him to access the curriculum.

The school had also applied for a specific communicative software programme, and sanction was not granted for the purchase of same on the basis that it was a communication aid and may be provided by the HSE through its Aids and Appliances scheme. In a letter to the school on 21 August 2018, they were advised that it would be open to the school or the student's parents to contact the local Health Centre with a view to making an application for same, using the contact information available on [www.hse.ie](http://www.hse.ie).

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

130. **Deputy Michael Lowry** asked the Minister for Education and Skills the status of the provision of ASD units at both primary and post-primary level for Clonmel, County Tipperary (details supplied); and if he will make a statement on the matter. [48438/18]

**Minister for Education and Skills (Deputy Joe McHugh):** Funding for special education provision in 2018 will amount to some €1.75 billion, up 43% since 2011 and equivalent to 18.7% of the gross overall current allocation for education and training.

My Department's policy is to provide for the inclusive education of children with special educational needs, including Autism (ASD), in mainstream school settings, unless such a placement would not be in the best interests of the child concerned, or the children with whom they will be educated.

The greater proportion of children with Autism attend mainstream classes, but some require the environment of a special class or special school. This decision is based on a recommendation contained within a professional assessment and in consultation with the NCSE.

Special school placements are provided for other students with ASD and very complex special needs who wouldn't manage in a mainstream school even for part of the week.

The NCSE is responsible, through its network of Special Needs Organisers, for the development and delivery and co-ordination of education services to children with Special Educational Needs, including the establishment of special class and special school placements.

Since 2011, the NCSE has increased the number of special classes from 548 in 2011 to 1,459 across the country now, of which 1,196 are Autism Spectrum Disorder (ASD) special classes.

There are 3 special schools and 66 special classes attached to mainstream schools in Co. Tipperary. Of these, 8 are ASD early intervention classes, 32 are primary ASD classes and 18

are post primary ASD classes. The number of ASD special classes in Co. Tipperary have increased from 10 in 2011/2012 to 58 in 2018/2019. Details of all special classes for children with special educational needs are available on [www.ncse.ie](http://www.ncse.ie).

The NCSE is aware of emerging need from year to year in Co Tipperary, and where special provision is required it is planned and established to meet that need. I have arranged for the Deputy's question on emerging need in the Clonmel area to be forwarded to the NCSE for their attention and direct reply. My Department has no role in making determinations in this matter.

### **Schools Establishment**

131. **Deputy Brendan Ryan** asked the Minister for Education and Skills his plans to provide schools in the Cherrywood area; the timeline for delivery of schools; when the public consultation processes will open for the patronage of each of the schools; and if he will make a statement on the matter. [48454/18]

**Minister for Education and Skills (Deputy Joe McHugh):** As the Deputy will be aware, the Government recently announced plans for the establishment of 42 new schools over the next four years (2019 to 2022), including two new primary schools (to be established in 2020 and 2022) and one new post-primary school (to be established in 2021) to serve the Sallynoggin\_Killiney\_DLR (Cherrywood) school planning area. This announcement follows nationwide, demographic exercises carried out by my Department into the future need for primary and post-primary schools across the country and the 4-year horizon will enable increased lead-in times for planning and delivery of the necessary infrastructure.

A patronage process is run after it has been decided, based on demographic analysis, that a new school is required. This patronage process is open to all patron bodies and prospective patrons. Parental preferences for each patron, from parents of children who reside in the school planning areas concerned, together with the extent of diversity currently available in these areas, are key to decisions in relation to the outcome of this process.

The patronage process for new schools is overseen by an external independent advisory group, the New Schools Establishment Group (NSEG). Following their consideration of my Department's assessment reports, the NSEG submits a report with recommendations to me for consideration and final decision. The assessment reports and the NSEG recommendations for all such patronage processes are made available on my Department's website.

An Online Patronage Process System (OPPS) has been developed by my Department to provide objective information to all parents which will allow them to make an informed choice about their preferred model of patronage for their child's education. Parental preferences were previously collected based on direct engagement with patron bodies.

The patronage process for 12 of the primary schools to be established in 2019 has commenced. The patronage process for the remaining schools, including the schools referred to by the Deputy, will also be run at a later date, significantly ahead of their due opening. Updates in relation to further patronage processes will be announced on the OPPS website and the Department's website [www.education.ie](http://www.education.ie).

An initial phased start-up is envisaged for the new schools, which typically involves the use of interim accommodation. However, this is the first time the requirement for new schools is set out over a 4-year horizon and this will provide a better lead-in period for the planning and delivery of permanent accommodation solutions. Following on from the announcement, the locations for all of the schools will be determined as part of the site acquisition process.

The new primary school due to be established in 2020 to serve the Sallynoggin\_Killiney\_DLR/Cherrywood school planning area is currently at Planning compliance stage. When planning compliance is met, the project will proceed to tender stage. This is expected to be before the end of the year or early 2019, for delivery in 2020. Site acquisition processes in respect of the remaining two schools referred to by the Deputy are currently underway and are being progressed in line with accommodation provision requirements.

### **Schools Mental Health Strategies**

132. **Deputy Bobby Aylward** asked the Minister for Education and Skills if he will identify appropriate avenues of funding which may be available to an organisation (details supplied) in order to assist it in its work promoting positive mental health in primary schools; and if he will make a statement on the matter. [48455/18]

**Minister for Education and Skills (Deputy Joe McHugh):** As the Deputy may be aware my Department launched the Wellbeing Policy Statement and Framework for Practice 2018-2023 in July 2018. The policy statement provides an overarching structure encompassing existing, ongoing and developing work in the area of wellbeing. It builds on the good work already happening in schools to ensure that best practice in whole-school wellbeing promotion is embedded across the system. The policy outlines a multicomponent, whole school preventative approach to the promotion of wellbeing with interventions at both universal and targeted levels. This policy requires that a Wellbeing Promotion Process is developed and implemented, through the use of the School Self-Evaluation (SSE) process, in all schools by 2023.

The policy includes a set of Statements of Effective Practice in relation to wellbeing promotion within the school system. The statements will support schools in reviewing their current provision in four key areas of wellbeing promotion, culture, curriculum, policy and partnership and in setting goals for improvement. The Wellbeing Policy Statement and Framework for Practice is available on my Department's website [www.education.ie](http://www.education.ie) for information.

In order to support schools in the implementation of this Wellbeing Policy it is planned to develop and rollout a comprehensive programme of professional development, commencing in 2019. This will include facilitating the engagement of schools in the school self-evaluation wellbeing promotion process, which will build professional capacity in schools. It also includes the provision of a comprehensive and easily-accessible set of resources to address school-identified wellbeing promotion needs. The roll out will be aligned with the Junior Cycle Wellbeing Programme and the Schools for Health Programme delivered through the HSE, Health Promotion Service. Schools may continue to access existing support available through the Professional Development Service for Teachers (PDST), Health and Wellbeing Team, the Junior Cycle for Teachers and National Educational Psychological Service (NEPS).

There are many resources that have been developed which support implementation of the wellbeing policy in the school context. It is a matter for the school management to consider use, having due regard for the aims and objectives of the SPHE curriculum and the Junior Cycle Wellbeing Guidelines. Schools are also advised to be cognisant of DES, Circular 0042 & 43 /2018 and when considering collaborating with external agencies or commercial concerns in doing work related to wellbeing promotion in schools.

My Department does not provide funding for any programmes for which it has no direct involvement or oversight function, nor is it in a position to endorse or review such programmes, as for instance, the example provided in the Deputy's question. School authorities must therefore look to both the appropriateness of using any external resource, programme or process and

the resourcing implications thereof to the school.

### **Schools Health and Safety**

133. **Deputy Thomas Byrne** asked the Minister for Education and Skills his plans to make public the information relating to building inspections that were carried out at a school (details supplied) in recent weeks; and his further plans to carry out necessary repairs. [48472/18]

**Minister for Education and Skills (Deputy Joe McHugh):** As the Deputy will be aware, my Department arranged for structural assessments to be undertaken at 42 schools following the identification of significant structural issues at Ardgillan Community College in Balbriggan during an assessment undertaken by a structural engineer at the school on 19 October 2018.

Proportionate precautionary measures including the erection of external fencing and protective decks were recommended in 19 schools including the school referred to by the Deputy.

Further more detailed reviews at these schools will be carried out in the near future to ascertain the full extent of the issues and to develop a plan for remediation of these issues.

My Department has maintained contact with the authorities of all 42 schools including the school referred to by the Deputy and they will be kept fully informed of any further developments.

I wish to assure the Deputy that at all times, the Department's priority is the health and safety of the pupils and staff using the schools.

### **Schools Building Projects Status**

134. **Deputy Brendan Ryan** asked the Minister for Education and Skills if tenders were invited for the completion of a campus (details supplied) in County Kildare on 8 November 2018; the number of contractors invited to tender; the closing date for receipt of tenders; and if he will make a statement on the matter. [48485/18]

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

I am pleased to be able to inform the Deputy that completion of the envelope of the two school buildings will commence shortly as part of an arrangement with the Bondsman. This welcome development will weather the buildings and form a neat finish-out package for a new main contractor. That package will be tendered to contractors that have been pre-qualified by the Design Team shortly. The completion date for the project is June 2020 and the Design Team's programme to achieve this is on track.

### **School Transport**

135. **Deputy Brendan Howlin** asked the Minister for Education and Skills the status of a subject raised at a recent meeting (details supplied); and if he will make a statement on the matter. [48504/18]

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

School transport is a significant operation managed by Bus Éireann on behalf of the Department.

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

In the 2017/18 school year over 117,000 children, including over 12,000 children with special educational needs, were transported in over 4,500 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres annually at a total cost of almost €190 million in 2017.

Children are generally eligible for school transport if they satisfy the distance criteria and are attending their nearest school. Children who are eligible for school transport and who have completed the application process on time will be accommodated on school transport services where such services are in operation for the 2018/19 school year.

Children who are not eligible for school transport may be facilitated where spare seats are available after eligible children have been accommodated. Where the number of ineligible children exceeds the number of spare seats available Bus Éireann allocates tickets for the spare seats on the basis of an agreed selection process.

It is understood that the cases referred to by the Deputy relate to children who are not eligible under the rules of the scheme.

The terms of the School Transport Scheme are applied equitably on an annual basis.

### **Higher Education Institutions**

136. **Deputy Brendan Ryan** asked the Minister for Education and Skills if Maynooth University has submitted a cost benefit analysis of its campus development plans under the National Development Plan 2018-2027; if the plans have been approved; the details of the projects; and if he will make a statement on the matter. [48505/18]

**Minister for Education and Skills (Deputy Joe McHugh):** My Department has not yet received a cost benefit analysis (CBA) from Maynooth University in relation to future campus development plans.

However, the Higher Education Authority (HEA) has informed the Department that Maynooth University has been developing a CBA for one of its priority projects and is likely to make an application for funding under the recently announced Strategic Infrastructure Fund. The HEA will be inviting applications for this Fund in the near future.

### **Site Acquisitions**

137. **Deputy Brendan Ryan** asked the Minister for Education and Skills if a site has been identified for a school (details supplied); if the project will be advanced through architectural planning; and if he will make a statement on the matter. [48507/18]

**Minister for Education and Skills (Deputy Joe McHugh):** I can confirm for the Deputy that officials in my Department are working closely with officials from Kildare County Council under the memorandum of understanding in relation to the identification and acquisition of a

suitable site for the school in question. A potential site has been identified and discussions are ongoing. Due to commercial sensitivities relating to site acquisitions generally I am not in a position to provide further details at this time.

Once agreement has been reached on the purchase of a suitable site my Department will be in a position to progress the project concerned into the architectural planning process.

### **Departmental Strategies**

138. **Deputy Fiona O'Loughlin** asked the Minister for Education and Skills the reason the net target for the national skills strategy has not increased for 2025 based on population in view of the fact that the population has increased since 2007; and if he will make a statement on the matter. [48527/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The Expert Group on Future Skills Needs published a report in 2007, "Tomorrow's Skills, Towards a National Skills Strategy" which contained a target that the percentage of the labour force at levels 1 -3 on the National Framework of Qualifications should decrease to 7% by 2020.

This indicator was carried over into Ireland's National Skills Strategy 2025 which was published in January 2016. On inclusion in the strategy, the baseline figure was 15%, and the 7% target for 2020 was retained. The Strategy commits to reviewing this target in 2020, with a view to setting an appropriate revised target for 2025.

The current figure is 12% (Labour Force Survey, Q2 2018, CSO)

A new policy framework for employee development, 'Supporting Working Lives and Enterprise Growth in Ireland', was developed by SOLAS in consultation with key partners. This new approach will enable targeted support for vulnerable groups in the Irish workforce as it has a particular focus on employees those who have lower skills levels and who need more opportunities to advance in their working lives and careers, to sustain their employment and to avoid displacement or to avail of emerging job opportunities. The policy sets a target of having over 40,000 workers, whose skills level is below Level 5 on the NFQ, engaged in state supported skills development by 2021. Participation by employees in relevant courses will be provided free of charge.

This new initiative is also a significant part of our national efforts to implement the European Commission's Upskilling Pathways Recommendation: New Opportunities for Adults, as almost half of those with less than an upper secondary qualification are in employment. My Department has been working with partners on the implementation of the recommendation – which aims to help adults with less than upper second level education acquire a minimum level of literacy, numeracy and digital skills. My Department has established a multi-agency steering group to identify the priority cohorts and appropriate measures to implement the recommendation. This informed my Department's recent response to a request from the Commission for information regarding arrangements in Ireland on upskilling pathways interventions. The response presented the overall context for Upskilling Pathways in Ireland, including key background information that the Commission would find useful, as well as information on existing and planned provision. The Commission are conducting an audit of interventions across Member States and hope to report back on their findings by the end of the year.

### **School Transport Applications**

139. **Deputy Pearse Doherty** asked the Minister for Education and Skills when a person (details supplied) in County Donegal can expect a decision in relation to the school transport requirements for children with special needs; and if he will make a statement on the matter. [48533/18]

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

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

In the 2017/18 school year over 117,000 children, including over 12,000 children with special educational needs, were transported in over 4,500 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres annually at a total cost of almost €190 million in 2017.

Under the terms of my Department's School Transport Scheme for Children with Special Educational Needs, children are eligible for school transport where they are attending the nearest recognised mainstream school, special class/special school or unit, that is or can be resourced, to meet their special educational needs. Eligibility is determined following consultation with the National Council for Special Education (NCSE) through its network of Special Education Needs Organisers (SENO).

The School Transport Section of my Department has received an application for special education needs school transport for the child in question for the 2018/19 school year. My Department is currently liaising with the NCSE in regard to this application.

The terms of the School Transport Schemes are applied equitably on a national basis.

### **Schools Building Projects Status**

140. **Deputy Paul Kehoe** asked the Minister for Education and Skills the status of an application by a school (details supplied) for an extension and or new build; and if he will make a statement on the matter. [48538/18]

**Minister for Education and Skills (Deputy Joe McHugh):** 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 has advised my Department that it is currently addressing legal matters associated with the site portfolio. When these matters have been finalised, my Department will engage further with the school authority relating to the proposed building project.

### **Student Support Schemes**

141. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills the steps he is taking to support teachers who are working with children experiencing homelessness; and the additional supports being made available to schools in areas with cohorts of homeless families. [48551/18]

**Minister for Education and Skills (Deputy Joe McHugh):** A range of resources are available to support schools in dealing with identified additional educational needs, including needs which may arise for children who are experiencing homelessness.

Where staff are aware of homelessness and where it is impacting on school attendance and participation the services of TUSLA Educational Welfare Service and the support services of my own Department, in particular those of the National Educational Psychological Service are available.

Identification of Need and Early Intervention and Prevention Strategies are considered key components to supporting children who experience homelessness. The National Educational Psychological Service (NEPS) works with schools through the DES Continuum of Support framework. NEPS psychologists can provide advice and guidance to Principals and teachers in relation to individual students needs and in the development of whole school approaches to support inclusion, participation and integration.

NEPS supports the role of the school in identifying individual needs and at a systems level in the development of a culture and environment which supports connectedness and provides structure and stability, key elements which underpin learning and opportunity.

DEIS is the main policy initiative of my Department to tackle educational disadvantage. DEIS Schools may use DEIS supports to meet the additional identified needs that may arise for pupils experiencing homelessness.

In addition, as the Deputy may be aware, the Homelessness Inter-Agency Group (HIAG) was established by my colleague, the Minister for Housing, Planning and Local Government, to bring about greater coherence in the provision of homelessness related services across the relevant Government Departments and my Department is represented on this Group.

### **Home Tuition Scheme**

142. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if the decision to withdraw home tuition can be reviewed in the case of a person (details supplied); if the restoration of support for home tuition in this case will be restored in circumstances in which specialist assistance is available; and if he will make a statement on the matter. [48552/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The policy of this Department is that all children with Special Educational Needs, including those with Autism, can have access to an education appropriate to their needs, preferably in school settings through the primary and post primary school network.

Such placements facilitate access to individualised education programmes which may draw from a range of appropriate educational interventions, delivered by fully qualified professional teachers, with the support of Special Needs Assistants and the appropriate school curriculum.

The greater proportion of children with ASD attend mainstream class, where they may access additional supports if required.

Some students with ASD, although academically able to access the curriculum in mainstream, may find it too difficult to manage full-time placement there and placement in an ASD special class is an option for them.

Special school placements are provided for other students with ASD and very complex special needs who wouldn't manage in a mainstream school even for part of the week.

My Department therefore provides for a continuum of provision which includes mainstream school placements with additional supports, or for pupils who require more specialist interventions, special class and special school placements.

This facilitates access to individualised education programmes which can be supported by Special Needs Assistants and fully qualified professional teachers who may draw from a range of autism-specific interventions, including Applied Behaviour Analysis (ABA), Treatment and Education of Autistic Communication Handicapped Children (TEACCH) and Picture Exchange Communications System (PECS) as well as the appropriate school curriculum with the option, where possible, of full or partial integration and interaction with other pupils.

The use of ABA as part of the range of interventions may be particularly useful for addressing behavioural issues. My Department supports the use of ABA and training is provided for teachers in its use.

Where students with Special Educational Needs experience difficulties, the first course of action is engagement with first level services provided by the Department of Education and Skills (National Educational Psychological Service, Special Education Support Service, National Behavioural Support Service, National Council for Special Education) and Health Services Executive (HSE)/ HSE funded services.

If a parent of a student feels that a student is currently experiencing continuing difficulties they should request through their school a multi-disciplinary school based review involving NEPS, the local SENO and other relevant professionals.

The local SENOs are available to advise parents in relation to supports which may be available to support children with special educational needs. The local SENO contact details are available on [www.ncse.ie](http://www.ncse.ie).

The Home Tuition grant scheme provides funding towards a compensatory educational service for children with special educational needs seeking an educational placement for whom such a placement is not available. The Home Tuition grant is provided as an interim measure only, until a placement has been identified by the NCSE.

The NCSE local Special Educational Needs Organiser (SENO) has confirmed that a school placement is available for the child referred to by the Deputy. The grant is not available where a placement has been identified by the NCSE.

Similarly, failure to enrol a child in a school placement at any point during the academic year will not give rise to eligibility under the scheme.

The Home Tuition grant is not an optional alternative to a school placement.

### **Teacher Training Places**

143. **Deputy Niamh Smyth** asked the Minister for Education and Skills if circumstances (details supplied) will be reviewed; and if he will make a statement on the matter. [48593/18]

**Minister for Education and Skills (Deputy Joe McHugh):** I can confirm that my Department has received correspondence in relation to the specific circumstances referred to and a response will issue directly to the individual concerned in the coming days.

In October 2017, my Department announced changes in relation to the Minimum Entry Requirements for entry into primary teacher training programmes, as follows:

Entry 2018 - Irish: H5, English: H7/O5, Maths: H7/O6

Entry 2019 - Irish: H4, English: H7/O4, Maths: H7/O4

The changes took account of advice provided by the Teaching Council, who had engaged in a consultation process around a number of matters relating to entry to initial teacher education. Many of the issues identified were complex and the Council commissioned the ESRI (Economic and Social Research Institute) to carry out research to inform its deliberation.

Having relatively high minimum entry requirements (MERs) in core subject areas of Irish, English and Mathematics is one of the key policy levers that help ensure quality teaching and learning in primary schools. The 2011 Literacy and Numeracy Strategy and subsequent review identified the need to raise standards of achievement and included plans to raise the entry requirements in the core subjects over time.

The changes to the minimum entry requirements were introduced from 2019, rather than 2018, so as not to impact students who had already commenced senior cycle and who intended sitting the Leaving Certificate examinations in 2018. However to have applied this criterion to undergraduate students who might wish to apply for the Professional Master of Education qualification at some time in the future would mean deferring the changes for four years or more.

In recognition of the fact that not all applicants will meet the minimum entry requirements in Irish, English and Maths at the first attempt, there is no requirement that these minimum grades be achieved in one sitting of the Leaving Cert. Furthermore, there are a number of alternative qualifications that can take the place of the relevant Leaving Cert grade. The list of alternative qualifications in the subject(s) concerned are outlined in the published Entry Requirements and Procedures for 2018 and available on my Department's website (see [www.education.ie](http://www.education.ie)).

### **School Accommodation**

144. **Deputy John Brassil** asked the Minister for Education and Skills the status of an application by a school (details supplied) in respect of a request to purchase a site for the building of a new school; and if he will make a statement on the matter. [48619/18]

**Minister for Education and Skills (Deputy Joe McHugh):** As the Deputy is aware, my Department has not received any communication from the patron or Board of Management of the school relating to the patron providing a site to construct permanent accommodation for the school. My Department is aware, through the Deputy, that the Patron has written to the Board of Management relating to the matter. My Department awaits a communication from the Board of Management in this regard.

### **Garda Investigations**

145. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the status of the investigations by An Garda Síochána and the Director of Public Prosecutions into the findings of the Flood and Mahon tribunals; the stage at which these investigations are at; when a decision will be reached; and if he will make a statement on the matter. [48478/18]

146. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the actions and investigations being taken on foot of the Moriarty tribunal; the stage at which these investigations are at; when a decision will be reached; and if he will make a statement on the matter. [48479/18]

147. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the status of the investigations by An Garda Síochána and the Director of Public Prosecutions into the findings of the Moriarty tribunal; the stage at which these investigations are at; when a decision will be reached; and if he will make a statement on the matter. [48480/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I propose to take Questions Nos. 145 to 147, inclusive, together.

As the Deputy is aware, it is the role of An Garda Síochána to investigate alleged offences, to gather whatever evidence may be available and to submit a report to the Director of Public Prosecutions (DPP). The DPP, who is independent in the performance of her functions, then decides whether or not someone should be prosecuted, and for what offence, on the basis of the Garda findings, viewed against the background of common and/or statute law

I am advised by the Garda authorities that two separate investigations have been conducted by the Criminal Assets Bureau (CAB) in relation to the Moriarty Tribunal.

1. Investigation by CAB following referral of the final report of the Moriarty Tribunal by the Minister for Communications, Energy and Natural Resources to the Commissioner of An Garda Síochána in March 2011.

In March 2011, the Commissioner tasked CAB with examining the report with a view to identifying any criminal offences that may require investigation by An Garda Síochána. I am informed that the examination of this matter is continuing and a final report has not yet been completed. A number of interim reports have been provided to the Garda Commissioner.

With regard to the progress of the corruption investigations, enquiries have been requested in a number of other jurisdictions, the outcome of which is still awaited at this time.

2. Investigation by CAB in relation to alleged obstruction of the Moriarty Tribunal.

In July 2013, the Chairman of the Moriarty Tribunal made a complaint to the Garda Commissioner concerning alleged obstruction of the Tribunal. I am advised that this matter was fully investigated by CAB and an investigation file was submitted to the Office of the DPP, with directions received on 29 August 2017, that there be no prosecutions.

Separately, in relation to the Mahon Tribunal, I am advised by the Garda authorities that CAB completed its review of the final Mahon Tribunal Report and the report was submitted to the DPP who, on 21 February 2018, directed there be no prosecutions.

In addition, as the Deputy will be aware, the Criminal Justice (Corruption Offences) Act was signed into law on 5 June 2018 and commenced in full on 30 July. The Act introduces a number of additional offences to give better effect to the UN Convention against Corruption (UNCAC), the Council of Europe Criminal Law Convention on Corruption and the OECD Convention on Combatting Bribery of Foreign Public Officials in International Business Transactions, as well as providing for some of the recommendations of the Mahon Tribunal.

The Act creates several new offences to strengthen the law on corruption in Ireland. New offences include:

- Offering or agreeing to accept a gift, consideration or advantage to induce another person to exert an improper influence over an act of a foreign or public official.

- Making use of confidential information obtained in the course of duties by an official in order to gain an advantage.

- Giving a gift, consideration or advantage where a person knows or reasonably ought to know that the gift will be used to facilitate a corruption offence.

- A new strict liability offence for corporate bodies whose management, employees or subsidiaries commit a corruption offence with the intention of securing an advantage for the company. It shall be a defence for the body corporate to prove they took reasonable steps to prevent this. The penalty for conviction on indictment is an unlimited fine.

The Act extends the categories of persons to whom the presumptions relating to corrupt donations will apply, to include family members and close business associates, as recommended by the Mahon Tribunal. It also creates a presumption of corrupt enrichment whereby a public official who has not declared an interest in land or other property, when obliged to do so, can be presumed to have obtained it as an inducement or reward for doing an act in relation to his or her office.

Penalties under the Act aim to be sufficiently strong to reflect the serious social and economic harm corruption can do, particularly when committed by public officials. Sentences of up to 10 years are provided for as well as unlimited fines upon conviction on indictment. The Act provides for a penalty of forfeiture of office if an Irish official is found guilty of corruption on indictment, as recommended by UNCAC. The forfeiture of office penalty will not apply where there is already a process for a position to be terminated by resolution of both Houses of the Oireachtas, or where the power of removal is derived from a Constitutional power.

### **Court Accommodation Provision**

148. **Deputy Brendan Ryan** asked the Minister for Justice and Equality the progress that has been made on the commitment in the National Development Plan 2018-2027 in relation to the provision of a standard county type court facility in north County Kildare; and if he will make a statement on the matter. [48483/18]

**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 enquiries made and the Courts Service has advised that Naas/North Kildare is one of a number of locations identified where there will be a requirement for additional court facilities in the future. It is included among a number of developments in relation to Courts Service accommodation requirements that are outlined in the Government's recent National Development Plan 2018 -2027. These include the following:

- Further new or refurbished courthouses in regional cities and county towns where facilities remain substandard (including Galway City, Wicklow Town, Portlaoise, Tralee and Roscommon) and further provincial locations such as Dungloe and Tuam;

- Construction of standard county town type court facilities at a number of locations in County Dublin and also in **North Kildare** , Bray and Navan;

- A nationwide condition survey of all court buildings in the estate will be undertaken to determine their condition and identify works required in relation to any issues identified and meet ongoing maintenance requirements.

The precise allocation and timing of additional funding over the entire ten year period remains to be fully determined. It will be dependent on the outcome of further detailed planning and analysis of costs which will determine prioritisation of projects from a timing and budgetary perspective.

The Courts Service has further advised that, as it will not be possible to provide the full range of additional facilities on the current courthouse site in Naas, the Courts Service will be exploring site options.

### **Court Accommodation Provision**

149. **Deputy Brendan Ryan** asked the Minister for Justice and Equality further to Parliamentary Question No. 256 of 26 June 2018, when the promised review of the future delivery of court services in the district court area of Kilcock will commence; and if he will make a statement on the matter. [48493/18]

**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 enquiries made and the Courts Service has informed me that the review of the future delivery of services in Kilcock has commenced and the consultation process with stakeholders is underway at present.

The Office of Public Works has been asked to provide a Mechanical and Engineering Report in relation to the current courthouse and a full condition survey has been commissioned in relation to the buildings restorative work and compliance with disability, fire and health and safety legislation. This work is currently underway and final reports are awaited. As the Deputy is aware, Kilcock Courthouse was closed in July 2016 on health and safety grounds and District Court sittings were transferred to Naas.

The Courts Service has also informed me that it is intended to bring the Report on the Review to the Courts Service Building Committee and the Courts Service Board in early 2019.

### **Departmental Functions**

150. **Deputy Catherine Murphy** asked the Minister for Justice and Equality the progress made to date in dividing his Department as per the Effectiveness and Renewal Group for the Department of Justice and Equality report; if the newly constituted units have been formed and operational; if the Irish Naturalisation and Immigration Service and the Irish Prison Service have been separated into separate entities; if an external consultancy group or company has been engaged to advise and or assist with this project; the costs to date of the engagement; the estimated costs for full delivery of same; and if he will make a statement on the matter. [48496/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I wish to advise the Deputy that, in line with the recommendation of the Effectiveness and Renewal Group (ERG) in its First Report in June 2018, my Department is now aligned around two pillars, Criminal Justice, and Civil Law and Equality respectively. Ms. Oonagh McPhillips is the Deputy Secretary with responsibility for Criminal Justice and Ms. Oonagh Buckley has recently been appointed as

Deputy Secretary with responsibility for Civil Law and Equality.

The work to implement a new operating model based on functional units, also recommended by the ERG, is also underway, and an internal programme team has been put in place. In addition, on 21 September, a request for tender (RFT) for external specialist expertise to support the Department to plan, design and implement the model was issued with a closing date of 26 October 2018. The tenders are currently being evaluated and it is anticipated that a contract will shortly be awarded. A programme budget will be prepared following the award of the tender when definitive figures are available. No costs have been incurred to date for external assistance on the Transformation Programme.

The Second Report of the ERG (September 2018) asked that the optimal structure to be adopted for a number of my Department's large operational areas, including those referred to by the Deputy, should be examined further in the context of giving greater clarity and delineated responsibility and accountability for meeting the objectives associated with those services. My Department is engaging with the ERG in this regard and it is anticipated that the outputs from this engagement will help inform the ERG and their Third Report which is due in December 2018.

More generally, and as indicated in the Second Report from the ERG, my Department has made good progress to date and my officials will continue to progress the Transformation Programme as a matter of the highest priority.

### **Garda Station Refurbishment**

151. **Deputy Brendan Ryan** asked the Minister for Justice and Equality the Garda stations in County Kildare that have received upgrading or refurbishment in 2018; the Garda stations in County Kildare that are planned for upgrading or refurbishment works in 2019; the details of the upgrading or refurbishment works carried out or planned in 2018 and 2019; and if he will make a statement on the matter. [48506/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Deputy will appreciate that 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, which has responsibility for the provision and maintenance of Garda accommodation. This includes identifying and progressing any necessary remedial or refurbishment works required at individual stations. As Minister, I have no direct role in these matters.

I have asked the Garda Commissioner for the specific information requested and when it is received I will write directly to the Deputy.

### **Crime Data**

152. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality the number of crimes carried out against persons with disabilities; if such information is compiled and held; if An Garda Síochána has evidence or is of the view that these crimes were committed against these vulnerable persons due to their having a disability; and if he will make a statement on the matter. [48508/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will be aware, the Central Statistics Office (CSO), as the national statistical agency, is responsible

for the compilation and publication of all crime statistics. However, it is my understanding that the CSO are not currently producing statistics on crimes with a discriminatory motive.

As outlined in the Policing Plan for 2018, work is well underway within An Garda Síochána on the development of a definition of, and procedures to record, hate crimes. Once this definition is agreed, An Garda Síochána will be running a nationwide campaign to encourage the reporting of hate crimes to An Garda Síochána.

Improvements were made to the Garda PULSE system (PULSE release 6.8) in 2015 and, among the enhancements included in this release, was the introduction of a Victim Assessment Screen. This requires the mandatory recording of data relating to the apparent motive for a crime incident, such as whether it has been motivated by discrimination on specific grounds including age, disability, race, religion, gender or sexual orientation.

The Garda Racial Intercultural and Diversity Office (GRIDO) has responsibility for co-ordinating, monitoring and advising on all aspects of policing Ireland's diverse communities. Ethnic and LGBT liaison officers in each Division also play a fundamental role in liaising with minority groups and work in partnership to encourage respect and understanding within communities and to help prevent hate and racist crime. Both the Garda Racial Intercultural and Diversity Office and Liaison Officers provide advice and assistance to victims of hate or racist crime where required or deemed necessary.

### **Home Repossessions Rate**

153. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality the number of home repossessions lending institutions applied for by number; and the number of those that were either refused, adjourned or granted, respectively, in each of the past seven years, by court district, in tabular form. [48509/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I regret that it has not been possible to compile the requested data within the limited time available. In the circumstances, I will communicate directly with the Deputy when available information has been assembled.

### **Departmental Legal Cases**

154. **Deputy Róisín Shortall** asked the Minister for Justice and Equality if he will waive confidentiality in relation to the legal agreement reached between the State and a person (details supplied) in relation to the civil action being taken by a person in view of the strong public interest in the proceedings; and if he will make a statement on the matter. [48590/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will be aware, the first-named person is a named party in a civil action initiated against the Minister for Justice and Equality, Ireland, the Attorney General and the Garda Commissioner, relating to matters which arose during his tenure as Garda Commissioner.

In accordance with section 48 of the Garda Síochána Act 2005, on the recommendation of the Acting Garda Commissioner and in accordance with normal procedures, I approved an application for the granting of State representation to the person concerned. Prior to making a decision on the issue, I sought legal advice from the Attorney General.

It is important to note that State representation does not constitute an undertaking or grant of

indemnity. Nor does the granting of representation imply that a case is being defended, rather it simply means the party is legally represented.

The decision to grant State representation was taken in July 2018, some time prior to the recent report of the Disclosures Tribunal which was published in October 2018. Following the Tribunal's report, all aspects of this and related civil actions are being considered in consultation with the Office of the Attorney General.

I wish to confirm that I have asked the Attorney General to advise on settlement of this and related civil actions. However the Deputy will appreciate that at this stage, the cases concerned have not yet been settled and as such there is no legal agreement between the parties, including the persons referred to.

I wish to assure the Deputy that my priority and that of the Government is for these cases to be settled without undue delay, in the interests of the second-named person and his family.

### **Cyber Security Policy**

155. **Deputy Eoin Ó Broin** asked the Minister for Justice and Equality the progress he has made in implementing recommendations 15, 16, 17 and 18 of the Report on Cyber Security for Children and Young Adults published by the Oireachtas Joint Committee on Children and Youth Affairs in March 2018. [48617/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** Work is underway in my Department to address the recommendations relating to harmful communications online made in the Report on Cyber Security for Children and Young Adults published by the Oireachtas Joint Committee on Children and Youth Affairs in March 2018.

Harmful communications, particularly online, can cause significant damage to victims. I am aware that there are growing concerns about how quick and easy it is to engage in online harassment, online stalking or to distribute intimate images of another person with the intent to cause harm. Our laws need to ensure that the individuals can use the internet free from harm while also ensuring that freedom of expressions is not unduly interfered with.

As the Deputy will be aware, in December 2016, the Government approved the preparation of the general scheme of a Bill to address the criminal law elements of the LRC's report. Subsequently, Deputy Brendan Howlin published a Private Member's Bill entitled the Harassment, Harmful Communications and Related Offences Bill 2017 which completed second stage in the Dáil in January 2018 and was not opposed by Government. The main provisions of the Bill as published include extending the existing offence of sending threatening or indecent messages to apply to all threatening, false, indecent and obscene messages using any form of online or traditional method of communications. The Bill creates new offences to deal with the distribution of intimate images without consent. The Bill also proposes extending the existing offence of harassment as contained in section 10 of the Non-Fatal Offences Against the Person Act, 1997 to include all forms of communication, including through online or digital communications, and including communication about a person. This Bill will therefore deal with recommendations 15-18 of the Report on Cyber Security for Children and Young Adults.

Cabinet agreed in May this year to cease work on the Government Bill and to support Deputy Howlin's Bill to ensure that legislation can be enacted as soon as possible. Officials in my Department have met with Labour Party officials with the intention of identifying and bringing forward any necessary Government amendments to ensure the Bill can be as effective as possible. I am currently awaiting legal advice from the Office of the Attorney General in relation

to these proposed amendments and I am committed to enacting this legislation at the earliest possible opportunity.

### **Garda Disciplinary Proceedings**

156. **Deputy Róisín Shortall** asked the Minister for Justice and Equality the options that are open to An Garda Síochána to suspend or otherwise remove from active duty a member of the force in which there is clear evidence of wrongdoing or a dereliction of duty; and if he will make a statement on the matter. [48626/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate disciplinary matters including dismissal and suspension within An Garda Síochána are governed by the Garda Síochána Act 2005, as amended, and the Garda Síochána (Discipline Regulations, 2007).

Section 11, Subsections 1 & 2, of the Garda Síochána Act provides for the removal from office by the Government of the Garda Commissioner or Deputy Garda Commissioner for reasons which include:

(i) failure on the part of the individual to perform the functions of the office with due diligence and effectiveness;

(ii) the individual has engaged in conduct that brings discredit on the office;

(iii) removal of the individual would in the opinion of the Government be in the best interests of An Garda Síochána

Under Subsection 3 & 4 an Assistant Garda Commissioner, Chief Superintendent or Superintendent may be removed from office by the Policing Authority for reasons related solely to policing services or by the Government for other stated reasons.

If removal from office of any of the senior ranks is being considered, the Government or the Authority may immediately suspend the individual from duty.

Section 14 of the Act provides for the dismissal by the Commissioner, subject to the consent of the Policing Authority, for all other ranks, if the Commissioner is of the opinion that the individual's continued membership of An Garda Síochána would undermine public confidence in An Garda Síochána.

In addition, the Garda Síochána (Discipline) Regulations 2007, are concerned with the maintenance of discipline in An Garda Síochána and where it is established that a member is in breach of discipline they may be subject to one of the disciplinary actions provided for in the Regulations up to and including dismissal; requirement to retire or resign as an alternative to dismissal and reduction in rank.

The Regulations also provide that the Commissioner may suspend a member below the rank of Assistant Commissioner from duty where in the opinion of the Commissioner the circumstances make such a course of action desirable in the interests of An Garda Síochána.

Full details of An Garda Síochána's suspension policy is available on the Garda Website as per the following link. <https://www.garda.ie/en/about-us/our-departments/governance-and-accountability/internal-affairs/policy-document-on-suspension-from-duty-of-members-of-ags.pdf>

## Asylum Seeker Accommodation

157. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality if asylum seekers are being housed in a hotel in the Magheracloone area of south County Monaghan; if so, if he will provide details (details supplied); and if he will make a statement on the matter. [48646/18]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** The Reception and Integration Agency of my Department has been encountering significant upward pressure on its accommodation portfolio over the last year or so. This pressure has increased further in the last number of months with an increase in the numbers of persons claiming international protection and a growth in the percentage of protection applicants who require assistance with accommodation.

In order to ensure that the State can continue to provide accommodation for all protection applicants and continue to comply with the EU Reception Directive which was transposed into Irish law in June of this year, RIA has, since September, arranged for the provision of emergency beds where the mainstream accommodation centres were at capacity. RIA is also increasing the capacity of the mainstream system by opening new centres.

In addition to this expansion, one hotel in the Magheracloone area of South Monaghan is currently providing emergency beds for protection applicants. RIA does not have exclusive use of this hotel and it continues to operate as a commercial entity. Applicants are accommodated there for a short period before they are moved into mainstream accommodation system where they will have full access to all the services provided by the State to protection applicants. Staff in my Department are in close contact with the management of the hotel to ensure that emergency needs are met as necessary. On the evening of the 13 November 2018 there were 87 persons residing in this Hotel. This included single males, single females and some families. Of those 87 residents, 18 were under the age of eighteen and were in the care of their parents or guardians.

## Hospitals Policy

158. **Deputy Pat The Cope Gallagher** asked the Minister for Health further to Parliamentary Question No. 445 of 13 November 2018, the details of the amended capital plan from 2016 to 2021 for a hospital (details supplied); when this amendment was made to the capital plan; the amount of additional funding added to the capital plan in order to cover the change in plans for these two community hospitals; the timeline for the funding to be allocated within the context of the current plan only; and if he will make a statement on the matter. [48447/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** Earlier this month, the Department noted the rationale put forward by the HSE for the revisions to its capital programme and acknowledged that the matter had been considered and decided upon through the established mechanisms within the HSE. As a result, the position in relation to the two community hospitals mentioned has been amended. These two community hospitals will be redeveloped through the HSE's capital programme.

In relation to the additional funding identified by the HSE for capital investment in public residential centres for older people, it is a matter for the HSE, in the first instance to prioritise and plan projects, subject to available funding in the coming years. As outlined at the recent meeting on this issue, the HSE will now advance these plans in 2019 through the established processes. The HSE has confirmed that it intends that this process will begin in 2019, with the

commencement of the design phase for both of these projects.

### **Medical Card Reviews**

159. **Deputy Richard Boyd Barrett** asked the Minister for Health his plans to exclude persons over 70 years of age from the medical card review process in view of the fact that their income is unlikely to change and in some cases they find it extremely difficult to gather the information required due to age related difficulties; and if he will make a statement on the matter. [48462/18]

**Minister for Health (Deputy Simon Harris):** Persons over 70 years of age do not have automatic eligibility for a medical card, however, under the Health (Alteration of Criteria for Eligibility) (No. 2) Act 2013, they do have a simplified application process where, when a person attains the age of 70, the medical card income limits are €500 gross income per week for a single person and €900 gross income per week for a couple. Medical Cards, including those issued to persons over the age of 70, are subject to periodic review to determine if the person still meets the eligibility criteria. This is part of the normal oversight function of the HSE and there are no plans to change this process for persons aged over 70 years of age.

Where a notice of Review of a Medical Card has been initiated it is important to note that this is provided 3 months in advance of the date of expiry. This is to afford individuals an extensive time period to provide any required documentation. Furthermore, it is important to clarify that during the review process persons will continue to hold eligibility. Any person who is experiencing difficulties providing particular information within this period should contact the HSE as the card's validity may be extended when the review is continuing.

### **Medical Card Eligibility**

160. **Deputy Bernard J. Durkan** asked the Minister for Health when the recommendations in the report Make Work Pay, especially relating to medical card eligibility will be implemented; and if he will make a statement on the matter. [48544/18]

**Minister for Health (Deputy Simon Harris):** The recommendations in the Make Work Pay for People with Disabilities Report in relation to medical cards were, firstly, to remove the requirement that work undertaken for the purposes of the medical card earnings disregard must be of a "rehabilitative" nature and, secondly, to increase the earnings disregard.

The first recommendation was implemented by the HSE last year. It is intended that the second recommendation will be implemented by the HSE before year end.

### **Medicinal Products**

161. **Deputy James Browne** asked the Minister for Health the position regarding the drug minocycline as a treatment for schizophrenia (details supplied); and if he will make a statement on the matter. [48433/18]

**Minister for Health (Deputy Simon Harris):** Minocycline is a broad-spectrum antibiotic which is authorised in Ireland for the treatment of infections caused by tetracycline-sensitive organisms. It is not currently authorised as a treatment for schizophrenia.

The Health Products Regulatory Authority (HPRA), the competent authority for medicines in Ireland, have advised that there is a clinical trial registered in the UK investigating the role of this therapy in schizophrenia.

If the safe and efficacious use of Minocycline in the treatment of schizophrenia is shown through successful trials, the marketing authorisation holder may choose to apply to the European Medicines Agency or the HPRA for its indicated use to be expanded to include treatment of schizophrenia. It is important to note however that I as Minister for Health have no role in the authorisation process for medicinal products and such decisions can only be made by the marketing authorisation holder.

The HPRA has confirmed that there are no ongoing clinical trials in Ireland investigating minocycline in the treatment of schizophrenia.

### **Hospital Appointments Delays**

162. **Deputy Micheál Martin** asked the Minister for Health the reason a person (details supplied) is still waiting for a hip replacement; and if he will make a statement on the matter. [48450/18]

**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, since 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.

### **Home Help Service Provision**

163. **Deputy Micheál Martin** asked the Minister for Health the reason a person (details supplied) is only in receipt of 15 minutes home help per week; and if he will make a statement on the matter. [48451/18]

**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 Policy**

164. **Deputy Bobby Aylward** asked the Minister for Health if he will identify appropriate avenues of funding which may be available to an organisation (details supplied) in order to as-

sist it in its work promoting positive mental health in primary schools; and if he will make a statement on the matter. [48456/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** The Department of Health published the Youth Mental Health Task Force report in December 2017. The report recommended several actions to promote mental health in schools that will be rolled out over a period of three years. Since the launch of the report the Department have been working on many initiatives to create awareness and develop training for staff working with young people. There is no specific funding made available directly by the Department of Health to voluntary organisations. Health specific grants are usually provided through the HSE or other lead agencies. I have requested the HSE to make contact with the organisation referred to by the deputy to outline any assistance they may be able to provide.

### **Departmental Correspondence**

165. **Deputy Kathleen Funchion** asked the Minister for Health the status of a request for further information by persons (details supplied) [48457/18]

**Minister for Health (Deputy Simon Harris):** A reply to this correspondence has now issued from my office.

### **Home Care Packages Provision**

166. **Deputy John Lahart** asked the Minister for Health his plans to extend home care packages to include night-time cover; and if he will make a statement on the matter. [48463/18]

**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.

### **HSE Funding**

167. **Deputy John Lahart** asked the Minister for Health his plans to increase the level of funding to an organisation (details supplied); and if he will make a statement on the matter. [48466/18]

**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.

### **Departmental Expenditure**

168. **Deputy Louise O'Reilly** asked the Minister for Health his views on EUROSTAT figures and OECD figures on health spend here; his further views on the different price deflators used (details supplied); his further views on whether GDP is not a robust measure for health spend; and his further views on whether using the actual individual consumption price deflator is the best way to measure health spend. [48473/18]

**Minister for Health (Deputy Simon Harris):** System of Health Accounts is the most wide-

ly accepted methodology for estimating health expenditure and is used by both the Organisation for Economic Cooperation and Development (OECD) and Eurostat. It is important to note that SHA focuses solely on expenditure for health purposes and excludes other expenditures, such as elements of social care expenditure, which would also come under the remit of my Department. While there are known issues in the international comparability of SHA estimates, such as those around Out-of-Pocket and Long-Term Care expenditures, SHA still represents a useful approach to measuring the level of health expenditure on health goods and services, including public and private expenditure, across countries.

The SHA methodology produces estimates of health expenditure in the currency and price level of the relevant country. Purchasing Power Parities (PPPs) are used to turn these estimates into a common currency, valued at a uniform price level. The values resulting from this exercise should reflect only differences in the volumes of goods and services consumed in countries. For this calculation the OECD uses PPPs based on Gross Domestic Product while Eurostat uses Actual Individual Consumption PPPs. The differences in these approaches reflects the set of prices included in their calculation.

GDP is a measure of all expenditures in an economy. PPP based on prices from GDP includes the most comprehensive coverage of goods and services. Irish GDP has experienced significant volatility in recent years as a result of globalised activities in the economy. My Department have been in communication with the OECD to clarify whether this has distorted the GDP PPP for Ireland, however it is not clear at this point whether this is the case. More generally, the OECD and Eurostat note that while GDP is a good indicator of the level of economic activity, it is not an accurate measure of material well-being, when material well-being is defined in terms of individual goods and services consumed by households, that is, the goods and services that households consume to satisfy their individual needs.

AIC relates more to the domestic consumption of goods and services. It includes all goods and services consumed by households whether purchased by themselves or provided by Government or Non-Profit Institutions Serving Households, whereas GDP includes items such as net exports.

For certain countries, such as Ireland, there is a significant difference in the value of the AIC and GDP PPP. Given the importance of this parameter for measuring the volume of health goods and services consumed in Ireland, work is ongoing by my officials to evaluate the most appropriate PPP to use in international comparisons.

### **Mental Health Act Review**

169. **Deputy Pat Buckley** asked the Minister for Health the number of the recommendations of the expert review of the Mental Health Act 2015 that have been implemented; and if he will make a statement on the matter. [48500/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** The Expert Group Review of the Mental Health Act 2001, which was published in 2015, put forward 165 recommendations. Approximately 70% of these relate to amendments to the 2001 Act. The Deputy will be aware that Government approved plans to proceed with the general scheme of a bill and officials are working on the heads of this comprehensive amending bill which will legislate for the recommendations of the Review.

Draft heads are expected to be significantly progressed by the end of the year with the aim of passing on the draft to the Mental Health Commission early in the new year. It is essential that

the Mental Health Commission, which has a very significant and important role in overseeing the safeguards provided in the Act, have full input into the framing of the many amendments to be included in revised mental health legislation.

Since the Expert Group Review was published three mental health amendment acts have been enacted. The first was the Mental Health (Amendment) Act 2015 which updated the provisions of the 2001 Act regarding treatment, in particular ECT. The second was the more recent enactment of the Mental Health (Amendment) Act 2018 which makes changes to the 2001 Act regarding the definition of voluntary patient and which introduces guiding principles for adults instead of the principle of best interests. The Act also introduces guiding principles for children and refers to capacity within the meaning of the Assisted Decision-Making (Capacity) Act 2015. It is important to point out, however, that the provisions of the 2018 amending act cannot be commenced until further legislative changes are made and the Decision Support Service, established under the Assisted Decision-Making (Capacity) Act is operational. The changes in these two acts are based on a number of different recommendations of the Expert Group Review.

The third amending act is the Mental Health (Renewal Orders) Act 2018, which amended Section 15 of the 2001 Act following on from a Court of Appeal finding of unconstitutionality.

In addition, changes to or that have an effect on the 2001 Act will be introduced as part of the new Deprivation of Liberty provisions currently being developed by my Department and also through changes proposed for the Child Care Act 1991. Finally, there are four Private Member's Bills published which seek to make changes to or that have an effect on the 2001 Act.

Many of the changes proposed in the various private members bills replicate recommendations of the Expert Group Review.

### **Counselling Services Provision**

170. **Deputy Pat Buckley** asked the Minister for Health his plans for the telecounselling pilot project in County Wicklow; when it will be launched; the way in which it will operate; the target group; the estimated cost per year; and if he will make a statement on the matter. [48501/18]

**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**

171. **Deputy Pat Buckley** asked the Minister for Health the projects and programmes delivered to date in terms of addressing the mental health needs of homeless persons; if counselling has been provided to these persons; the location the counselling takes place; and if he will make a statement on the matter. [48502/18]

**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 Beds Data**

172. **Deputy Pat Buckley** asked the Minister for Health the number of inpatient mental health beds for both adults and children provided separately that are operational; and if he will make a statement on the matter. [48503/18]

**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 Delays**

173. **Deputy Sean Sherlock** asked the Minister for Health if an early appointment will be expedited for a person (details supplied). [48519/18]

**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, since 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**

174. **Deputy Fiona O'Loughlin** asked the Minister for Health the procedure for assisting Irish persons to return home when they fall ill in another European country; and if he will make a statement on the matter. [48521/18]

**Minister for Health (Deputy Simon Harris):** Anyone travelling abroad within the EU should apply for a EHIC (European Health Insurance Card) before they travel. The card ensures that a person will get the same access to necessary medical treatment under public sector health care (e.g. a doctor, a pharmacy, a hospital or a health care centre) as nationals of the country they are visiting. The Department would also advise taking out adequate travel insurance before any trip abroad.

My colleagues in the Department of Foreign Affairs provide consular assistance to Irish Citizens wishing to return home when they fall ill in another country through the nearest Irish Embassy or Consulate. In that regard, I would advise the Deputy to contact the Department of Foreign Affairs directly on this matter.

## **Cancer Screening Programmes**

175. **Deputy Fiona O'Loughlin** asked the Minister for Health the status of the roll-out of the HPV test; and if he will make a statement on the matter. [48528/18]

**Minister for Health (Deputy Simon Harris):** I gave approval earlier this year for a switch to HPV testing as the primary cervical screening test, with cytology as a reflex test. This change will improve the sensitivity of testing and reduce the number of false negatives arising, although it is important to be clear that false negatives will always be part of any cervical screening programme.

This change in testing is a priority, and it must be implemented in a way that prioritises quality and safety. Work on this complex project is well underway. Funding to implement the switch, and to extend HPV vaccination to boys subject to completion of the Health Technology Assessment currently underway by HIQA, has been allocated in Budget 2019, underlining the Government's commitment to these essential projects.

### **Hospital Equipment**

176. **Deputy Bobby Aylward** asked the Minister for Health the position regarding the provision of funding to supply an MRI machine for St. Luke's Hospital (details supplied); and if he will make a statement on the matter. [48536/18]

**Minister for Health (Deputy Simon Harris):** As the Health Service Executive is responsible for the delivery of healthcare infrastructure projects, I have asked the HSE to respond to you directly in relation to this matter.

### **Medical Aids and Appliances Provision**

177. **Deputy Michael Healy-Rae** asked the Minister for Health if he will address a matter regarding the case of a person (details supplied); and if he will make a statement on the matter. [48537/18]

**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.

### **Services for People with Disabilities**

178. **Deputy Patrick O'Donovan** asked the Minister for Health the status of funding (details supplied); and if he will make a statement on the matter. [48572/18]

**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 Appointments Status**

179. **Deputy Pearse Doherty** asked the Minister for Health further to Parliamentary Question No. 577 of 18 September 2018, when a reply will issue. [48574/18]

**Minister for Health (Deputy Simon Harris):** In relation to the particular query raised, I have asked the HSE to ensure that a reply to the PQ No.176 is forwarded to the Deputy.

### **Hospital Appointments Delays**

180. **Deputy Robert Troy** asked the Minister for Health if an appointment for a MRI scan for a person (details supplied) will be expedited; and if he will make a statement on the matter. [48607/18]

**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, since 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**

181. **Deputy Michael McGrath** asked the Minister for Health his plans to make personalised budgets available for persons with a disability as an alternative to an adult day service; and if he will make a statement on the matter. [48609/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I wish to draw the Deputy's attention to the report of the Task Force on Personalised Budgets, which I published on 17th July 2018. The report is available on the Department of Health website. The report sets out how personalised budgets could work as a funding mechanism for people with a disability, providing them with greater choice and control over the services and supports they receive, including day services.

The Task Force, having reviewed the national and international research evidence and consulted with service users and their families, recommended that the Department of Health and the HSE should establish demonstration projects to test the delivery of personalised budgets with a view to identifying the best approach to the wider roll-out of these payment models following the initial demonstration phase.

The Department of Health, NDA and the HSE are in the process of designing demonstration projects, as recommended by the Task Force on Personalised Budgets. Selection criteria for

inclusion in the demonstration projects have not yet been finalised. The Department's website will be kept updated with information on the roll out of the demonstration projects as it becomes available.

### **Hospital Services**

182. **Deputy James Browne** asked the Minister for Health further to Parliamentary Question Nos. 382 and 412 of 13 November 2018, the position regarding the review of the second cath laboratory at University Hospital Waterford as discussed at the HSE National Capital and Property Steering Committee on 13 November 2018; and if he will make a statement on the matter. [48610/18]

**Minister for Health (Deputy Simon Harris):** As the Deputy is aware, I have decided to proceed with the provision of a second cath lab in University Hospital Waterford based on the HSE's preferred option for its location and operation. It is intended that the cost of progressing the project to design, planning and construction stages will be considered in the context of the HSE's Capital Plan for 2019.

### **Emergency Departments Data**

183. **Deputy Brendan Smith** asked the Minister for Health the number of persons attending accident and emergency departments on an annual basis from 2013 to 2017 and to date in 2018, at hospitals (details supplied); and if he will make a statement on the matter. [48611/18]

**Minister for Health (Deputy Simon Harris):** I wish to acknowledge the distress overcrowded Emergency Departments (EDs) cause to patients, their families and frontline staff working in very challenging working conditions in hospitals throughout the country.

This Government remains committed to tackling overcrowding in EDs and improving access to health services. My Department is working with the HSE to ensure the most effective response to the winter challenges to unscheduled care provision and I expect to be in a position to outline the full details of the Winter Plan 2018/19 very shortly.

In relation to the particular query on the numbers of ED attendances in the RCSI Hospital Group annually from 2013 to date in 2018, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Hospital Accommodation Provision**

184. **Deputy Brendan Smith** asked the Minister for Health the expenditure to date in 2018 on the improvement and the provision of additional accommodation at a health facility (details supplied); the work to be undertaken or proposed for the remainder of 2018; and if he will make a statement on the matter. [48612/18]

185. **Deputy Brendan Smith** asked the Minister for Health when a project will proceed to the next stage in view of the urgent need to improve accommodation at a health facility (details supplied); if funding will be provided for this project in 2019; and if he will make a statement on the matter. [48613/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 184 and

185 together.

As this is a service matter, I have asked the Health Service Executive to respond to you directly as soon as possible.

### **Hospital Appointments Delays**

186. **Deputy Robert Troy** asked the Minister for Health if an appointment will be expedited for a person (details supplied); and if he will make a statement on the matter. [48620/18]

**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, since 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.

### **Ambulance Service Funding**

187. **Deputy Róisín Shortall** asked the Minister for Health further to Parliamentary Question No. 1065 of 20 March 2018, the status of HSE funding for Dublin Fire Brigade to provide fire based EMS; and if he will make a statement on the matter. [48625/18]

**Minister for Health (Deputy Simon Harris):** Dublin Fire Brigade (DFB) provide emergency ambulance services in Dublin city and county, by arrangement between Dublin City Council and the HSE. As the funding arrangement is an operational matter, I have asked the HSE to reply to you directly.

### **Basic Payment Scheme Payments**

188. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 496 of 23 October 2018, when payments will issue to a person (details supplied); and if he will make a statement on the matter. [48430/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** An application under the 2018 Basic Payments Scheme was received from the person named on 15 May 2018. Application for the Areas of Natural Constraints (ANC) scheme is integrated into the Basic Payments Scheme application form and in order to apply for the ANC scheme applicants must tick the appropriate box on the online application form. The person named did not tick or indicate on their application that they wished to apply for the ANC scheme.

Further to contact by an official from my Department the person named has supplied the necessary information and the matter has now been addressed. Payment has issued directly to the nominated bank account of the person named.

### **Livestock Issues**

189. **Deputy Pat Deering** asked the Minister for Agriculture, Food and the Marine the number of livestock nationally in each of the past ten years, by dairy herd, beef herd and calves, that is, live calves exported; and if he will make a statement on the matter. [48440/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** In response to the Deputy's question I would like to draw his attention to the data profiling of the national herd which is publically available on my Department's website in the form of detailed annual reports. These reports are available from 2002 onwards and can be accessed at: <https://www.agriculture.gov.ie/animalhealthwelfare/animalidentificationmovement/cattle/>

These annual reports detail the national herd by age profile and breed type (Chapter 4) and also provide details of live exports by age and breed type (Chapter 3 - section 6).

### **Harbours and Piers Development**

190. **Deputy Pat The Cope Gallagher** asked the Minister for Agriculture, Food and the Marine if funding has been ring fenced for the Killybegs Harbour development consisting of a 120 m extension and ancillary works in the budget 2019 allocation; when he plans to allocate funding for this project; the timeline for the completion of same; and if he will make a statement on the matter. [48445/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department owns, operates and maintains six designated State-owned Fishery Harbour Centres, located at Castletownbere, Dingle, Dunmore East, Howth, Killybegs and Ros An Mhíl under statute. In addition, my Department also has responsibility for the upkeep and maintenance of North Harbour at Cape Clear, as well as the maintenance of a small number of specific piers, lights and beacons throughout Ireland, in accordance with the 1902 ex-congested Districts Board piers, lights and Beacons Act.

I am happy to advise the Deputy that between the years 2010 to 2018, as part of my Department's Fishery Harbour and Coastal Infrastructure Development Programme, in excess of €20 million has been invested in maintenance, development and upgrading works at Killybegs FHC.

In addition, I will shortly be announcing further support under the 2019 Fishery Harbour and Coastal Infrastructure Development Programme. Overall I have increased the allocation to this Programme by €6.29m in 2019 to €27.29m. While no final decisions on the full suite of projects to be undertaken under the 2019 capital programme have been made at this stage, I can assure the Deputy that I am committed to tendering for and commencing Phase 2 of the quay extension project at Smooth Point in 2019 and completing it in 2020.

### **GLAS Payments**

191. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine when a payment will issue to a person (details supplied); the reason for the delay in same; and

if he will make a statement on the matter. [48471/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named was approved into GLAS 3 with a contract commencement date of 1 January 2017 and has received all payments for 2017.

2018 GLAS advance payments commenced last week. All validation checks must be cleared before a payment can issue. This case has not yet cleared validations and is being examined. Payment will be processed once all checks have been completed. GLAS payments will continue to issue on a weekly basis.

### **TAMS Applications**

192. **Deputy James Browne** asked the Minister for Agriculture, Food and the Marine the position regarding an application by a person (details supplied) for a TAMS 2 payment; and if he will make a statement on the matter. [48591/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named submitted an application for approval for grant-aid under the Young Farmers Capital Investment Scheme of TAMS II on 3 September 2018. The application has passed all administration checks and is currently undergoing a final technical appraisal before approval can issue.

### **Direct Payment Scheme Applications**

193. **Deputy Jackie Cahill** asked the Minister for Agriculture, Food and the Marine if he will address a matter regarding the number of farmers whose BPS and ANC payments are held up by rigorous overzealous mapping being carried out by a company (details supplied); and if he will make a statement on the matter. [48614/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Under the terms and conditions of the direct payment schemes, farmers are obliged to declare only eligible land when making their annual applications, and are to exclude ineligible features such as roads, buildings, farmyards, dense scrub, etc. These claims are then recorded on the Department's Land Parcel Identification System (LPIS).

The LPIS currently records some 1 million individual land parcels and fulfils two primary functions:

- the identification and positioning of agricultural and forestry parcels, and
- the determination of the eligible area of land parcels

Given the importance of the LPIS database in underpinning direct payments worth in excess of €1.5 billion annually, my Department is obliged under EU Regulations to ensure its accuracy.

Consequently, all applications for direct payment are subject to robust administrative and eligibility checks prior to payment, the main element of which is an area assessment. Such checks are required to protect the annual drawdown of the EU funds and to avoid disallowances. Only valid applications that fully comply with the requirements of the EU legislation can be paid.

While the updating of the LPIS database is contracted to an external company, my Depart-

ment retains overall responsibility for the updates made to the system. These updates are carried out by the external company as directed by my Department and in accordance with the obligations and requirements as set out under EU Regulations.

Under the 2018 Basic Payment Scheme over 118,000 farmers have now been paid a total of more than €776m, and preparations are underway for the issuing on balancing payments from the start of December. Under the 2018 Areas of Natural Constraint Scheme, almost €212m has now been paid to over 87,000 farmers.

### **Basic Payment Scheme Payments**

194. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine his plans to ensure that the BPS payment which is due to persons (details supplied) is issued in circumstances in which it is being held; and if he will make a statement on the matter. [48615/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** A change of ownership occurred on the above herd number on 30 May 2018. As the entire holding was transferred between the date of application for the Basic Payment Scheme and the 31 May 2018 the BPS payment cannot issue until a completed Declaration of Undertaking form has been submitted by all parties involved. This form has been sent to the persons named and once the Department receives their response, their application can be progressed without delay.

### **Energy Infrastructure**

195. **Deputy Brendan Smith** asked the Minister for Communications, Climate Action and Environment further to Parliamentary Question No. 1060 of 7 September 2018, if the study referenced has been completed; if so, his views on same; and if he will make a statement on the matter. [48434/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** As indicated in reply to Question No. 1060 of 7 September 2018, the referenced study has been completed. My Department is currently considering next steps to inform and feed into future policy development.

### **Metropolitan Area Networks Programme**

196. **Deputy Catherine Murphy** asked the Minister for Communications, Climate Action and Environment if a company (details supplied) working in association with another company has engaged and-or met with him, his predecessor and-or his officials regarding managing the MANs in the past two years to date; if so, the nature of those meetings and or engagements; and if he will make a statement on the matter. [48459/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** My Department has no record of meetings with the company concerned regarding the management of the Department's Metropolitan Area Networks. I am informed that the company operates and manages its own Metropolitan Area Network in the Dublin area.

### **Waste Management Regulations**

197. **Deputy Timmy Dooley** asked the Minister for Communications, Climate Action and Environment if he will address a matter (details supplied) regarding producer obligations. [48460/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** Under the European Union (Waste Electrical and Electronic Equipment) Regulations - S.I. 149 of 2014, a producer of Electrical and Electronic Equipment is defined as any person who irrespective of selling technique used, including by means of distance communication:

- manufacturers and sells electrical and electronic equipment (EEE) under his or her own brand;

- resells under his or her own brand, equipment produced by other suppliers; or,

- imports or exports EEE on a professional basis into a Member State.

As a producer of EEE, the main obligations are as follows:

- Producers must register with the Registration Body - The Producer Register Limited (PRL);

- Producers are obligated to declare the quantities of EEE that are placed on the market to the PRL through the WEEE Blackbox;

- Finance the environmentally sound management of WEEE by joining either one of two approved compliance schemes: WEEE Ireland or European Recycling Platform Ireland or through self-compliance;

- Ensure EEE placed on the market is in compliance with the Restriction of Hazardous Substances (RoHS) Regulations.

The PRL was established to assist producers in meeting their obligations for the responsible management of waste electrical and electronic equipment (WEEE) and from September 2008, producer obligations for waste batteries and accumulators.

This is in line with the requirements of the WEEE Directive which requires producers to be responsible for the financing of the collection, treatment, recovery and environmentally sound disposal of WEEE.

The principal functions of the PRL include:

- Registration of producers of electrical and electronic equipment and waste batteries and accumulators;

- Notifying the EPA where there is evidence of non-compliance with the Regulations;

- Verification of visible Environmental Management Costs (vEMC) that are applicable to WEEE;

- Determination of the market share of individual producers.

Enforcement of the producer registration requirements of the WEEE Regulations are a matter for the Environmental Protection Agency and under section 60(3) of the Waste Management Act 1996, as Minister, I am precluded from exercising any power or control in relation to the performance by the EPA in particular circumstances, of a statutory function vested in it, including enforcement functions.

## **Metropolitan Area Networks Programme**

198. **Deputy Catherine Murphy** asked the Minister for Communications, Climate Action and Environment further to Parliamentary Question No. 863 of 6 November 2018, the amount paid to a company (details supplied) for the advice it received; if his predecessor engaged the Office of Government Procurement on both concession agreements; and if he will make a statement on the matter. [48468/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** My Department engages with the Office of Government Procurement (OGP) for procurement support and advice on an as needed basis since that Office commenced operations in 2014. My Department undertook two public procurements for a Concessionaire to manage operate and maintain the Metropolitan Area Networks Phase I and Phase II in 2003 and 2007 respectively in compliance with national and EU procurement regulations. Contract notices for both procurements were published in the Official Journal of the European Union. These procurements preceded the establishment of the Office of Government Procurement.

In March 2017, in compliance with EU and national procurement regulations and informed by legal advice and the advice of external consultants, the MAN's Concession Agreements were extended to co-terminate in 2030 to provide certainty to telecommunications service providers in the telecoms market. The extensions were in accordance with explicit provisions in each Concession Agreement which allowed for an extension of up to a maximum of 10 years and no procurement was undertaken.

The cost of the independent expert advice amounted to €28,228 (incl. VAT) in addition to internal departmental costs.

## **Mobile Telephony Services**

199. **Deputy Catherine Murphy** asked the Minister for Communications, Climate Action and Environment if he engaged with telecoms providers in the context of rolling out a total blanket coverage of 4G across the State; if he has had similar engagement in the context of 5G coverage; and if he will make a statement on the matter. [48469/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** I do not have statutory authority to require commercial companies to rollout services and make specific investments in particular locations in what is a liberalised market. The provision of mobile telecommunications services is subject to a requirement to secure a wireless telegraphy licence to access the required radio spectrum. The award of such licences, including the application of qualifying terms and conditions such as quality of service and minimum population coverage, and the associated monitoring of compliance by licensed providers with those terms and conditions is a matter for the statutorily independent Communications Regulator, ComReg.

Notwithstanding ComReg's independence, I recognise the frustration felt by Irish consumers where telecommunications networks are not always delivering the services people expect. The Programme for Government specifically included a commitment to a Mobile Phone and Broadband Taskforce. The Taskforce worked with key stakeholders to produce a report in December 2016, available on my Department's website, containing 40 actions to alleviate some of the deficits. An Implementation Group is overseeing implementation of the actions and comprises all key stakeholders responsible for delivery.

My Department and the Department of Rural and Community Development published the Mobile Phone and Broadband Taskforce Implementation Review 2017 on 21 February 2018, which comprehensively outlines the progress made in 2017 on the Taskforce actions. Of the 40 actions, 29 have been completed, with work on the remaining 11 carrying into the 2018 Work Programme. Following close engagement with stakeholders at the inaugural National Stakeholder Forum 2017, an additional 23 new measures were identified for delivery in 2018.

As Minister for Communications, it is important that both I and my officials engage on a regular basis with telecoms operators on issues of relevance to the development of the sector. In relation to engagement with providers on improving coverage, a number of Departmental officials meet with individual companies and representative groups in relation to their specific commitments under the Mobile Phone and Broadband Taskforce report.

The type of actions for delivery by the telecommunications operators in this regard include work on identifying blackspot locations needing prioritisation; identifying, in consultation with Local Authorities and other key stakeholders, optimal locations for additional infrastructure to improve 4G coverage; introduction of WiFi calling; and reporting on activities undertaken to optimise the performance of their networks.

Discussions arising at such meetings with Industry inform the regular quarterly progress reports, which are published on my Department's website and that of the Department of Rural and Community Development. The minutes of meetings of the Mobile Phone and Broadband Taskforce Implementation Group are also published on both Departments' websites.

In tandem with the work of the Taskforce, the release by ComReg of the 3.6GHz radio spectrum band, which has been identified at EU level as a primary band suitable for 5G rollout, will also contribute to addressing increasing mobile data demands and improve mobile coverage. Mobile operators' commercial investment has also resulted in improved services, following ComReg's 2012 multi-band spectrum auction. At least one operator now has in excess of 90% 4G population coverage.

Much of the work of the Taskforce, in addition to enhancing 4G coverage, also provides a strong foundation for growing next generation capacity, including 5G. In paving the way for 5G deployment in Ireland, and future auctions, consideration will need to be given to a number of factors, including quality of coverage as well as geographical spread.

## **RTÉ Expenditure**

200. **Deputy Brendan Howlin** asked the Minister for Communications, Climate Action and Environment his views on the significant reduction in spend from RTÉ to the independent production sector here (details supplied); the steps he is taking to ensure that this spend in the sector is increased back to 2007 levels; and if he will make a statement on the matter. [48488/18]

203. **Deputy Catherine Connolly** asked the Minister for Communications, Climate Action and Environment his views on the significant reduction in spend from RTÉ to the Irish independent production sector (details supplied); the steps being taken to ensure that this spend in the sector is increased back to 2007 levels; and if he will make a statement on the matter. [48511/18]

209. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and Environment his views on the significant reduction in spend from RTÉ to the independent production sector here (details supplied); the steps he is taking to ensure that this spend in the sector is increased back to 2007 levels; and if he will make a statement on the matter. [48557/18]

215. **Deputy Darragh O'Brien** asked the Minister for Communications, Climate Action and Environment his views on the reduction in spend from RTÉ to the Irish independent production sector (details supplied); the steps he is taking to ensure that this spend in the sector is increased back to 2007 levels; and if he will make a statement on the matter. [48639/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** I propose to take Questions Nos. 200, 203, 209 and 215 together.

Section 116 of the Broadcasting Act 2009 provides that RTÉ make specific amounts available each year for the commissioning of television and radio programmes from the independent production sector. The statutory minimum amount for 2009 was €40m, and for subsequent years, the Act provides that the statutory minimum amount varies in line with the annual Consumer Price Index (CPI).

While the level of funding has reduced, as you will see from the following table, RTÉ has exceeded the statutory amount of spend required for each year.

Year	Statutory Obligation	Actual Expenditure	Excess over Statutory Obligation
2017	€39.5m	€40.16million	1.67%
2016	€39.5million	€40.3million	2%
2015	€39.5million	€40.6million	3%
2014	€39.4million	€40.9million	4%
2013	€39.3million	€40.8million	4%
2012	€38.5million	€42.1million	9%
2011	€37.7million	€48.9million	30%
2010	€37.6million	€53.944million	43%

I am very much aware of the challenges that face the existing TV Licence system, including the current unacceptable levels of evasion. While the rate has fallen from 15.3% at the end of 2013 to the current rate of 14.1%, it is still very high.

Government approval was obtained to draft a number of legislative amendments to the Broadcasting Act 2009, including amendments for the tendering of TV Licence fee collection.

The proposed amendments were considered under Pre-Legislative Scrutiny by the Oireachtas Joint Committee on Communications, Climate Action & Environment and their report was received on March 8th. The Bill is currently being drafted by Parliamentary Counsel and is included as a priority on the Government's Legislative Programme.

The Committee were requested to examine the longer term issue of the future funding of public service media and the Committee published their report at the end of November 2017. Following consideration of the recommendations made in that report, Government approval was received in July 2018 to establish a Working Group on the Future Funding of Public Service Broadcasting. The Working Group will examine a number of options to support future funding and the reform of television licence fee collection and it is intended that it will report to me in Q1 2019.

### Television Licence Fee

201. **Deputy Brendan Howlin** asked the Minister for Communications, Climate Action and Environment the aspects of the television licence fee reform the interdepartmental working

group is reviewing; when this report will be published; if there will be engagement by the group with stakeholders; and if he will make a statement on the matter. [48489/18]

202. **Deputy Brendan Howlin** asked the Minister for Communications, Climate Action and Environment when he will make his views on public service broadcasting made known; his further views on licence fee reform; when the action plan in relation to these areas will be published; and if he will make a statement on the matter. [48490/18]

204. **Deputy Catherine Connolly** asked the Minister for Communications, Climate Action and Environment the aspects of the television licence fee reform the interdepartmental working group is reviewing; when he expects this report to be published; if there will be engagement by the group with stakeholders; and if he will make a statement on the matter. [48512/18]

205. **Deputy Catherine Connolly** asked the Minister for Communications, Climate Action and Environment his views on public service broadcasting; his further views on licence fee reform; when he plans to publish his action plan points in these areas; and if he will make a statement on the matter. [48513/18]

207. **Deputy Catherine Connolly** asked the Minister for Communications, Climate Action and Environment his views on appointing the Revenue Commissioners as the licence fee collection agent to help reduce evasion rates; and if he will make a statement on the matter. [48515/18]

210. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and Environment the aspects of the television licence fee reform the interdepartmental working group is reviewing; when this report will be published; if there will be engagement by the group with stakeholders; and if he will make a statement on the matter. [48558/18]

211. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and Environment his views on public service broadcasting; his further views on licence fee reform; when his action plan points in these areas will be published; and if he will make a statement on the matter. [48559/18]

213. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and Environment his views on appointing the Revenue Commissioners as the licence fee collection agent to help reduce evasion rates; and if he will make a statement on the matter. [48561/18]

216. **Deputy Darragh O'Brien** asked the Minister for Communications, Climate Action and Environment the aspects of the television licence fee reform the interdepartmental working group is reviewing; when he expects this report to be published; if there will be engagement by the group with stakeholders; and if he will make a statement on the matter. [48640/18]

217. **Deputy Darragh O'Brien** asked the Minister for Communications, Climate Action and Environment his views on public service broadcasting; his further views on licence fee reform; when he will publish his action plan points in these areas; and if he will make a statement on the matter. [48641/18]

219. **Deputy Darragh O'Brien** asked the Minister for Communications, Climate Action and Environment his views on appointing the Revenue Commissioners as the licence fee collection agent to help reduce evasion rates; and if he will make a statement on the matter. [48643/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** I propose to take Questions Nos. 201, 202, 204, 205, 207, 210, 211, 213, 216, 217 and 219 together.

The Oireachtas Joint Committee on Communications, Climate Action & Environment examined the longer term issue of the future funding of public service media, which included a period of public consultation and stakeholder engagement. The Committee published their report at the end of November 2017.

Following consideration of the recommendations made in that report, Government approval was received in July 2018 to establish a Working Group on the Future Funding of Public Service Broadcasting.

The group is chaired by an Assistant Secretary from my Department and comprises senior officials from the Departments of Finance, Public Expenditure and Reform, Housing, Planning and Local Government, the Office of the Revenue Commissioners and the Department of Culture, Heritage and the Gaeltacht.

The Report of the Oireachtas Joint Committee on the Future Funding of Public Service Broadcasting forms an important input into the work of the group. There are no plans, therefore, for any further stakeholder engagement by the Working Group. The group will examine the following options for the future funding of public service broadcasting and collection of the TV Licence fee:

- Collection by the Revenue Commissioners;
- Tendering for Licence Fee Collection;
- Replacement of the fee with a Broadcasting Charge or a variation.

The group will also examine the following related issues:

- A more equitable contribution from the business sector, for example through the introduction of different rates or categories of licence.
- The impact of the new arrangements on the current licence fee collection mechanism
- Any legislative, administrative or resource changes required to implement recommendations
- The likely timeline for transition to any new arrangement
- A Communications Strategy to inform stakeholders of planned changes

The Group is meeting monthly to consider of all of the issues set out above. It is intended that the Group will report back to me in Q1 2019 and I will revert to Government at that stage.

*Question No. 203 answered with Question No. 200.*

*Questions Nos. 204 and 205 answered with Question No. 201.*

### **Ministerial Meetings**

206. **Deputy Catherine Connolly** asked the Minister for Communications, Climate Action and Environment when he will meet with an organisation (details supplied) to discuss the Irish independent production sector; and if he will make a statement on the matter. [48514/18]

212. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and Environment when he will meet an organisation (details supplied) to discuss the independent

production sector here; and if he will make a statement on the matter. [48560/18]

214. **Deputy Brendan Howlin** asked the Minister for Communications, Climate Action and Environment when he will meet an organisation (details supplied) to discuss the independent production sector here; and if he will make a statement on the matter. [48624/18]

218. **Deputy Darragh O'Brien** asked the Minister for Communications, Climate Action and Environment when he will meet an organisation (details supplied) to discuss the Irish independent production sector; and if he will make a statement on the matter. [48642/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** I propose to take Questions Nos. 206, 212, 214 and 218 together.

My officials met with Screen Producers Ireland (SPI) earlier this year for a full briefing on the Irish independent production sector.

SPI have recently been in contact with my office requesting a meeting since my appointment as Minister for Communications, Climate Action & Environment. Unfortunately, this has not been possible at the present time due to diary commitments. I have, however, offered SPI the opportunity to meet with relevant officials from my Department who will brief me on any issues arising.

*Question No. 207 answered with Question No. 201.*

### **Rental Sector**

208. **Deputy Timmy Dooley** asked the Minister for Communications, Climate Action and Environment the actions taken to date to address the divergence of incentives in the uptake of retrofits in rental housing between landlords and tenants; the actions planned; and if he will make a statement on the matter. [48539/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** Rental properties present a particular challenge in terms of energy efficiency upgrades owing to the split incentive issue. A split incentive occurs where landlords meet the cost of improvements, while tenants would reap the benefit, so neither party is motivated to upgrade the dwelling. This is why there is currently under-investment in improving the energy performance of rental properties.

Grants for energy efficiency, funded by my Department and administered by the Sustainable Energy Authority of Ireland (SEAI), are already available to landlords. Improving the energy efficiency of rental properties, both residential and commercial, will deliver multiple benefits, including improved living conditions and health outcomes, enhanced asset value and reduced energy bills. However, in identifying the appropriate policy interventions the priority has also been to ensure that the approach taken to address energy poverty will also not adversely impact the housing supply situation.

To find a way forward that supports action in the two critical policy areas of energy poverty and housing supply, options for improving energy efficiency in the rental sector will be proposed by an advisory Group composed of my Department, the Department of Housing, Planning and Local Government and SEAI. These options will be consulted on early in 2019 as part of developing the next Long Term Renovation Strategy.

*Question No. 209 answered with Question No. 200.*

*Questions Nos. 210 and 2011 answered with Question No. 201.*

*Question No. 212 answered with Question No. 206.*

*Question No. 213 answered with Question No. 201.*

*Question No. 214 answered with Question No. 206.*

*Question No. 215 answered with Question No. 200.*

*Questions Nos. 216 and 217 answered with Question No. 201.*

*Question No. 218 answered with Question No. 206.*

*Question No. 219 answered with Question No. 201.*

### **Sports Capital Programme**

220. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the status of a sports capital grant application by a person (details supplied); and if he will make a statement on the matter. [48453/18]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin):** No application for a grant under the 2018 Sports Capital Programme has been received from the “Kerry Irish Wheelchair Association”. An application has been received from the Irish Wheelchair Association which includes a request for funding for 9 basketball chairs for the “Kingdom Wheelblasters” multi-sport club in Kerry. The assessment of the 2018 Sports Capital Programme applications is underway. While there will be no undue delay in completing the assessment process, it will take a number of months to have all applications assessed.

### **Road Traffic Legislation**

221. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he has requested the Departments of Public Expenditure and Reform and Finance to cost the prospect of consolidation of road traffic law; and if he will make a statement on the matter. [48481/18]

222. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the status of the consolidation of road traffic legislation; the timeframe for same; and if he will make a statement on the matter. [48482/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take Questions Nos. 221 and 222 together.

As I informed the Deputy in my response to Question No. 76 of 6 November last, my priorities in respect of road traffic legislation have been focused on legislation which is immediately needed. In that context, my Department is currently working on a Road Traffic Bill to provide, in the main, for graduated penalties for speeding offences.

Furthermore, the consolidation of the Road Traffic Acts must not simply be a matter of re-enacting all current road traffic legislation into one instrument. The benefits of consolidation are too often misunderstood and over-stated. If the project is to be of value, it will be necessary to examine each aspect of the legislation and see where it might be improved upon. Such a

project, done properly, could take up to three years to complete.

There is no indication of any failure of prosecutions due to a lack of consolidation, never mind the significant problem which would need to exist to justify diverting resources from more urgent tasks to consolidation at this time. Any decision to undertake such a project in the future will have to be balanced against the value added and the risks associated with undermining the extensive legal precedents established to date. Indeed, I understand that recent significant precedents in court decisions would suggest that consolidation should not be undertaken at this time.

In the interim, the Law Reform Commission has a consolidated text of each of the Road Traffic Acts from 1961 to 2014 available on its website, which along with at least one recent publication of a consolidated text of the Road Traffic Acts and related Acts, delivers on what many understand consolidation to mean.

### **Swimming Pool Programme**

223. **Deputy Brendan Ryan** asked the Minister for Transport, Tourism and Sport if the national strategy for swimming has been completed; if a review of the provision of swimming pools publicly and privately owned across the country has been completed; if so, if applications for grant aid for the provision of swimming pools will be announced; and if he will make a statement on the matter. [48495/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As outlined in Action 20 of the National Sports Policy 2018-2027, my Department will work closely with relevant Government Departments, Local Authorities, sporting bodies and other stakeholders to agree a coherent national strategy for swimming. As part of this, we will review swimming pool provision to identify where gaps exist and how these can be met.

The development of a national swimming strategy will be considered in the first instance by the Sports Leadership Group, which is currently being established and will hold its inaugural meeting in the coming weeks. It is not possible to provide at this stage a precise timescale for the completion of this strategy but I would be confident that significant progress is achievable during the course of 2019.

In relation to future capital support for swimming pools, earlier this week, Minister of State Brendan Griffin and I announced details of the new Large Scale Sport Infrastructure Fund (LSSIF). The fund is open to applications from National Governing Bodies of Sport and Local Authorities. The scheme encourages multi-functional sports facilities and proposals for funding swimming pools will be considered under the scheme. The full terms and conditions of the LSSIF are available on my Department's website.

### **Road Network**

224. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport, Tourism and Sport the additional funding he plans to allocate to Monaghan County Council to address the need for upgrading and improving works to be carried out on the network of roads affected directly and indirectly by the recent mine collapse in the Maghera Cloone area of County Monaghan; and if he will make a statement on the matter. [48517/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The improvement and

maintenance of regional and local roads is the statutory responsibility of each local authority, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from local authorities' own resources supplemented by State road grants.

As the responsible road authority, it is a matter for Monaghan County Council to assess the options open to it in relation to these roads having regard to the causes of any damage.

In relation to road grants all regional and local road funding for 2018 has been fully allocated. The 2019 allocations will be notified to local authorities in the New Year.

### **Public Transport Data**

225. **Deputy Fiona O'Loughlin** asked the Minister for Transport, Tourism and Sport the number of rail passengers using the train at locations (details supplied) in south County Kildare in each of the years 2012 to 2017 and to date in 2018; and if he will make a statement on the matter. [48523/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The National Transport Authority (NTA) is responsible for the collection and publication of statistics relating to public transport 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.

### **Education Welfare Service**

226. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs if she will consider allowing all schools, not just DEIS schools, to apply for an education welfare officer service to assist children that may be experiencing homelessness and need additional supports; and if she will make a statement on the matter. [48498/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Department is currently awaiting a response from the Educational Welfare Service of Tusla and will forward same once it is received.

### **School Completion Programme**

227. **Deputy Fiona O'Loughlin** asked the Minister for Children and Youth Affairs the first and full year cost of restoring the school completion programme to peak levels of funding. [48526/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** This question has been answered previously. I would refer the Deputy to the answer to PQ 43136/18 (Dail Q Number 303). The response to that question was as follows:

“As the Deputy may be aware, responsibility for the National Educational Welfare Board which included the School Completion Programme (SCP) was transferred to my Department on its establishment in 2011.

Upon the establishment of Tusla, the Child and Family Agency on January 1st 2014, operational responsibility for the SCP was transferred to the Agency.

The SCPs are funded in line with the academic year commencing in September each year.

The funding available to the SCP for the school year 2018/2019 stands at €24.7 million.

The Educational Welfare Service (EWS) of Tusla has advised that the first and full-year cost of restoring the SCP to peak levels of funding would be €7.3 million.”

### **School Completion Programme**

228. **Deputy Fiona O’Loughlin** asked the Minister for Children and Youth Affairs her views on whether the school completion programme is sufficiently funded; and if she will make a statement on the matter. [48529/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** This question has been answered previously. I would refer the Deputy to the answer to PQ 45937/18 (Dail Q Number 27). The response to that question was as follows:

“The School Completion Programme (SCP) continues to deliver a valuable service for some of our most vulnerable young people at risk of early school leaving throughout the education process.

It was established in 2002 and became a programme operating under the Delivering Equality of Opportunity in Schools (DEIS) programme in 2005. Responsibility for the National Educational Welfare Board (NEWB) which included the SCP was transferred to my Department on its establishment in 2011. Operational responsibility for the SCP was transferred to Tusla, the Child and Family Agency on its establishment in 2014.

The annual SCP fund is currently 24.7m. My Department works with the Educational Welfare Service of Tusla to ensure necessary resources are available to support the programme and to ensure staffing levels are sufficient to deliver a high quality service to those young people most at risk of early school leaving.

In recognition of the need for a strong policy platform for educational welfare services, including the School Completion Programme, I have requested my officials to establish a Task Group to support the further development and integration of these services. The work of this group is now commencing and I am eager to ensure that output will result in a clear blueprint for the development of the School Completion Programme so that its reach, resources and impact are maximised in supporting young people at risk of early school leaving. “

### **Early Childhood Care and Education**

229. **Deputy Michael Healy-Rae** asked the Minister for Children and Youth Affairs the status of an application for a preschool extension by a person (details supplied); and if she will make a statement on the matter. [48553/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** My Department received an application for an overage exemption for the Early Childhood Care and Education (ECCE) programme from the family named on 16 October 2018.

Officials from my Department issued a response on the 22nd of October 2018 rejecting the application as the child named will have already received the full allocation of ECCE by the end of June 2019 and would be in breach of educational policy with regard to school starting age requirements if remaining in pre-school.

Further correspondence appealing this decision was received from the parents on 12 November 2018 and I understand a reply issued from my Department on 14th November 2018 upholding the original decision.

My Department and the Department of Education and Skills continue to work together to ensure that early years and school age education policies are consistent and meet the best interest of children. Supports are available for school aged children through the National Council for Special Education, affiliated to the Department of Education and Skills, to support a child in the primary school setting.

### **Child and Family Agency Data**

230. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the number of joint specialist interviews of persons alleging child sexual abuse completed by social work specialist interviewers employed by Tusla in 2018. [48562/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I have been informed by Tusla, the Child and Family Agency, that they do not collect the information to which the Deputy refers.

### **Departmental Programmes**

231. **Deputy Fiona O'Loughlin** asked the Minister for Rural and Community Development the degree to which he expects to address the issues of concern in both urban and rural areas which fall under the remit of his Department; and if he will make a statement on the matter. [48525/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** As Minister with responsibility for Rural and Community Development I note the substantial progress made to improve the quality of life for persons and communities throughout Ireland, both rural and urban.

My primary focus is to support the creation of vibrant, inclusive and sustainable communities across this country. It is my intention that the supports available through my Department will continue to improve conditions in these communities into the future.

This can be achieved through the implementation of programmes and initiatives that facilitate and encourage economic development through the creation of jobs and the infrastructure required to support those jobs, and to provide other facilities that support our communities to become and remain desirable places to live, work and raise families.

To help bring this about, my Department will work across Government to:

- Create the conditions to support increased economic opportunities and local employment in all areas of the country
- Enable communities disadvantaged by location or social issues to reach their full potential now and in the future
- Deliver schemes and programmes that support the revitalisation of towns and villages
- Improve access to services and social networks that ensure a high quality of life

- Support all communities to be able to have a voice in shaping their own futures and addressing their common goals

My Department's budget will increase by €62 million to €293 million in 2019 - a 27 per cent increase on our 2018 allocation of €231 million - which adds to our capacity to provide direct and indirect supports to local communities through the range of schemes and programmes delivered by my Department.

These include the Dublin North East Inner City Initiative, the Social Inclusion and Community Activation Programme, LEADER programme, Community Enhancement Programme, CLÁR Programme, Outdoor Recreation Infrastructure Scheme and the Town and Village Renewal Scheme. My Department also provides supports for social enterprises.

The increased budget allocation for Dormant Accounts will also allow continued support for excellent existing measures such as the Social Innovation Fund Ireland and funding for new measures such as supporting enterprise hubs along the Atlantic Economic Corridor. The increased funding will provide for a number of Volunteer Centres around the country and support measures under the Dormant Accounts Action Plan which address economic, social or educational disadvantage.

A key priority is to ensure better alignment, consolidation and integration of programmes across the Department, while we will also focus on cross-Departmental and whole-of Government approaches with a view to achieving greater impact and effectiveness in the delivery of our supports to communities.

The Action Plan for Rural Development, the Framework Policy for Local and Community Development in Ireland, and Project Ireland 2040 are strategic policy initiatives that set out the ways in which Government aims to address disadvantage and how we can support both rural and urban communities across Ireland.

The Action Plan is coordinated and monitored by my Department and is the most comprehensive Government plan ever produced to support economic and social development in rural areas. The measures within it are being delivered across a range of Government Departments, State agencies and other organisations over the period to 2020. The Third Progress Report on the Action Plan is due to be published shortly and I can confirm significant progress continues to be made across the range of measures.

Project Ireland 2040 laid out the Government's plans for the country's long-term development, and a key commitment within it regarding rural Ireland is the provision of €1 billion for the new Rural Regeneration and Development Fund which will enable towns, villages and outlying rural areas to grow sustainably and support delivery of the strategic objectives of the National Planning Framework.

The Fund will be a key driver in supporting the revitalisation of rural Ireland, delivering a significant and sustainable impact for rural communities and helping to address issues such as de-population in small rural towns, villages and rural areas.

My Department will continue to work with key stakeholders including local authorities, community and voluntary groups, and dedicated agencies to support job creation, attract tourism investment and to contribute to sustainable economic development in all communities throughout Ireland.

## **Social Inclusion and Community Activation Programme Funding**

232. **Deputy Dara Calleary** asked the Minister for Rural and Community Development the funding allocated to the social inclusion and community activation programme in each year since being established in tabular form; the allocation in 2018; the amount expended in each year and to date in 2018; the expenditure incurred under this scheme by county in each year and to date in 2018; and the share of funds provided by EU structural funding and the share financed by the Exchequer, respectively. [48554/18]

233. **Deputy Dara Calleary** asked the Minister for Rural and Community Development the funding allocated to the social inclusion and community activation programme in each of the years 2018 to 2022, in tabular form. [48555/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** I propose to take Questions Nos. 232 and 233 together.

The information requested is set out in the following table.

The Social Inclusion and Community Activation Programme (SICAP) commenced on 1 April 2015 in most parts of the country. Expenditure figures for Counties Meath in 2015 and Galway in 2015 and 2016 reflect the fact that a deliberative process was ongoing at the time, and SICAP commenced in Meath in May 2015 and in Galway County in January 2017.

Programme Implementers with an underspend in 2015, 2016 or 2017 were permitted to offset the underspend against the following years budget, leading to the funding issued being lower than the allocation in some cases.

#### Funding allocations and the Department's expenditure per county

County	2015 Al- location	2015 Fund- ing Issued	2016 Al- location	2016 Fund- ing Issued	2017 Al- location	2017 Fund- ing Issued	2018 Al- location	2018 Funding Issued
Carlow	402,321	402,321	536,428	533,928	536,428	536,426	547,157	546,719
Cavan	556,338	556,338	741,784	720,487	741,784	732,058	756,620	748,659
Clare	641,506	641,506	855,341	797,663	855,341	855,341	872,448	872,448
Cork	2,309,073	2,309,073	3,078,956	3,067,295	3,078,956	3,077,547	3,159,205	3,158,959
Donegal	1,480,935	1,480,935	1,974,580	1,920,151	1,974,580	1,970,067	2,008,916	2,008,802
Dublin	7,149,314	7,149,314	9,532,555	9,196,834	9,532,555	9,509,364	9,656,954	9,575,503
Galway	1,688,280	487,093	2,251,039	649,427	2,251,039	2,251,039	2,251,039	2,250,098
Kerry	1,222,199	1,222,199	1,629,598	1,626,089	1,629,598	1,628,742	1,629,599	1,629,599
Kildare	765,170	765,170	1,020,227	1,020,227	1,020,227	1,011,063	1,061,036	1,061,036
Kilkenny	455,860	455,860	607,813	605,399	607,813	607,453	632,126	631,889
Laois	423,048	423,048	564,064	559,205	564,064	554,502	586,627	586,625
Leitrim	393,488	393,488	524,650	481,609	524,650	516,760	524,650	511,290
Limerick	1,639,070	1,639,070	2,185,427	2,178,573	2,185,427	2,184,409	2,185,427	2,184,718
Longford	383,669	383,669	511,559	492,145	511,559	506,591	511,559	500,352
Louth	965,881	965,881	1,287,841	1,264,703	1,287,841	1,287,708	1,313,599	€1,313,599
Mayo	930,908	930,908	1,241,211	1,215,481	1,241,211	1,231,152	1,269,911	1,262,231
Meath	235,799	235,799	371,072	369,743	371,072	367,624	393,336	392,609
Monaghan	464,453	464,453	619,271	612,427	619,271	614,852	631,656	628,332
Offaly	553,736	553,736	738,314	725,952	738,314	731,384	760,463	750,858
Roscom- mon	448,762	448,762	598,350	591,906	598,350	595,358	598,350	597,908
Sligo	439,136	439,136	585,514	554,930	585,514	585,503	585,514	585,507
Tipperary	841,838	841,838	1,122,450	1,116,186	1,122,450	1,105,851	1,173,386	1,157,231
Waterford	823,835	823,835	1,098,446	1,087,865	1,098,446	1,095,322	1,120,415	1,089,306
Westmeath	574,661	574,661	766,215	751,530	766,215	755,391	781,539	780,540
Wexford	1,276,311	1,276,311	1,701,748	1,697,683	1,701,748	1,698,940	1,701,748	1,677,328
Wicklow	972,584	972,584	1,296,777	1,245,474	1,296,777	1,288,405	1,314,319	1,309,618

County	2015 Al-location	2015 Funding Issued	2016 Al-location	2016 Funding Issued	2017 Al-location	2017 Funding Issued	2018 Al-location	2018 Funding Issued
Totals	28,038,175	26,836,988	37,441,230	35,082,912	37,441,230	37,298,852	38,027,599	37,811,764

All SICAP Lot funding to date has been financed up-front by the Exchequer. The Programme for Employability Inclusion and Learning (PEIL), being the current ESF operational programme, has allocated a total of €30 million in funding to the new SICAP programme, for the three year period 2018 to 2020. The first claim, in respect of the ESF allocation for 2018, is likely to be made in late 2019. The ESF funding will then be rebated to the Exchequer.

The provision of future funding is subject to the usual budgetary processes. However, I am confident that over the five year term of SICAP 2018-2022 funding of some €190 million will be allocated to the Programme.

### Community Services Programme

234. **Deputy Brendan Griffin** asked the Minister for Rural and Community Development if he will request Pobal to accept a business plan for three full-time equivalent persons in respect of a club (details supplied) in County Kerry; and if he will make a statement on the matter. [48588/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** The Community Services Programme (CSP) supports around 400 community organisations to provide local services through a social enterprise model with funding provided as a contribution to the cost of a manager and an agreed number of full-time equivalent positions (FTEs). Some €46m will be provided under the programme in 2018.

A business plan was submitted by the organisation in question as part of the CSP Recontracting Process in 2017. Unfortunately, the plan did not establish a strong enough case for the level of support sought and the organisation was advised that support would reduce from one manager and four FTEs to two FTEs from 1st July 2018. My Department extended this time-frame to end-December 2018 pending submission of a revised business plan to Pobal.

A revised business plan was submitted by the organisation and this has been assessed by Pobal. The revised plan has also failed to establish a strong enough case for the level of CSP support sought and the organisation has now been advised that CSP support will reduce to 2.5 FTEs from January 2019. That said, the organisation has also been advised that it may appeal this decision and that it should engage directly with Pobal on the matter.

### Illness Benefit Applications

235. **Deputy Brendan Howlin** asked the Minister for Employment Affairs and Social Protection when an application for illness benefit by a person (details supplied) will be processed to completion; and if she will make a statement on the matter. [48432/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Illness Benefit claim for the person concerned is now certified and paid up to 20th November 2018 and any arrears due have been issued.

If he remains ill and unfit for work, a further medical certificate should be submitted to the Department as soon as possible in order for further payments to issue.

I trust this clarifies the matter for the Deputy.

### **Social Insurance**

236. **Deputy Jack Chambers** asked the Minister for Employment Affairs and Social Protection if the case of a person (details supplied) will be examined; and if she will make a statement on the matter. [48442/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Credited contributions (credits) are social insurance contributions designed to protect the social insurance entitlement record of insured workers who are not in a position to make PRSI contributions, and are awarded in circumstances such as proven unemployment or illness. In order to qualify for credits, a person must first have entered insurable employment - he or she must have paid at least one PRSI contribution at Class A, B, C, D, E, H or P. In general credits can only be awarded where an individual has had a recent attachment to the workforce, i.e. within the last 2 years.

Separately, the Voluntary Contribution Scheme allows those who are no longer working or who otherwise are not paying PRSI, including carers, to protect their PRSI entitlement to certain social insurance benefits, including state pension. Under the current rules 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. Currently, 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.

The Government intends to introduce a Total Contributions Approach (TCA) to establishing the level of entitlement for all new state pension contributory claims from 2020 onwards (TCA2020). It is intended that this scheme will include provisions for periods of home-caring. I launched a public consultation on this proposal earlier this year in May, which closed in early September. The consultation sought input on a range of relevant factors which included the amount of contributions needed for a full rate contributory state pension, the amount of credited contributions a person could avail of, the level of provision of Homecaring periods, and whether there would be a "phase-in period" for the final model. Following examination and consideration of the submissions to the consultation, my officials will prepare proposals for the design of the new approach for consideration by the Government in due course. Once the model is implemented, calculation of a person's pension will take into consideration all paid contributions, all credited contributions and all periods of homecaring subject to whatever limits are imposed through the implementing legislation.

I hope this clarifies the matter for the Deputy.

### **Social Welfare Offices**

237. **Deputy Thomas Byrne** asked the Minister for Employment Affairs and Social Protection her views on the need for a social welfare office in south County Meath, that is, Ashbourne,

Ratoath and Dunboyne; and her plans to open an office in the area. [48461/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Job-seeker claims for people living in the Ashbourne and Ratoath area are administered by the Intreo Centre in Finglas and claims for those living in Dunboyne are administered in Maynooth. Signing-on for the majority of jobseekers usually occurs no more than once in any 4-week period.

Customers can refer to [www.welfare.ie](http://www.welfare.ie) for useful information on all services provided by the Department and they can also access a range of on-line services. My Department is continuing to develop additional on-line services for customers available through a myWelfare.ie application.

The Department's service offering in the area will be kept under review so as to ensure the best level of access to our services by residents of South County Meath.

### **Working Family Payment Applications**

238. **Deputy Aengus Ó Snodaigh** asked the Minister for Employment Affairs and Social Protection the status of an application for a working family payment by a person (details supplied); and when they can expect a decision on their case. [48470/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Working Family Payment (WFP) is a weekly tax-free payment which provides additional income support to employees on low earnings with children.

An application for WFP was received from the person concerned on 02 November 2018.

Further information is required to process the application and the case was referred to a local Social Welfare Officer (SWI) on 21st November 2018.

On receipt of the completed report from the SWI, their WFP application will be processed without delay and the person concerned will be notified of the decision.

I trust this clarifies the matter for the Deputy.

### **Social Welfare Appeals**

239. **Deputy Eamon Scanlon** asked the Minister for Employment Affairs and Social Protection the status of a domiciliary care allowance appeal by a person (details supplied); and if she will make a statement on the matter. [48518/18]

**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 registered in that office on 29th May 2018. It is a statutory requirement of the appeals process that the relevant papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought from the Department of Employment Affairs and Social Protection. These papers were received in the Social Welfare Appeals Office on 1st October 2018 and the case is being referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Employment

Affairs and Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

I hope this clarifies the matter for the Deputy.

### **Illness Benefit Applications**

240. **Deputy Charlie McConalogue** asked the Minister for Employment Affairs and Social Protection when a decision will issue in relation to an illness benefit application by a person (details supplied) in County Donegal; and if she will make a statement on the matter. [48570/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** My Department administers the Illness Benefit (IB) scheme to those customers who cannot work because they are sick or ill provided they are covered by the appropriate class of social insurance (PRSI) and satisfy the PRSI conditions.

One of these conditions is that a person must have a required number of paid or credited contributions in the year that governs the claim. The governing PRSI contribution year for IB claims made in 2018 is 2016.

Unfortunately, the person concerned has no paid or credited contributions in 2016 and, consequently, she does not qualify for a payment of IB at this time.

I trust this clarifies the matter for the Deputy.

### **Social Insurance**

241. **Deputy Michael McGrath** asked the Minister for Employment Affairs and Social Protection the class of PRSI paid by persons under 66 years of age in respect of income from an approved retirement fund; if such PRSI paid is reckonable for the purposes of the State pension (contributory); and if she will make a statement on the matter. [48608/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Approved retirement funds or ARFs are funds managed by a qualifying fund manager into which an individual may invest the proceeds of their pension fund when they retire. The income and gains of such funds are exempt from tax within the fund. Any amounts withdrawn from an ARF are referred to as a distribution. A distribution is treated as income from an employment. It is subject to income tax and the fund manager must operate the PAYE system on it.

Under social welfare legislation any payments received by way of pension are not regarded as reckonable emoluments for the purposes of self-employed pay related social insurance (PRSI). However, unlike annuity products, ARFs are not pensions but are treated as assets. Distributions from ARFs fall within the charge to Class S self-employed PRSI, or if the recipient of the distribution is a modified class contributor, Class K. Class S contributions may be used to qualify for the State pension (contributory). Class K PRSI contributions do not give entitlements to any social insurance benefits.

I trust this clarifies the matter for the Deputy.

### **Social Welfare Benefits Data**

242. **Deputy Clare Daly** asked the Minister for Employment Affairs and Social Protection further to Parliamentary Question No. 194 of 15 November 2018, if she will direct officials in her Department to answer the question as it was put, that is, to provide the financial savings made in each of the years from 2015 to 2017 as a direct result of the introduction of reduced rates of social welfare payments to persons under 25 years of age. [48616/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** As stated in the reply to Parliamentary Question No. 194 of 15 November 2018, the age-related reduced rate of €100 per week for Jobseeker's Allowance recipients was introduced in Budget 2010 in respect of 18 and 19 year olds, and extended in subsequent Budgets to those under the age of 25.

The following table shows the financial savings (i.e. the estimated cost that would have been incurred to increase the age-related reduced rates to the maximum rate for those under 25 years of age) in respect of the years 2015, 2016 and 2017:

Year	Estimated cost of maximum rate
2015	€131.3 million;
2016	€133.6 million
2017	€101.9 million

These costs do not include increasing the weekly rates for those aged 25 on age-related reduced rates.

### Approved Housing Bodies

243. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government if the rules will be amended for the granting of the capital advance leasing facility, CALF, for approved housing bodies to include the provision of cost rental accommodation. [48534/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** My Department offers a range of funding programmes to assist the voluntary sector with the delivery of social housing, including the Capital Advance Leasing Facility (CALF).

The Capital Advance Leasing Facility (CALF) was introduced in 2011 as a funding facility to assist AHBs access private finance to purchase or construct new social housing units in conjunction with Payment and Availability arrangements (P&A payment based on 92% of market rent). In the case of the acquisition or construction of apartment complexes and some housing units where there are service charges that would result in a net additional cost to the AHB, the availability payment may be set at up to 95% of market rent subject to approval.

CALF is a facility, which is exclusively available to Approved Housing Bodies (AHBs), to assist them in accessing private or Housing Finance Agency (HFA) finance for the purchase, construction or refurbishment of homes that will be made available for social housing purposes under long term availability agreements of up to 30 years. I have no plans to amend the uses for which CALF is made available to AHBs.

Cost rental makes up a very important element of housing systems in other cities but is a relatively new concept in Ireland. Therefore, in order to progress cost rental in Ireland, two cost rental pilot projects are being delivered on sites at Emmet Road, Inchicore, and at Enniskerry Road, Dundrum. The Emmet Road site can accommodate some 330 cost rental homes and

the project is being delivered by Dublin City Council working with my Department. The Enniskerry Road site will deliver 50 cost rental homes and that project is a joint venture between two Approved Housing Bodies working with Dún Laoghaire-Rathdown County Council and the Housing Agency.

Cost rental will initially be managed on an administrative basis and my Department is preparing a draft administrative cost rental scheme in collaboration with the Housing Agency and the local authorities involved in the pilot projects. With regard to the funding and financing arrangements, and delivery options, the Emmet Road project was financially appraised with the support of the National Development Finance Agency and my Department is in regular discussion with the European Investment Bank, leveraging the Bank's vast experience and knowledge in developing and supporting public housing projects in other Member States. The invaluable learning from these pathfinder projects will inform further cost rental projects to be rolled out across other suitable sites. In this regard, it is open to local authorities to pursue cost rental on appropriate sites and I have encouraged them to examine this option.

### **European Court of Justice Rulings**

244. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Housing, Planning and Local Government the costs arising from the State's obligation to enforce the decision of the European Court of Justice in 2008 in the case of the Commission of the European Communities versus Ireland C215/06 (details supplied); and if he will make a statement on the matter. [48545/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The decision of the European Court of Justice in 2008 in the case of the Commission of the European Communities versus Ireland C215/06 is presently the subject of a further Court of Justice of the European Union case, European Commission versus Ireland C261/18. Given that the matter is the subject of live legal proceedings, it would not be appropriate to comment further on the case at this point.

### **Commercial Rates Exemptions**

245. **Deputy Eamon Scanlon** asked the Minister for Housing, Planning and Local Government further to Parliamentary Question No. 113 of 14 November 2018, if he will address specifically the substantial disadvantage placed on privately operated crèches which are competing against State supported crèches paying no commercial rates; and if he will make a statement on the matter. [48431/18]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan):** I refer to my reply to Question No. 113 of 14 November 2018, which sets out the position on this matter. There are no proposals under consideration for a discount of commercial rates for childcare service providers.

### **Proposed Legislation**

246. **Deputy Catherine Connolly** asked the Minister for Housing, Planning and Local Government the status of the maritime area and foreshore (amendment) Bill; and if he will make a statement on the matter. [48446/18]

**Minister of State at the Department of Housing, Planning and Local Government**

**(Deputy Damien English):** Considerable work has been undertaken to advance the drafting of the Maritime Area and Foreshore (Amendment) Bill, including through engagement with the Marine Coordination Group and a number of workshops and bilateral meetings with relevant policy Departments and the Office of the Attorney General throughout 2017 and 2018. In addition, a high level Marine Legislation Steering Group has been established to facilitate the development of marine legislation with cross-Departmental impacts.

Legal advice from the Office of the Attorney General on draft text developed by my Department is anticipated shortly. Following receipt, review and consultation, it is intended to revert to Government with options to progress the reform of marine consenting. In the meantime resources have been devoted to the development of the legislation necessary to prohibit the sale and use of microbeads.

### **Home Loan Scheme**

247. **Deputy Declan Breathnach** asked the Minister for Housing, Planning and Local Government if his attention has been drawn to the large number of applicants being refused the Rebuilding Ireland home loan even in cases in which they have shown an ability to repay; his plans to revise the lending criteria pertaining to the scheme in order that more persons will be successful in obtaining a loan; and if he will make a statement on the matter. [48448/18]

248. **Deputy Declan Breathnach** asked the Minister for Housing, Planning and Local Government the number of successful Rebuilding Ireland home loans in County Louth since the scheme commenced; and if he will make a statement on the matter. [48449/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 247 and 248 together.

The Rebuilding Ireland Home Loan Scheme was launched in February 2018 to replace the existing House Purchase and the Home Choice Loan Schemes. The Scheme has been established under the Housing (Rebuilding Ireland Home Loan) Regulations 2018, which also provide that I as Minister issue a Statutory Credit Policy. The purpose of the Policy is to set out in more detail the eligibility criteria for obtaining a loan and procedures to be followed by local authorities in considering loan applications. In addition, the Housing Agency has been given the task of carrying out assessments of the loan applications on behalf of the authorities and making recommendations in respect of each application. Each local authority must have in place a credit committee and it is a matter for the committee to make the decision on applications for loans, in accordance with the Regulations and Statutory Credit Policy, having regard to the recommendations made by the Housing Agency.

In line with best practice, I have asked my Department to undertake a review of the operation of the Scheme. The review will have regard to inputs from local authorities, the Housing Agency and Housing Finance Agency, and will also take account of relevant issues raised by public representatives since the Scheme was introduced. However, in making any recommendations in relation to the operation of the Scheme, the review will also have to respect the need to ensure that lending is undertaken on a prudential basis, so as to protect the financial interests of applicants and the local authorities.

In relation to the number of successful applicants for the Rebuilding Ireland Home Loan in Co Louth, I have asked the Housing Agency to centrally compile figures on the numbers of applications it has recommended to local authorities for approval. The most recent figures, as at the end of October, indicate that the Agency had recommended 22 loan applications for ap-

proval by Louth County Council.

### **Housing Assistance Payment Eligibility**

249. **Deputy Richard Boyd Barrett** asked the Minister for Housing, Planning and Local Government if a person at risk of becoming homeless and has been given a valid eviction notice is entitled to the homeless HAP rates; and if he will make a statement on the matter. [48458/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** In order to further assist homeless households in exiting emergency accommodation, the Homeless HAP Place Finder Service can, with effect from January 2018, be made available in each of the 31 local authorities.

The focus of this scheme is to transition qualified households from emergency accommodation, including hotels, into private rented tenancies and the Place Finder service provides a dedicated resource that operates together with the established HAP delivery team in the local authority.

Since January 2018, all local authorities have been provided with the option to pay deposits and advance rental payments for any households in emergency homeless accommodation, or who are at immediate risk of entering emergency accommodation, in order to secure accommodation via the HAP Scheme. This means that every local authority is able to pay deposits and advance rental payment on behalf of homeless households in order to secure accommodation. 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.

### **Land Development Agency**

250. **Deputy Willie Penrose** asked the Minister for Housing, Planning and Local Government if, in the context of recent plans to include Columb Barracks, Mullingar as part of the land development agency proposals, he will take steps to ensure that various community and voluntary groups and organisations which have been located within the barracks for the past two years are facilitated and accommodated within plans drawn up for the barracks and that they retain their facilities therein; and if he will make a statement on the matter. [48467/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The recently established Land Development Agency will act as a new commercial State body to actively manage the development of public land in a way that will make a major contribution to tackling the root causes of our current housing issues, including bringing about major new opportunities for additional social and affordable housing on public lands.

The Agency has a potentially very significant and wider role to play in not only addressing the pressures in the housing sector in the short to medium term but in the longer-term to enable the urban development objectives of the National Planning Framework to be realised.

The Agency has access to an initial tranche of 8 sites with significant potential to add a further pipeline of public sites that have near term delivery potential for 3,000 new homes and an additional potential for a further 7,000 homes. Columb Barracks is one of the initial 8 sites

identified with potential to deliver a minimum of 250 homes.

I understand that discussions are in train between the Agency and the Department of Defence with a view to agreeing a Memorandum of Understanding in relation to Columb Barracks, and that a feasibility study of the site will be undertaken by the Agency. It is therefore premature, at this stage, to anticipate the detail of the proposals that may emerge.

### **Local Infrastructure Housing Activation Fund**

251. **Deputy Brendan Ryan** asked the Minister for Housing, Planning and Local Government if a second tranche of LIHAF funding is to be announced; if not, if funding for projects in this area will be considered under the urban regeneration and development fund; and if he will make a statement on the matter. [48484/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The Local Infrastructure Housing Activation Fund (LIHAF) was designed to activate housing supply by putting in place the enabling public infrastructure necessary to ensure that large scale development could take place on key sites in urban areas of high housing demand. Final approval was given for 30 projects under LIHAF in 2017 and these projects will stimulate development of approximately 20,000 housing units across 14 local authorities.

Since the original call under LIHAF in 2016, significantly increased funding has been made available for enabling infrastructure through three new funds: the new €2 billion Urban Regeneration and Development Fund (URDF) and the €310 million Serviced Sites Fund, operated through my Department, and the €1 billion Rural Regeneration Development Fund (RRDF) operated by the Department of Rural and Community Development.

The URDF is designed to leverage a greater proportion of residential and commercial development, supported by infrastructure, services and amenities, within the existing built-up areas of our larger urban settlements. I initiated the first call for proposals under the URDF in July 2018, and the deadline for submission of applications was 28 September. A second call for proposals under the URDF will issue in 2019 for funding in 2020.

While a second call for proposals under LIHAF was originally planned, given the number of funding streams now available for infrastructure and in order to avoid duplication, I amalgamated the funding initially intended for the second call into the new Serviced Site Fund (SSF) referred to above, under which relevant Local Authorities can apply for funding for key facilitating infrastructure on public lands, to support delivery of affordable homes to purchase or rent. Decisions on applications received under a first call for proposals under the SSF will be finalised shortly and a further call for proposals will issue thereafter.

### **Homeless Accommodation Provision**

252. **Deputy Thomas P. Broughan** asked the Minister for Housing, Planning and Local Government the guidelines or ministerial directives outlining the access routes into emergency accommodation; and if he will make a statement on the matter. [48497/18]

254. **Deputy Thomas P. Broughan** asked the Minister for Housing, Planning and Local Government if he will report on the guidelines or ministerial directives outlining the access routes into family hubs; and if he will make a statement on the matter. [48549/18]

255. **Deputy Thomas P. Broughan** asked the Minister for Housing, Planning and Local

Government if he will report on the way in which decisions are made to place families in hubs; if there are waiting lists to access hubs; and if he will make a statement on the matter. [48550/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 252, 254 and 255 together.

My Department's role in relation to homelessness involves the provision of a national framework of policy, legislation and funding to underpin the role of housing authorities in addressing homelessness at local level. Statutory responsibility in relation to the provision of accommodation and associated services for homeless persons rests with individual housing authorities.

Decisions in relation to the provision of accommodation to households experiencing homelessness are a statutory function of the housing authorities and my Department has no role in decisions in this area. My Department is working with the local authorities to deliver additional family hubs to minimise the numbers of families being provided with emergency accommodation in hotels. To date, 24 family hubs have been developed nationally, including 20 in Dublin, providing accommodation for over 550 families. Budget 2019 provided €60m in capital funding for emergency accommodation, which will support the delivery of additional family hubs nationally.

### **Housing Assistance Payment**

253. **Deputy Brendan Griffin** asked the Minister for Housing, Planning and Local Government the percentage of a person's income and or social welfare payment towards a housing assistance payment contribution and rent top-up (details supplied) deemed acceptable; and if he will make a statement on the matter. [48516/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Housing Assistance Payment (HAP) tenants find their own accommodation in the private rented market and are advised that this accommodation should be within the HAP rent limits provided to them by the local authority. The limits applicable are related to the specific household and the rental market in the area. HAP also allows for tenants to work full-time and retain their housing support so, in many cases, people may make choices about affordability taking this into consideration.

My Department is aware that some HAP recipients are making payments directly to their landlords, beyond the amount of HAP being paid on their behalf. There is no legislative provision precluding HAP supported households contributing towards the monthly rent to their landlord beyond that of their HAP payment. However, decisions in relation to HAP, including the suitability of HAP accommodation is solely a matter for the local authority concerned and local authorities have a responsibility to ensure that tenancies are sustainable and are advised not to provide HAP support to tenancies where the household would not be in a position to meet the rental costs being sought.

Each local authority has statutory discretion to agree to a HAP payment up to 20% above the prescribed maximum rent limit in circumstances where it is necessary, because of local rental market conditions, to secure appropriate accommodation for a household that requires it. It is a matter for the local authority to determine if the application of the flexibility is warranted on a case-by-case basis.

*Questions Nos. 254 and 255 answered with Question No. 252.*

## **Building Regulations Compliance**

256. **Deputy Richard Boyd Barrett** asked the Minister for Housing, Planning and Local Government the person or body that makes a decision as to whether a clerk of works is required on public developments such as social housing, schools and hospitals; if it is a decision for local authorities; if not, if it is a decision for Departments; the reason it would be necessary to have clerks of works on some public developments and not on others; and if he will make a statement on the matter. [48556/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** In response to the many building failures of the past, my Department introduced the Building Control (Amendment) Regulations 2014, which require greater accountability in relation to compliance with Building Regulations in the form of statutory certification of design and construction by registered construction professionals and builders, lodgement of compliance documentation, mandatory inspections during construction and validation and registration of certificates.

Statutory certificates of compliance, where relevant, must be given at commencement (design only) and completion and must be signed by a registered construction professional (i.e. an architect or a building surveyor or a chartered engineer who is included on a statutory register maintained by the Royal Institute of the Architects of Ireland, the Society of Chartered Surveyors of Ireland or Engineers Ireland, respectively). The statutory certificate of compliance on completion must also be signed by the builder. In effect, the statutory certificate of compliance on completion certifies that a building is compliant with all relevant requirements of the Building Regulations.

Previously local authorities were generally exempt from building control requirements; this general exemption was removed by the Building Control (Amendment) (No. 2) Regulations 2015 with effect from 1 September 2015 following a review of the 2014 Regulations after 12 months of operation. As a result of this, the design and assigned certifier roles for local authority projects must be undertaken by a registered construction professional (i.e. an architect, a building surveyor or a chartered engineer), who may be an employee of a local authority or whose services may be procured by way of public tender. These inspection and certification roles are statutory obligations.

In the context of public works contracts, the roles, responsibilities, functions and powers of the parties to the Contract (i.e. the Employer and the Contractor) are clearly set out. These generally include obligations under Building Regulations, Building Control Regulations, Health and Safety Legislation, appropriate supervision, quality assurance procedures, monitoring of the quality of works etc. Specific arrangements in this regard are a matter for the contracting authority (including local authorities), depending on the size, complexity and risk of the project. In this context, it should be noted that there is no statutory requirement to have a clerk of works on building developments nor is it a decision for my Department whether to appoint a clerk of works or not, as this is a matter for the contracting authority (including local authorities).

## **European Parliament Elections**

257. **Deputy Ruth Coppinger** asked the Minister for Housing, Planning and Local Government further to Parliamentary Question No. 288 of 14 November 2018, his plans to extend voting rights in the upcoming European Parliament elections to United Kingdom nationals resident here. [48568/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):**

I refer to the reply to Question No. 288 on 14 November 2018 which sets out the position in this matter. The position remains unchanged.

### **Housing Assistance Payment Administration**

258. **Deputy Robert Troy** asked the Minister for Housing, Planning and Local Government if changes will be made to the housing assistance payment model in order to speed up the process (details supplied); and if he will make a statement on the matter. [48573/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I refer to the replies to Questions Numbers 150 of 19 September 2018, 270 of 27 June 2018, 589 of 22 May 2018, and 625 of 8 March 2018.

The position in relation to the processing times for Housing Assistance Payment (HAP) applications remains unchanged. Once a HAP application has been received and confirmed as valid by the relevant local authority, it is then processed by the HAP Shared Service Centre. On average, HAP applications are processed by the HAP Shared Services Centre within 1 working day of receipt.

I am satisfied with the operation of the HAP scheme and I consider it to be a key vehicle for meeting housing need and fulfilling the ambitious programme under the Rebuilding Ireland Action Plan for Housing and Homelessness.

### **Social and Affordable Housing**

259. **Deputy Catherine Murphy** asked the Minister for Housing, Planning and Local Government further to Parliamentary Question Nos. 221 and 228 of 15 November 2018, if the incident as outlined in Parliamentary Question No. 221 will be discussed at the next quarterly meeting between his officials and the local authority in question; if his attention has been drawn to other boundary issues concerning dwellings and business premises that back onto the project from the main street area; the course of action he can take if his officials raise concerns with him following the quarterly meeting in respect of the project his Department is funding; and if he will make a statement on the matter. [48592/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** As outlined in response to the previous Questions referred to, the management and implementation of the development in question is a matter for Wicklow County Council and its contractors. My Department is not directly involved in the detailed implementation of the project. The quarterly meetings held between the Local Authorities and my Department are technical housing delivery meetings with a focus on architectural/quantity surveying issues arising on the projects as submitted by each Local Authority. While a wide range of issues relating to these projects will be covered at these meetings, the resolution of the issues in relation to the specific project referred to remains the responsibility of the parties to the contract, those being the local authority and the contractors in question.

### **Building Regulations**

260. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government if the technical specifications for the proposed new modular build hub clusters will not meet BCAR standards; the areas the technical specifications for these proposed modular build hubs will be allowed to deviate from building regulations and standards; and the rationale for

these permissible deviations. [48644/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):**

One of the measures my Department is implementing in response to the challenges in relation to homelessness is the introduction of additional family hubs to provide an appropriate form of emergency accommodation for families experiencing homelessness until they can be supported to exit to an independent tenancy. As part of the delivery programme, a number of sites have been identified for the development of family hubs consisting of clusters of temporary modular homes, with on-site supports to be provided by the McVerry Trust.

The Housing Agency has published a tender for the supply and delivery of temporary modular homes in order to establish a framework that can be utilised by local authorities and Approved Housing Bodies. It is intended that the framework for these temporary modular homes will be established in December 2018.

Building regulations apply to all new buildings. The exemption for temporary dwellings in the Building Regulations (Class 10 in the Third Schedule of Building Regulations) is not seen to extend to the type of temporary homes envisaged under this programme and, as such, a dispensation or relaxation of the Building Regulations may be required. However, the specification set out in the request for tender represents the minimum standards in the temporary/portable home sector and is similar to British Standards and other industry standard requirements for the manufacture of such units. This is to ensure that good quality and safe accommodation will be provided, appropriate to the temporary nature of the units.

### **Housing Assistance Payment**

261. **Deputy Clare Daly** asked the Minister for Housing, Planning and Local Government if his attention has been drawn to the fact that a person (details supplied) returned a valid and complete HAP application to Sligo County Council in August 2018 and that the landlord has failed to complete and submit the HAP documentation to the council thereby precluding the payment of housing assistance payment; his plans to introduce legislation which will allow a housing authority to take legal action against a landlord that refuses or fails to complete HAP documentation; and if he will make a statement on the matter. [48647/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):**

Under the Housing Assistant Payment (HAP) scheme, eligible households source their own accommodation in the private rented sector. The earliest date a HAP payment will be payable to a landlord is the date a complete and valid HAP application has been received by the local authority. Limerick City and County Council provide a highly effective transactional shared service for HAP on behalf of all local authorities. This HAP Shared Service Centre (SSC) manages all HAP-related rental transactions for the tenant, local authority and landlord. Once a HAP application has been received and confirmed as valid by the relevant local authority, it is then processed by the HAP SSC. On average, HAP applications are processed by the HAP Shared Service Centre within 1 working day of receipt. Any rental payment arising for a given month will then be made to a landlord on the last Wednesday of that month.

A landlord or an agent acting on behalf of a landlord is not legally obliged to enter into a tenancy agreement with a HAP recipient. However, on 1 January 2016, the Equality (Miscellaneous Provisions) Act 2015 introduced “housing assistance” as a new discriminatory ground. This means that discrimination in the provision of accommodation or related service and amenities against people in receipt of rent supplement, HAP or other social welfare payments is prohibited. Further information is available at [www.ihrec.ie/your-rights/i-have-an-issue-with-](http://www.ihrec.ie/your-rights/i-have-an-issue-with-)

a-service/i-have-an-issue-about-accommodation/.

If a person feels that they have been discriminated against by a landlord or their agent, they can make a complaint under the Equal Status Acts to the Workplace Relations Commission; further information is available on the Commission's website, [www.workplacerelations.ie](http://www.workplacerelations.ie).

In relation to the case raised, the day-to-day operation of the HAP scheme is a matter for the relevant local authority and I am precluded by legislation from becoming involved in individual cases.

### **Local Authority Housing Provision**

262. **Deputy Brendan Smith** asked the Minister for Housing, Planning and Local Government if it is within the power of local authorities to purchase or source housing outside their own council areas, if local authorities are not engaged in sourcing accommodation outside their areas; and if he will make a statement on the matter. [48648/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** In relation to the Deputy's query, local authorities continue to work closely together with a view to finding accommodation solutions for households. Section 109 of the Housing Act 1966 provides that a housing authority may perform any of its functions under that Act outside of its functional area.

### **Special Areas of Conservation**

263. **Deputy Michael Healy-Rae** asked the Minister for Culture, Heritage and the Gaeltacht if she will address a matter (details supplied) regarding a bog in County Kerry; and if she will make a statement on the matter. [48465/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** The National Raised Bog Special Areas of Conservation Management Plan 2017-2022, published in December 2017, sets out how the raised bog special areas of conservation are to be managed, conserved and restored and how the needs of turf cutters are to be addressed, including exploring the options in terms of certain provisions of article 6 of the EU Habitats Directive.

In certain areas where there is a difficulty in finding relocation solutions for turf cutters, my Department, in consultation with turf cutter interests and within the framework of the National Plan, is considering whether the provisions of article 6.3 of the Directive could be utilised to provide for domestic turf cutting within areas of a number of special areas of conservation. Under article 6.3 of the Directive consent could only be given to cut turf on a raised bog special area of conservation where it can be shown by rigorous scientific investigations that such cutting will not have an adverse effect on the (ecological) integrity of the site.

If it can be demonstrated that turf cutting within a proposed location in a special area of conservation would not impact on the integrity of a European site, the appropriate consent would then be required from the relevant public authority.

As set out in the National Plan and in my reply to Question No. 1216 of 6 November last, the site referred to in the Deputy's Question is one of the sites being examined as regards the potential for domestic turf cutting on the site in accordance with the provisions of the Directive. The initial phase of scientific investigations on the site, undertaken by contractors engaged by my Department, was completed in November 2017. These investigations illustrated that a further

specialised examination of the bog was required because of the hydrological and topographic complexities of this particular site. The results of this examination, undertaken this year, mean that it has not been possible to rule out, beyond reasonable scientific doubt, the threat of peat failure (bog burst) if turf cutting resumes in the south of the bog, as required by article 6.3 of the Habitats Directive.

Consequently, a final phase of concentrated geophysical and hydrological investigations is scheduled to be carried out in early 2019 to assess the level of risk of peat failure in the proposed domestic turf cutting area in the south of the site.

Officials from my Department will keep the group, referred to in the Deputy's Question, informed of developments, when these investigations are completed and the results of same are made known to the Department.

### **National Orchestras**

264. **Deputy Catherine Martin** asked the Minister for Culture, Heritage and the Gaeltacht the progress that has been made on bringing the National Symphony Orchestra within the remit of the National Concert Hall as per the statement of 5 July 2018; the timeline for completion of this transition; and if she will make a statement on the matter. [48546/18]

265. **Deputy Catherine Martin** asked the Minister for Culture, Heritage and the Gaeltacht if she has met with the musicians of the National Symphony Orchestra to discuss it coming under the aegis of the National Concert Hall; and if she will make a statement on the matter. [48547/18]

266. **Deputy Catherine Martin** asked the Minister for Culture, Heritage and the Gaeltacht her plans to consult the musicians of the National Symphony Orchestra in relation to her announcement on 5 July 2018 that they would be brought under the aegis of the National Concert Hall; and if she will make a statement on the matter. [48548/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** I propose to take Questions Nos. 264 to 266, inclusive, together.

Following the publication of the report by RTÉ that it commissioned from independent consultants Helen Boaden and Mediatique on the RTÉ Orchestras entitled RTÉ Orchestras Ensuring a Sustainable Future, the Government agreed in principle that the RTÉ National Symphony Orchestra (RTÉ NSO) should come within the remit of the National Concert Hall (NCH). The Government also authorised the initiation of discussions on the implementation of the recommendations of the report.

The overall aim of the Government decision in relation to the proposed transfer of the RTÉ NSO is to enable the orchestra to be established as a world class orchestra which would, with the NCH, provide a creative and imaginative programme strategy that would greatly enhance the offering of the combined organisation to the public.

In addition, the Government's **Creative Ireland** programme commits to a range of important initiatives to support culture and creativity in Ireland, and the Department's 10 year National Development Plan, envisages major capital investment in our National Cultural Institutions, including a major re-development of the National Concert Hall. The National Concert Hall since it opened its doors in 1981 has been the home of the National Symphony Orchestra which provides the backbone to the Hall's orchestral music programme. There is now an opportunity for the NSO to play an even stronger role as part of these wider developments and this should

greatly enhance the offering of both organisations to the public.

An Oversight Group has been established with formal terms of reference, with a view to identifying and addressing the relevant issues to enable the successful transfer of the NSO from the remit of RTÉ to the remit of the NCH. The group has already met on two occasions. The group has agreed that a specific Engagement & Communication process will be put in place to provide relevant, timely information and engagement opportunities for all key stakeholders including the members of the NSO, in advance of and during this transition from RTE to NCH.

In addition, a Working Group, as a subset of the oversight group, has been tasked with examining the detailed issues involved in the proposed transfer of the orchestra.

At this point, it is considered that 2020 would be the earliest date for the completion of the proposed transfer.

My Department welcomes the opportunity to work with all stakeholders including the members of the RTÉ NSO to ensure that it can contribute to Ireland's rich cultural heritage to the fullest extent possible.

### **Seirbhísí Iompair**

267. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Cultúir, Oidhreacht agus Gaeltachta cad iad na céimeanna atá glactha aici le cinntiú go mbeidh seirbhís aeir go hÁrann ann ó mhí na Nollag ar aghaidh; agus an ndéanfaidh sé ráiteas ina thaobh. [48649/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** Mar is eol don Teachta, ta cinneadh tógtha ag an gcomhlacht GASL (ag trádáil mar Aer Árann) tarraingt amach as an dá chonradh atá aige a) chun seirbhís aeir a chur ar fáil do na hOileáin Árann agus b) chun an t-aerstraise ag Na Mine atá in úinéireacht phríobhaideach an chomhlachta a chur ar fáil don Stát ar mhaithe leis na seirbhísí aeir sin a sholáthar. Tíocfaidh éifeacht leis an dá chinneadh seo ar 6 Nollaig 2018.

Le dul i ngleic leis seo, tá mo Roinn ag tógáil céimeanna chun a chinntiú go mbeidh aerfort ar an mórthír ar fáil le seirbhísí a reáchtáil as agus chun a chinntiú go mbeidh seirbhís aeir ar fáil tar éis 6 Nollaig 2018. Chuige sin, tá teagmháil ag leibhéil dlíodóra ag leanúint idir mo Roinn agus GASL. Taobh leis sin, tá mo Roinn tar éis tús a chur le socruithe a dhéanamh chun go mbeidh seirbhís gearrthéarmach á reáchtáil as Aerfort na Sionainne mura mbeidh Aerfort na Mine ar fáil di. Tá comhlacht comhairleoirí fostaithe ag mo Roinn chun próiseas tairisceana a láimhseáil do chonradh gearrthéarmach.

Is féidir liom a dheimhniú go bhfuil mo Roinn sásta dul isteach i gcomhráití le GASL maidir le hAerfort na Mine a cheannach ach an bagairt atá déanta ag an gcomhlacht maidir le deireadh a chur leis an dá chonradh a bheith tarraingte siar.