

## 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 5, inclusive, answered orally.*

### VAT Rate Increases

6. **Deputy Joan Burton** asked the Minister for Finance if he has commissioned an impact assessment of the increase in VAT from 9% to 13.5% in respect of hotels, restaurants, hairdressing and other activities; the expected increase in revenues in each of the categories in 2019; and if he will make a statement on the matter. [48580/18]

**Minister for Finance (Deputy Paschal Donohoe):** The 9% VAT rate was introduced as part of the Jobs Initiative from July 2011 to December 2013 and was aimed at boosting tourism and the creation of additional jobs in that sector. From Budget 2014 it was decided to retain the 9% rate to support the increased number of jobs, and latterly, due to the weakness in Sterling following Brexit. It was for these reasons that I retained the 9% rate in last year's Budget.

I also, however, made a commitment during last year's Finance Bill to undertake a comprehensive economic study of all aspects of the 9% VAT rate in order to better inform any decision in relation to the reduced rate going forward.

The "Review of the 9% VAT rate: Analysis of Economic and Sectoral Developments" was published by my Department in July 2018. In addition to assessing the relevance, cost, value-for-money, impact to date of the 9% VAT rate, the Review also looks at the estimated impact on the relevant sectors where the rate is to be increased.

The Review found that tourism expenditure is more sensitive to income growth and the economic cycle than price changes. The economy is currently performing well, with high levels of employment and strong demand in the tourism sector. Growth is also expected to continue in the medium term. This positive economic outlook means that the income channel of demand is likely to ensure that economic activity within the 9% rate sector remains strong. The Review concludes that the VAT rating applied to the tourism sector should not greatly impact demand or employment in the sector. The Budget decision to increase the VAT rate was made following this analysis.

With regard to the expected increase in Exchequer revenues in 2019 as a result of the Budget change, this is estimated to be €466 million. The VAT rate increase in tourist accommodation is expected to yield €235m in 2019, restaurants are expected to yield €191m, hairdressing is estimated to yield €27m in 2019, bloodstock sales is expected to yield €7m and cinemas and shows is estimated to yield €6m in 2019.

*Questions Nos. 7 to 12, inclusive, answered orally.*

### **Carbon Tax Yield**

13. **Deputy Éamon Ó Cuív** asked the Minister for Finance the amount of carbon tax collected on solid fuels in each of the years 2015 to 2017 and to date in 2018, respectively; the steps he is taking to ensure compliance with the law in this regard and secure the revenue base; and if he will make a statement on the matter. [48421/18]

**Minister for Finance (Deputy Paschal Donohoe):** Solid Fuel Carbon Tax was commenced in May 2013 at a rate of €10 per tonne of carbon dioxide emitted when combusted, and was increased to €20 per tonne in 2014. Approximately 75% of solid fuel carbon tax yield relates to coal.

Annual net receipts for the tax amounted to €23.5m in 2015, €24.4m in 2016 and €19.1m in 2017. As of end October, receipts to date in 2018 amounted to €19.9m.

Revenue has responsibility for administering this tax and takes a risk-focused approach in its deployment of resources on compliance activities. Solid fuel carbon tax is collected by Revenue on a self-assessment basis and compliance with the law is enforced using the full range of compliance interventions and enforcement provisions for self-assessed taxes. Liable fuel suppliers must file a return and pay for each bi-monthly period by the last day of the following month. Where suppliers do not submit returns by the due date Revenue will issue an estimate of the tax due. If a taxpayer fails to pay the amount due, including any debt for which an estimate has issued, Revenue may refer the debt for enforcement action. This can include sheriff enforcement, civil proceedings through the courts or attachment of third parties. I am advised that, to date, Revenue has undertaken actions to enforce approximately €640,000 of Solid Fuel Carbon Tax.

Under European Union Single Market constraints, Revenue has no authority to stop vehicles and physically inspect loads of solid fuel. Similarly, the transport or possession of solid fuel that originated in Northern Ireland are not, in themselves, Revenue offences and Revenue officers have no authority to challenge such transportation or possession.

As I, and my predecessor, have pointed out before, because of the price differential with Northern Ireland, the collection of solid fuel carbon tax is heavily reliant on the regulatory regime covering the marketing, sale, distribution and burning of solid fuels in the State. This regulatory regime is operated by the Department of Communications, Climate Action and Environment and is enforced by local authorities. This regime, which imposes higher environmental standards on coal in the State than applies in Northern Ireland, enables local authorities to undertake enforcement action to prevent the sale or distribution of coal that does not meet our standards.

I am advised that Revenue is working with the Department of Communications, Climate Action and Environment to discuss the effectiveness of the regulatory regime for solid fuel and to explore how Revenue could support the Department to improve matters in light of continuing concerns that fuel sourced from Northern Ireland is getting onto the market here. I understand that contacts are ongoing with a view to undertaking a number of joint operations and to explore the scope for follow up action by Revenue in relation to persons found to be in breach of environmental regulations.

## Insurance Fraud

14. **Deputy Pearse Doherty** asked the Minister for Finance his plans to amend the recommendations in the Cost of Insurance Working Group plan that a publicly funded Garda anti-fraud unit to deal with insurance fraud be put in place. [48599/18]

**Minister for Finance (Deputy Paschal Donohoe):** As the Deputy is aware, recommendation 26 of the *Report on the Cost of Motor Insurance* calls for An Garda Síochána to explore the potential for further cooperation between it and the insurance sector in relation to insurance fraud investigation. In this regard, one measure which the Working Group considered as part of the Report was the establishment of a dedicated team within An Garda Síochána to tackle insurance fraud based on the UK model which is funded by the insurance industry. At this juncture, there are no plans to amend the recommendations of the Cost of Insurance Working Group Report in relation to the issue of the establishment of a Garda anti-fraud unit.

I, as Minister of State for Financial Services and Insurance, have no role in relation to the parameters of a proposed Garda Fraud Unit or how it might be funded. I understand that, at this stage, the Garda Commissioner has yet to form a view on the recommendation, and that no proposal or recommendation has yet been submitted to the Minister for Justice and Equality, Mr. Charlie Flanagan, T.D. It will then be a matter for Minister Flanagan, on foot of a recommendation from the Garda Commissioner, to decide whether the establishment of the proposed unit is something which should be pursued.

Aside from consideration of the feasibility of a fraud unit, there has been significant progress in enhancing the level of engagement and cooperation between An Garda Síochána and the insurance industry. Part of this arose from the Fraud Roundtable, which was hosted by the Department of Finance and which involved wide stakeholder consultation. A key output from this process was the agreement of guidelines titled “*Guidelines for the Reporting of Suspected Fraudulent Insurance Claims by Insurance Entities to An Garda Síochána*”, which were published on 1st October.

Another important output of this engagement is the commitment for the Garda National Economic Crime Bureau and Insurance Ireland’s Anti-Fraud Forum to meet on a regular basis in order to discuss and act upon current and ongoing general issues which arise in the area of insurance fraud. This enhanced cooperation, I believe, will be very important going forward in tackling the issue of fraudulent claims.

*Question No. 15 answered with Question No. 9.*

## Banking Sector

16. **Deputy Thomas P. Broughan** asked the Minister for Finance his plans for legislative and regulatory changes in relation to the business culture of banks and the accountability of senior banking officials; and if he will make a statement on the matter. [48542/18]

**Minister for Finance (Deputy Paschal Donohoe):** As I have previously informed the House, I intend to bring forward heads of a Central Bank (Amendment) Bill for Government approval in Quarter 1 2019. In that regard it is my intention that the proposed legislation will identify the legislative changes that are required to implement a customer centric culture and to enhance individual accountability.

I have long been on the record as stating that there are cultural failings in the banking sector

that must be addressed and I have recently spoken of the need to rebuild the bond of trust that has been sundered with society in the wake of the banking crisis. We, in Government, are supportive of measures to change behaviour and organisational culture within the financial sector, in order to keep the customer at the heart of its operations.

The Central Bank's Section 6A Report on the culture and behaviour of the main retail banks was drafted in response to my request in November 2017. The report published in July, puts forward proposals, to enhance individual accountability by way of Conduct Standards for all regulated financial services providers and the individuals working within them; a Senior Executive Accountability Regime; and enhancements to the current Fitness and Probity Regime.

My Department's assessment of the report found that it is a detailed and considered analysis of culture within the banking sector. The report's recommendations are intended to drive positive changes in terms of wider banking culture, greater delegation of responsibilities, and enhanced accountability. The report importantly focuses on simplifying the taking of sanctions against individuals who fail in their financial sector roles.

These Central Bank proposals are being considered as part of the work of the Government's forthcoming Central Bank (Amendment) Bill. Officials in my Department are engaging with the Central Bank and other stakeholders in order to provide for measures that are proportionate and effective to achieve the Government's objective of a sustainable, customer focussed, financial services industry. Policy matters including how proposals may be implemented are currently being examined including an appraisal of international best practice.

It is important that any proposals that are brought before the Houses of the Oireachtas adopt a strategic approach in proposing and bringing through legislation that allows the Central Bank and firms within the financial sector to drive the necessary changes in culture.

### **Brexit Staff**

17. **Deputy Michael McGrath** asked the Minister for Finance the status of the preparedness of the Revenue Commissioners for Brexit; the number of extra staff that have been hired by the Revenue Commissioners since September 2018; the number that will be in place by the end of March 2019; and if he will make a statement on the matter. [48563/18]

27. **Deputy Joan Burton** asked the Minister for Finance the number of additional officials of the Revenue Commissioners and customs and excise recruited to deal with Brexit; the number of additional officials that will be recruited from the end of March 2019; and if he will make a statement on the matter. [48584/18]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 17 and 27 together.

I am advised that Revenue is actively engaging in the Interdepartmental work on Brexit coordinated by the Department of An Taoiseach and the Department of Foreign Affairs and Trade.

As the Deputies are aware, in July 2018 the Government made a number of decisions in relation to preparations for a 'Central Case Scenario'. This is the main scenario based on the UK leaving the EU on 29 March 2019 with a ratified Withdrawal Agreement to include provisions for the backstop arrangements for the island of Ireland; and for a transition period up to 31 December 2020, during which time the UK would uphold the entire EU acquis.

In line with preparations for the 'Central Case Scenario', Revenue's Brexit preparedness

and contingency planning encompasses the three key areas of staffing, ICT enhancement, and infrastructure.

In September 2018, the Government approved the phased recruitment of 600 Revenue staff. In response to an open recruitment campaign undertaken by the Public Appointments Service more than 3,000 applications were received. Since September 2018, 43 trade facilitation staff have been appointed by way of internal, interdepartmental and open recruitment. I am advised by Revenue that plans are fully on track for the first phase of 200 additional trade facilitation staff to be trained and in place, working on a 24 hour/7-day week basis, by 29 March 2019. I understand that recruitment and training of the remaining 400 staff is set to progress on a phased basis during the transitional period up to the end of 2020.

In Budget 2017 provision was made for an additional €2 million for ICT funding for Revenue and I am advised that this has been invested in scaling up their Customs ICT framework to deal efficiently with the increase in Customs declarations, post Brexit and that Revenue is confident that the enhanced IT systems will be capable of facilitating smooth and efficient trade flows post Brexit.

I am further advised that Revenue chairs an inter-Departmental Group that was established to consider the adequacy of port and airport infrastructure post Brexit. This Group has identified and agreed the detail of the nature and scale of facilities that would be required at Dublin Port, Rosslare Europort and Dublin Airport. I understand that OPW is now leading on engagement to ensure that the additional infrastructure is operational in a timely manner.

### **Help-To-Buy Scheme**

18. **Deputy Niamh Smyth** asked the Minister for Finance the status of a review of the help-to-buy scheme; and if he will make a statement on the matter. [48423/18]

**Minister for Finance (Deputy Paschal Donohoe):** Earlier this year, I commissioned an independent Cost Benefit Analysis (CBA) of the Help to Buy (HTB) incentive. Following a competitive tender process, Indecon International Economic Consultants were appointed to carry out this analysis. The report of the CBA was published at Budget time in the Department of Finance Report on Tax Expenditures and is available on my Department's website.

In brief, the report finds as follows:

- **Prices:** While there may have been a very small increase in prices attributable to the introduction of the incentive, the primary driver of house prices remains the continued misalignment between demand and supply.

- **Supply:** The evidence suggests that following the introduction of the incentive there was a marked increase in supply which can be attributed in part to HTB.

- **Affordability:** The analysis also finds that availability of HTB has reduced the time to save for all claimants and improved the overall affordability of housing for these individuals.

- **Benefit/Cost Ratio:** The analysis finds a benefit-cost ratio of 1.28 indicating a moderate positive effect for the incentive but note that if the price of new HTB units was to increase due to the incentive, the net benefit would be reduced.

The incentive is due to expire at the end of next year and will be subject to decision as part of Budget 2020.



## **EU Budget Contribution**

19. **Deputy Thomas P. Broughan** asked the Minister for Finance if he has estimated the likely additional contributions Ireland will make to the EU budget from 2020 onwards in the event of British withdrawal on 29 March 2019; and if he will make a statement on the matter. [48543/18]

**Minister for Finance (Deputy Paschal Donohoe):** As the Deputy will be aware, the European Commission's proposal for the next Multiannual Financial Framework (MFF) 2021-2027 was published on 2nd May 2018. I welcome the publication of the proposals which marks the start of an important debate on the future of the EU budget. The proposals come at a time of great change and adjustment for the EU; with new priorities (including migration, security, climate change etc.) and the departure of UK.

As the Deputy will be aware, with Ireland's growing prosperity we have moved from being a net beneficiary to a net contributor to the EU budget. As such, it is important that the next MFF be an appropriately sized spending plan for the EU27 in a post-Brexit era, and that it will be capable of meeting the priorities of the EU27. Negotiations on those priorities and how they should be funded will be complex.

Further, in relation to Brexit, given the UK's current status as one of the largest net contributors to the EU budget, Brexit will have a significant impact on EU budget funding and expenditure. Should the draft Withdrawal Agreement be concluded the UK Government will continue to make contributions into the EU budget for the years 2019 and 2020 as if it were a full member and to continue to pay a contribution during a transition period for a time thereafter. However, as the Deputy will appreciate, while the draft withdrawal agreement was recently published, these negotiations are still on-going, therefore, it would not be appropriate for me to discuss those negotiations or the potential impact on Ireland's net contribution to the EU budget in detail at this point.

Finally, in relation to contributions for the years 2020 to 2023, as part of Budget 2019, my Department forecasted contributions of €2.9bn, €3.1bn, €3.2bn and €3.4bn respectively. However, it is worth noting that these forecasts are contingent on a number of variables, including updated GNI forecasts, the size of the overall EU budget for the year and other EU budget operational developments. As a result, all forecasts will be monitored and updated on an ongoing basis.

## **Insurance Industry**

20. **Deputy Louise O'Reilly** asked the Minister for Finance the steps he will take to ensure that residents affected by the liquidation of the structural warranty of an underwriter (details supplied) are not unfairly affected; and his plans to deal with this issue. [48604/18]

26. **Deputy Pearse Doherty** asked the Minister for Finance the steps he will take to ensure residents affected by the going into liquidation of an underwriter (details supplied) of their structural warranty are not unfairly affected. [48600/18]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 20 and 26 together.

The Central Bank of Ireland has advised me that it was notified by the Danish Financial Supervisory Authority on 7 March 2018 that it had ordered Alpha Insurance A/S to cease writing

new business including renewal of existing contracts and business with immediate effect. It was further notified on 9 May 2018 that the liquidators of the insurance company Alpha Insurance A/S had filed a petition for bankruptcy.

The Central Bank has indicated that as Alpha Insurance A/S is a Danish based insurance firm, it is subject to prudential supervision by the Danish Financial Supervisory Authority, and therefore it had no role in this decision. The Central Bank has also informed me that Alpha Insurance A/S was selling non-life insurance policies, including structural warranty insurance, in Ireland through the broker network on a freedom of services basis and that it also operated in Denmark, France, Germany, Greece, Italy, Norway, the United Kingdom and Spain.

As the structural warranty insurance was initially purchased by the developer, the residents of the impacted properties may wish to get in contact with the property developer in the first instance to see if alternative cover can be arranged.

Ultimately, should there be a claim on the policy due to structural defects, the property developer should seek assistance from the Danish Insurance Guarantee Fund in the first instance. If such an application were unsuccessful, there may then be recourse to the Irish Insurance Compensation Fund to recover 65% of the cost of a claim, up to a ceiling of €825,000 per claim subject to the particular circumstances of the claim and the relevant provisions of the Insurance Acts (1964).

## Credit Unions

21. **Deputy Michael McGrath** asked the Minister for Finance his plans to develop a new strategy for the growth and development of the credit union sector; and if he will make a statement on the matter. [48564/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Government has a clear policy to support the strategic growth and development of credit unions delivering the comprehensive recommendations set out in the Commission on Credit Unions Report and the Credit Union Advisory Committee (CUAC) report in 2016, both of which involved extensive stakeholder engagement. CUAC remains an important advisor to me on strategic issues facing the sector.

Since 2011 my Department has put in place a number of measures to assist the credit union sector, including the establishment of the Commission on Credit Unions, introduction of the Credit Union and Co-operation with Overseas Regulators Act 2012 and the establishment of the Credit Union Restructuring Board which oversaw 82 restructuring projects involving 156 credit unions during its lifetime.

More recently an Implementation Group was established to oversee and monitor the implementation of the CUAC Report's recommendations. The group is chaired by my Department and consists of one member from each of the representative bodies, one member from CUAC and a member from the Central Bank. This group is an important forum for key stakeholders in the sector and has submitted papers on long-term lending and consultation and engagement to the Central Bank. The Implementation Group is expected to issue a final report to me in December 2018.

While there are challenges to returns arising from the low yield environment and low loan to asset ratios, the sector continues to show signs of improvement reflected in growth in new lending, delivering c. 35% of all unsecured consumer lending in 2017, a decrease in the level of reported arrears and an increase in reserves. Total assets have increased consistently for many years and currently stand at approximately €17.5 billion.

Business model development is another challenge and opportunity facing the sector and to this end the Central Bank has set up a dedicated Business Model Unit within the Registrar of Credit Unions and has developed initiatives such as the CEO forum to address key constraints to, and enablers for, business model development. Business model development is also a focus of the CUAC, and I have specifically requested the committee to review barriers to and supports for collaborative efforts as well as SME lending, linking with the outcomes of the Local Public Banking report.

It should be recognised, however, that there are many positive developments taking place in the sector, led by Credit Unions and their representative bodies. Next year will see around 50 large credit unions, encompassing almost half of sector assets, providing Member Personal Current Account Service (MPCAs), a Central Bank-approved suite of services which includes personal current accounts, a range of payment services including debit cards, and overdrafts.

2019 will also see a new regulatory framework for lending being introduced, which should materially increase the scope for credit unions offering mortgages to their members. The proposal would allow sectoral capacity of up to at least €861m for mortgages, with this figure rising if Credit Unions are approved for higher limits. To put this figure in context there is approximately €165m of house loans currently outstanding within the credit union sector. This new lending framework, which is in a consultation process at present, follows the recent significant regulatory changes to the Investment Framework which includes provisions that would allow up to €700 million of Credit Union investment for funding social housing.

This Government recognises the important role of credit unions as a volunteer co-operative movement and its priorities remain the protection of members' savings, the financial stability of credit unions and the sector overall. The Government is determined to continue to support a strengthened and growing credit union movement. Credit unions are member owned and it is these members, with support from their representative bodies, who ultimately are responsible for setting and implementing their own individual strategic plans, with appropriate support from Government.

### **Tax Reliefs Application**

**22. Deputy Willie Penrose** asked the Minister for Finance his views on recent revelations that certain high net worth individuals are paying significantly lower rates of income tax than persons of much more modest means as a consequence of various tax breaks including losses carried forward; the estimated tax lost as a consequence of such activity; and if he will make a statement on the matter. [48586/18]

**Minister for Finance (Deputy Paschal Donohoe):** Revenue's role is to ensure compliance with tax legislation and to collect the correct tax due based on taxable income determined in accordance with the relevant tax legislation.

In computing taxable income, the legislation provides for deductions in respect of various tax credits and reliefs including losses incurred both current and carried forward, subject to conditions. These deductions are available to all taxpayers.

The Chapter on the "Management of high wealth individuals' tax liabilities" in the recent 2017 Annual Report by the Comptroller and Auditor General (C&AG) states that the effective tax rate for high wealth individuals (HWIs) is more than double the rate for all income tax payers. The Report also identifies that 83 HWIs had taxable income of less than the average industrial wage.



The Chairman of the Revenue Commissioners attended the Public Accounts Committee meeting on 15 November. During the detailed discussion with the Committee, the Chairman outlined the various lifestyle and wealth management features of HWIs. In relation to the 83 HWIs with taxable income of less than the average industrial wage, he outlined that this low taxable income is related to the circumstances of the individuals which includes: family members of HWIs (25); non-resident individuals (21); individuals no longer categorised as HWIs (17); entitlement to credits and reliefs (15) with the remaining individuals having low income in that year. It is important to point out that the deductions claimed which lower a taxpayer's taxable income are legitimate credits against tax liabilities. The Chairman also assured the Committee that there is no evidence, and Revenue does not assume, that wealthy individuals are more likely to be tax non-compliant.

Measures were introduced in the 2006, 2007 and 2010 Finance Acts to restrict the use of certain tax reliefs and exemptions by high income earners. These measures ensure that these individuals have an effective tax rate of approximately 30%. The recent report on the 'Analysis of High Income Individuals' Restriction 2016' published by Revenue in September of this year shows that these restrictions impacted on 521 individuals in 2016 resulting in the collection of additional income tax of €38.5m.

### **Social and Affordable Housing Funding**

**23. Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he can intercede with the EU institutions in view of the need to clear the way for an emergency local authority and affordable housing programme; and if he will make a statement on the matter. [48595/18]

**Minister for Finance (Deputy Paschal Donohoe):** The fiscal rules to which Ireland is subject have direct application through a number of EU regulations and through the Fiscal Responsibility Act 2012. Any change to these regulations would have to follow the normal EU approach, beginning with a proposal from the Commission before consideration by Member States and the European Parliament.

The fiscal rules provide some scope for flexibility, where temporary deviations from the required budgetary adjustment are permitted, subject to strict conditions. There are also certain more explicit flexibility provisions within the rules. For instance, to facilitate public investment, increases in capital expenditure are smoothed over a four-year period, where only one-quarter of the increase is taken into account in the first year.

The rules also allow for deviations in the event of specific unforeseen circumstances – to date this has primarily been employed by several Member States in respect of costs relating to the refugee crisis – and to finance structural reforms that improve the long-term sustainability of the economy.

The Government has been clear that the provision of affordable housing is a top priority. The Rebuilding Ireland Action Plan outlines the Government's strategy for tackling housing issues. By the end of 2018, over 70,000 housing solutions will have been delivered under Rebuilding Ireland. In addition, along with my colleague the Minister for Housing, Planning and Local Government, I signed the Establishment order for the Land Development Agency on 13 September. The Agency will work to better coordinate State lands for regeneration and development in partnership with land-owning State bodies.

Finally, a wide range of housing measures were announced in Budget 2019, which provides

a €2.3 billion investment in housing for 2019. This represents a 25 per cent increase on 2018, and is the most the State has ever spent on housing. To ensure that no one has to sleep rough in the winter, an additional €60 million in capital funding was allocated for 2018, much of which will fund additional emergency accommodation. Budget 2019 provides a further increase of €30 million for homelessness services, bringing the total allocation for 2019 to €146 million.

### Insurance Costs

24. **Deputy Bobby Aylward** asked the Minister for Finance the measures he has taken to meet and engage with insurance companies here regarding excessive premiums being charged to consumers particularly in counties Carlow and Kilkenny; and if he will make a statement on the matter. [48428/18]

28. **Deputy Niamh Smyth** asked the Minister for Finance the status of the measures that have been taken to meet and engage with insurance companies here regarding excessive premiums being charged to consumers, particularly in counties Cavan and Monaghan. [48424/18]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 24 and 28 together.

The Minister for Finance is responsible for the development of the legal framework governing financial regulation. Neither he nor the Central Bank can interfere in the pricing of insurance products, as these matters are of a commercial nature, and are determined by insurance companies based on the risks they are willing to accept.

However, it is acknowledged that pricing in the insurance sector has been subject to a lot of volatility in recent years, from a point where some premiums appeared to be priced at an unsustainably low level to the more recent experience of large increases, particularly in relation to motor insurance.

Indeed, the problem of rising motor insurance premiums was the main impetus for the establishment of the Cost of Insurance Working Group, which I chair. Its *Report on the Cost of Motor Insurance* was published in January 2017 and makes 33 recommendations with 71 associated actions to be carried out in agreed timeframes, set out within an Action Plan. The Working Group continued its work throughout 2017 and subsequently published the *Report on the Cost of Employer and Public Liability Insurance* in January 2018.

Stakeholder consultation formed the foundation upon which the Working Group's two Reports and their recommendations were developed. This consultation process undertaken by the Working Group involved a wide range of stakeholders representing the different voices within this sector, including representative bodies, the major individual motor insurance providers and interest groups. The impact of excessive premiums being charged to consumers from all counties across the country was a feature of this engagement process with industry.

In addition, my officials regularly raise specific issues affecting consumers across the country during their ongoing engagement with Insurance Ireland, including within a sub-group formed to implement relevant consumer-focused recommendations from the Motor Report.

Furthermore, I have separately met with representatives from insurance companies and other relevant stakeholders in relation to a number of issues and the problems resulting from high insurance premiums have been discussed during these engagements.

Quarterly progress updates on the implementation of the Reports provide more detailed

information on the implementation of each of the recommendations and actions. The seventh quarterly update was published recently and is available on the Department's website, within "The Cost of Insurance Working Group" sub-section of the main "Insurance" section.

Finally, it should be noted that the most recent CSO data (for October 2018) indicates that private motor insurance premiums have decreased by 22.9% since peaking in July 2016. There was a drop of 9.1% year-on-year in October, the 19th consecutive month with a year-on-year reduction.

While the CSO statistics indicate a greater degree of stability on an overall basis, these figures represent a broad average and therefore there are many people who may still be seeing increases. However, I am hopeful that this greater stability in pricing will be maintained with the result that premiums should continue to fall from the very high levels of mid-2016.

### **Licensed Moneylenders**

25. **Deputy Pearse Doherty** asked the Minister for Finance his plans to legislate to place a cap on the rates that can be charged by moneylenders; and if he will make a statement on the matter. [48598/18]

31. **Deputy Joan Burton** asked the Minister for Finance if he has examined the recent report by an organisation (details supplied) on the perceived extortionate level of interest and charges charged on loans by moneylenders particularly in the run up to Christmas; his plans to regulate and or cap interest and charges on moneylender type products; and if he will make a statement on the matter. [48583/18]

38. **Deputy Michael McGrath** asked the Minister for Finance his views on whether stricter controls are needed on interest rates charged by licensed moneylenders here; and if he will make a statement on the matter. [48566/18]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 25, 31 and 38 together.

I met with the Social Finance Foundation last week and was briefed on the report it had commissioned from the Centre for Co-operative Studies in University College Cork. The purpose of the research was to examine the extent and variety of interest rate restrictions within the EU and further afield and to assess the appropriateness of introducing such a restriction in the Irish market, given its specific circumstances and financial environment. The key report recommendations highlighted by the Social Finance Foundation are that an interest rate restriction should be introduced but that this is conditional on there being a reliable alternative for consumers who are able and willing to repay and that consideration should be given to increasing the statutory 1% monthly cap on credit union interest rates.

The report did not specify the type or level of interest rate cap that should be introduced. Both the report and the Social Finance Foundation highlight that this and other issues should be the subject of further research. The Social Finance Foundation also advised that the only thing worse than high cost credit is no credit.

The Social Finance Foundation points out that the credit union movement is a viable alternative for the community currently serviced by licensed moneylending firms because of the Personal Micro Credit (PMC) Scheme that many of its members participate in. It began as a pilot scheme, supported by Government, in November 2015. Loans under the initiative are branded "It Makes Sense" loans. The PMC Implementation Group was established to oversee

and drive the implementation of the scheme through its pilot phase and subsequently through to implementation nationwide. My Department is represented on the PMC Implementation Group, which is chaired by the Department of Employment Affairs and Social Protection.

It should be noted that credit unions are independent and it is at management discretion if they sign up to offer the “It Makes Sense” loan to consumers. Additionally Credit Unions can only lend within their common bonds. Currently 47% of credit unions are involved in the PMC scheme and, therefore, only consumers within the common bond of these credit unions can avail of the “It Makes Sense” loan. As a result the “It Makes Sense” loan is not yet available as a nationwide mainstream alternative of affordable credit for current users of licensed moneylenders.

The report and its recommendations will be examined by my Department.

*Question No. 26 answered with Question No. 20.*

*Question No. 27 answered with Question No. 17.*

*Question No. 28 answered with Question No. 24.*

### **Insurance Costs**

29. **Deputy Aindrias Moynihan** asked the Minister for Finance if he will report on the progress of the implementation of the Report on the Cost of Employer and Public Liability Insurance; and if he will make a statement on the matter. [48602/18]

39. **Deputy Aindrias Moynihan** asked the Minister for Finance if the report on the Cost of Employer and Public Liability Insurance is on target to be implemented on time; and if he will make a statement on the matter. [48601/18]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 29 and 39 together.

As the Deputy is aware, the second phase of the Cost of Insurance Working Group project culminated in the publication on 25th January of the Report on the Cost of Employer and Public Liability Insurance, following its approval by Government. This Report makes 15 recommendations with 29 associated actions to be carried out, detailed in an Action Plan contained in the Report with agreed timelines for implementation.

There is a commitment within the Report that the Working Group will prepare quarterly updates on its progress. Such quarterly reports, which originally focused exclusively on the implementation of the Report on the Cost of Motor Insurance, now include updates in respect of the actions from the Report on Employer and Public Liability Insurance also.

The seventh such quarterly report was published on 12th November and shows that 18 of the 19 actions points arising up to end of Q3 2018 have been completed.

The two primary Reports and all of the quarterly updates are available on the Department’s website, within “The Cost of Insurance Working Group” sub-section of the main “Insurance” section.

The 18 actions implemented to date cut across a number of different areas and include:

- The publication of by An Garda Síochána of the “Guidelines for the Reporting of Suspect-

ed Fraudulent Insurance Claims by Insurance Entities to An Garda Síochána” on 1st October

- The Law Reform Commission confirming that the subject of caps on damages for personal injuries litigation is included in its draft Fifth Programme of Law Reform, which is to be finalised before the end of the year

- Draft heads being prepared to ensure defendants are appropriately notified of a claim having been submitted against their policy

- An Garda Síochána commencing the collection of statistics under the new “insurance fraud” category which has been added to the PULSE system

- The Courts Service confirming that they will publish a more detailed breakdown of awards in personal injury cases in their Annual Reports

The one Action Point that has been delayed thus far relates to Recommendation 7 under which the Court Rules Committees are considering amendment of the Rules of Court to take account of section 8 of the Civil Liability and Courts Act 2004 (this section deals with notification of claims to defendants). The Department of Justice and Equality expects to be able to submit a report on this matter to the Working Group before the end of the year.

Finally, it should be noted that all 29 actions are scheduled to be implemented before the end of 2019, with 26 due for completion this year. In regard to the remaining actions, 7 are due by the end of this year and 3 are due in 2019. It is hoped that all remaining actions will be achieved by their deadlines in the Report.

### **Tax Compliance**

30. **Deputy Éamon Ó Cuív** asked the Minister for Finance the steps he has taken or plans to take to simplify compliance for small self-employed taxpayers in respect of income tax returns with a self-employed gross income of less than €50,000; and if he will make a statement on the matter. [48422/18]

**Minister for Finance (Deputy Paschal Donohoe):** By way of general information, Part 38 of the Taxes Consolidation Act 1997 provides that returns of income shall be in the ‘form prescribed by Revenue’. Therefore, any question of simplifying tax return obligations for any group of taxpayers is a matter for Revenue.

In this regard, I am assured by Revenue that it supports the Small and Medium Enterprises (SME) sector by making it as simple and as inexpensive as possible for sole traders, partnerships and businesses to comply with their tax obligations. To achieve this ambition, Revenue has taken various initiatives over the last number of years to assist taxpayers in filing their income tax returns. For example, recent initiatives include:

- prepopulating income tax returns with data already available through other sources to minimise the complexity of the return filing requirement and,

- providing simplified and clear information, including instructional videos on the Revenue website, to support and assist taxpayers in completing the various components of the income tax return.

Where a self-employed taxpayer has PAYE income and their self-employed income is less than €30,000 gross and €5,000 net, that self-employed income can be ‘coded’ or taken into account in calculating their annual PAYE tax credits and standard rate band. Those taxpayers can



submit a shorter Form 12 tax return; online through PAYE Services in myAccount.

Also, Revenue continuously consults with business representatives through various forums to identify further initiatives that can achieve tax filing compliance in the least obtrusive way possible. For example, Revenue has established Business Customer Panels to get feedback on its services from taxpayers and to receive suggestions for potential further improvement.

Finally, while it is never possible to fully eliminate the requirements of meeting tax obligations, I am advised that Ireland compares very favourably with other countries in easing the administrative burden to the greatest extent possible. In this regard, the Deputy will be interested to note that Ireland is ranked in the 'PWC/World Bank - Paying Taxes 2018' report as the easiest country in the EU in which to pay business taxes and 4th easiest worldwide. I commend Revenue for this achievement, which is testament to its ongoing efforts to make the tax system as easy as possible for citizens to comply with.

*Question No. 31 answered with Question No. 25.*

### **Tax Code**

**32. Deputy Joan Burton** asked the Minister for Finance his plans in respect of digital taxation; and if he will make a statement on the matter. [48585/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Deputy will be aware that the Commission proposal for an interim Digital Services Tax, which imposes a 3% levy on the turnover of certain companies' digital activities, is currently being debated among Member States – both at a technical and political level.

Ireland has a significant number of concerns with the Commission's interim tax proposals. These concerns include the short term nature of the approach, the proposed move away from taxing profits to taxing revenues, the lack of a clear link between any new interim tax and evidence of value creation by digital business and the potential impact on international trading relations from the adoption of a unilateral EU initiative on digital tax.

While Ireland is among a number of Member States which object to the fundamental nature of the proposal, we are joined by a wider group which share our concerns on a series of technical issues yet to be resolved. Unanimity is required among Member States before the proposal could be agreed.

I recently reiterated Ireland's opposition to the proposal at ECOFIN on 6 November where I highlighted particular concerns I have regarding the negative consequences for Europe as a predominantly exporting bloc from creating a precedent of taxation at point of consumption rather than where value is created.

The Deputy will also recall that we discussed this proposal when I attended the Oireachtas Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach as part of Committee Stage of the Finance Bill 2018. During that debate, I acknowledged that the taxing landscape for digital companies is going to change. However, it is my strong view that if the EU were to unilaterally introduce a digital tax, it would undermine the international tax reform process and risks disrupting international trading relations.

Ireland has been a committed participant in, and strong supporter of, tax reform efforts led by the OECD through the BEPS process. I believe the OECD offers the safest and most effective way for delivering a sustainable solution to the challenges arising from the digitisation of

the economy. Intensive work is underway at the OECD and it is expected that the next significant update will be published in June 2019.

Ireland will continue to actively engage with work in the area of the digital economy at both OECD and EU level.

### **NAMA Assets Sale**

33. **Deputy Mick Wallace** asked the Minister for Finance if his attention has been drawn to the latest progress report by the Comptroller and Auditor General into the National Asset Management Agency; his views on the findings regarding section 172 declarations, particularly that NAMA case managers do not carry out verification processes regarding these; his further views on whether this may have had knock-on effects on loan and property sales; and if he will make a statement on the matter. [48605/18]

**Minister for Finance (Deputy Paschal Donohoe):** The C&AG section 226 report recorded a small number of instances (4 out of a total of 78) where Section 172 confirmations could not be located in respect of sales.

I am advised that Section 172 confirmations are examined by NAMA when a sale occurs and that NAMA has a policy of obtaining written confirmation from purchasers of NAMA secured assets that, among other things, the purchaser is not a party precluded from completing the purchase by virtue of Section 172(3) of the NAMA Act 2009.

Section 172(3) in summary prevents the sale of property back to defaulting debtors. Under Section 7(2) of the NAMA Act 2009, any person who intentionally, recklessly or through gross negligence provides false or inaccurate information to NAMA commits a criminal offence. In addition, under Section 6 of the Statutory Declarations Act 1938, it is a criminal offence for a declarant to make a statutory declaration which is false or misleading in any material respect. As such, I do not believe that there is any effect on loan or property sales as there are significant consequences where a confirmation or declaration made for these purposes later turns out to be false, inaccurate or misleading. The fact that the provision of false or inaccurate information or a false declaration constitutes a criminal offence is considered to be a strong deterrent to any purchaser who might be contemplating doing so.

### **Mortgage Arrears Proposals**

34. **Deputy Joan Burton** asked the Minister for Finance his views on debt write-downs for customers who have engaged with their financial institutions in respect of household mortgages; his plans to offer more support to families at risk of eviction; and if he will make a statement on the matter. [48582/18]

**Minister for Finance (Deputy Paschal Donohoe):** I have been advised by the Central Bank of Ireland that, within their responsibilities for safeguarding stability and protecting consumers, its approach to mortgage arrears resolution is focused on ensuring the fair treatment of borrowers through a strong consumer protection framework and ensuring that lenders have appropriate arrears resolution strategies and operations in place.

The Code of Conduct on Mortgage Arrears (CCMA) forms part of the Central Bank's Consumer Protection Framework. It is a statutory Code first introduced by the Central Bank in February 2009, with the current CCMA becoming effective from 1 July 2013. The CCMA

provides a strong consumer protection framework, requiring relevant firms to ensure borrowers in arrears or pre-arrears in respect of a mortgage loan secured on a primary residence are treated in a timely, transparent and fair manner and that due regard is had to the fact that each case of mortgage arrears is unique and needs to be considered on its own merits .

Banks, retail credit firms and credit servicing firms servicing loans on behalf of unregulated loan owners are all required to comply with the CCMA. The CCMA recognises that it is in the interests of borrowers and regulated firms to address financial difficulties as speedily, effectively and sympathetically as circumstances allow.

Each regulated entity must consider the borrower's situation in the context of the solutions they provide, which may differ from firm to firm. The CCMA does not prescribe the solution which must be offered. The CCMA includes requirements that arrangements be sustainable and based on a full assessment of the individual circumstances of the borrower and that repossession be used only as a last resort. Borrowers who engage with their lender, therefore, benefit from the protections afforded under the Mortgage Arrears Resolution Process (MARF).

Under the CCMA, a regulated entity may only commence legal proceedings for repossession where it has made every reasonable effort to agree an alternative repayment arrangement (ARA) with the borrowers and other clear requirements are met or the borrower has been classified as not co-operating. During the legal process, borrowers have opportunities to re-engage with lenders to find a solution. In some circumstances, however, loss of ownership may be unavoidable.

The Government is committed to supporting people in mortgage arrears to remain in their homes and there are a range of supports and services in place to assist people in that regard, including the Mortgage to Rent scheme; the personal insolvency system; and the Abhaile service which funds borrowers access to regulated financial or legal professionals.

As Minister for Finance, I am unable to interfere with any commercial decision of a financial entity and so I cannot comment specifically on whether institutions should be doing debt write-downs. However, I do think it is important to note that the review published last week of the Central Bank's Report on the Effectiveness of the Code of Conduct on Mortgage Arrears in the context of the Sale of Loans by Regulated Lenders states that for borrowers who engage with the process, the CCMA is working effectively and as intended.

Furthermore the Central Bank have stated that they will continue to assertively supervise regulated firms' compliance with the CCMA, track how long and short term arrangements are being applied to borrowers over time and that although strategy, commercial decisions and contractual rights of regulated entities cannot be interfered with, the Bank will investigate any patterns of behaviour it becomes aware of that suggests the CCMA is not being followed. The Central Bank will also engage with industry on providing fuller information to borrowers on the assessment of their case in relation to arrangements being considered or not.

## **Tax Code**

35. **Deputy Maureen O'Sullivan** asked the Minister for Finance if his attention has been drawn to the results of a report issued by a company (details supplied) illustrating the effects on employment in the retail bookmaking industry as a result of the blanket increase in betting duty; and if he will make a statement on the matter. [48579/18]

**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 subject 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 am familiar with arguments put forward by the betting sector regarding the impact of the increase in betting 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.

### **Insurance Industry**

36. **Deputy James Browne** asked the Minister for Finance his plans to make suicide clauses in life insurance policies illegal; and if he will make a statement on the matter. [48426/18]

**Minister for Finance (Deputy Paschal Donohoe):** At the outset, the Deputy should note that while I am very conscious of the sensitivity of this issue, neither I in my role as Minister for Finance, nor the Central Bank of Ireland, can interfere in determining what an insurance contract covers and what it excludes as these matters are of a commercial nature, and are determined by insurance companies based on an assessment of the risks they are willing to accept. This position is reinforced by the EU framework for insurance which expressly prohibits Member States from adopting such rules. Consequently, I am not in a position to direct insurance companies as to the pricing level or terms or conditions that they should apply in respect of particular categories of policyholders or particular products.

Having said that, because of the very specific and sensitive nature of your question, I believe that it is important to get greater clarification of how this matter is handled by the Industry. Therefore, my officials contacted Insurance Ireland seeking information on the general approach taken by insurers in Ireland in relation to suicide clauses. However, due to the very short turnaround time for response to your question, Insurance Ireland were not in a position to provide any perspective on the policies adopted by insurers on this issue. Instead, it has been

agreed with Insurance Ireland that they undertake a survey of their members to clarify what their current practice is regarding this matter. Once this exercise has been completed and appropriately considered, Minister of State D'Arcy will write to update you on this matter as soon as possible.

*Question No. 37 answered with Question No. 8.*

*Question No. 38 answered with Question No. 25.*

*Question No. 39 answered with Question No. 29.*

### **Financial Services Sector**

40. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which the Central Bank monitors the activities of regulated and unregulated lending institutions, with particular reference to their dealings with customers; if it is recognised that the lending institutions are not accurately representing the manner and methodology of their dealings in respect of repossessions in view of the fact that countless so-called voluntary surrenders have been achieved through intimidation; and if he will make a statement on the matter. [48594/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Central Bank of Ireland have advised me that within the remit of their responsibilities for safeguarding stability and protecting consumers, its approach to mortgage arrears resolution is focused on ensuring the fair treatment of borrowers through a strong consumer protection framework and ensuring that lenders have appropriate arrears resolution strategies and operations in place.

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

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

Each regulated entity must consider the borrower's situation in the context of the solutions they provide, which may differ from firm to firm. The CCMA does not prescribe the solution which must be offered.

Under the CCMA, a regulated entity may only commence legal proceedings for repossession where it has made every reasonable effort to agree an alternative repayment arrangement (ARA) with the borrowers and other clear requirements are met or the borrower has been classified as not co-operating. This framework requires lenders to exhaust the options available from the suite of ARAs offered before taking action which may result in the borrower losing his/her home (whether by voluntary sale or repossession).

In relation to a lender's communications with a borrower in or facing mortgage arrears Pro-



vision 22 of the CCMA states that a lender must ensure that:

- a. the level of communications from the lender, or any third party acting on its behalf, is proportionate and not excessive, taking into account the circumstances of the borrowers, including that unnecessarily frequent communications are not made;
- b. communications with borrowers are not aggressive, intimidating or harassing;
- c. borrowers are given sufficient time to complete an action they have committed to before follow up communication is attempted. In deciding what constitutes sufficient time, consideration must be given to the action that a borrower has committed to carry out, including whether he/she may require assistance from a third party in carrying out the action; and
- d. steps are taken to agree future communication with borrowers.

Turning to the issue regarding the subject of loans which are sold to unregulated third parties, in July 2015, the Consumer Protection (Regulation of Credit Servicing) Act 2015 (“the 2015 Act”) was introduced to fill a consumer protection gap where loans are sold by an original lender to an unregulated firm.

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

Credit servicing firms must act in accordance with Irish financial services law that applies to ‘regulated financial service providers’. This ensures that consumers, whose loans are sold to another firm, maintain the same regulatory protections that they had prior to the sale, including the CCMA. As the Deputy will be aware, the Government is supporting Deputy Michael McGrath’s Private Members Bill requiring the regulation of loan owners. My Department have worked closely with Deputy McGrath to make the Bill more effective. *The Consumer Protection (Regulation of Credit Servicing Firms) Bill 2018* was considered by the Select Committee on 12 July and it is expected that Report Stage will take place today. Finally, it is important to note that the review published last week of the Central Bank’s Report on the Effectiveness of the Code of Conduct on Mortgage Arrears in the context of the Sale of Loans by Regulated Lenders states that for borrowers who engage with the process, the CCMA is working effectively and as intended.

### **European Central Bank**

41. **Deputy Thomas P. Broughan** asked the Minister for Finance his views on the ending of the asset purchasing programme quantitative easing by the European Central Bank; the estimated impact this may have on interest rates and economic activity here and the rest of the EU; and if he will make a statement on the matter. [48541/18]

**Minister for Finance (Deputy Paschal Donohoe):** The European Central Bank (ECB) recently confirmed that it will continue to make net purchases of €15 billion per month under the Asset Purchase Programme (APP) - also known as Quantitative Easing - for the final quarter of 2018, when it expects that net purchases will end.

However, the ECB intends to reinvest the principal payments from maturing securities purchased under the APP for an extended period after that. It also expects that key ECB interest rates will remain at present levels at least through mid-2019.

The winding down of the APP could potentially affect economic activity across the EU through the impact it may have on bank lending, the cost of sovereign funding and market liquidity, which will need to be monitored.

While not possible to predict the future path of ECB monetary policy or interest rates, guidance from the ECB suggests that monetary policy is likely to remain accommodative for some time yet.

As the Deputy is likely aware, the most recent Economic and Fiscal Outlook published by my Department includes an assessment of the impact of policy rate tightening which sets out that the changing stance of monetary policy is a downside risk to the global economic outlook.

However, the negative impacts of tapering are expected to be limited. This view is supported by recent outturns in the euro area which showed steady growth of 1.7 per cent year-on-year, confirming the broad based expansion in the euro area despite weakening foreign demand. Flash estimates from Eurostat also concur with this view. My Department will continue to monitor developments and advise accordingly.

The National Treasury Management Agency (NTMA) has also been contemplating the ending of QE since it commenced. Through taking pre-emptive action - including the early repayment of loans, and the early buyback and switching of near-term maturing bonds for longer maturity bonds - it has significantly improved our debt redemption profile and lowered our interest bill.

The NTMA expects to end this year with over €13 billion in cash to pre-fund ahead of larger bond redemptions. Relative to other sovereigns, Ireland has been particularly pro-active in taking advantage of the highly accommodative interest rate environment of recent years in order to pre-fund.

## **Insurance Industry**

**42. Deputy Michael McGrath** asked the Minister for Finance the status of the liquidation of a company (details supplied); when the Insurance (Amendment) Act 2018 will be fully commenced; when the next payment will take place; when all claimants involved in the company will receive compensation in full; and if he will make a statement on the matter. [48567/18]

**Minister for Finance (Deputy Paschal Donohoe):** Setanta Insurance was placed into liquidation by the Malta Financial Services Authority on 30 April 2014. As it was a Maltese incorporated company, the liquidation is being carried out under Maltese law.

The Deputy will be aware that the Insurance (Amendment) Act 2018 (Act 21 of 2018) was signed into law in July this year. The Act, inter alia, provides for the payment of 100% of the compensation due to Setanta third party personal injury motor insurance claimants including the additional 35% to those who have settled their claims and have already received compensation of 65% of their claim. The final part of the Act, Part 4, will come into operation on 1 December this year, under the Insurance (Amendment) Act 2018 (Commencement) (Part 4) Order 2018, which I signed on 13 September.

The State Claims Agency have, on 19 November, obtained High Court approval for pay-

ments from the Fund in respect of the fourth tranche of payments to Setanta claimants. It is hoped that the Agency will issue payments within ten working days of receiving funds from the Fund on foot of the High Court order. It is anticipated this will be completed by late November/early December.

This tranche of claims is comprised of approximately 1,500 separate payments with a value of approximately €21 million, and will comprise of (a) newly settled claims requiring 100% payment, (b) all those cases where 65% was previously paid and where the balance of 35% is due and (c) a number of third party legal costs payments.

It should be noted that the process of settling claims is still ongoing and is subject in some cases to court procedures. The next application to the High Court will be subject to a three-month rule so will be late February 2019 at the earliest. The liquidator of Setanta estimates that the process of settling the vast majority of these outstanding claims should be completed by end-2019.

### **VAT Rate Increases**

43. **Deputy Willie Penrose** asked the Minister for Finance if he has commissioned an impact assessment of the increase in VAT from 9% to 13% in respect of hotels, restaurants, hair-dressing and other activities; the expected increase in revenues in each of the categories in 2019; and if he will make a statement on the matter. [48581/18]

**Minister for Finance (Deputy Paschal Donohoe):** The 9% VAT rate was introduced as part of the Jobs Initiative from July 2011 to December 2013 and was aimed at boosting tourism and the creation of additional jobs in that sector. From Budget 2014 it was decided to retain the 9% rate to support the increased number of jobs, and latterly, due to the weakness in Sterling following Brexit. It was for these reasons that I retained the 9% rate in last year's Budget.

I made a commitment during last year's Finance Bill to undertake a comprehensive study of all aspects of the 9% VAT rate, in order to better inform any decision in relation to the reduced rate going forward.

The "Review of the 9% VAT rate: Analysis of Economic and Sectoral Developments" was published by my Department in July 2018. In addition to assessing the relevance, cost, value-for-money, impact to date of the 9% VAT rate, the Review also looks at the estimated impact on the relevant sectors were the rate to be increased.

The Review found that tourism expenditure is more sensitive to income growth and the economic cycle than price changes. The economy is currently performing well, with high levels of employment and strong demand in the tourism sector. Growth is also expected to continue in the medium term. This positive economic outlook means that the income channel of demand is likely to ensure that economic activity within the 9% rate sector remains strong. The Review concludes that the VAT rating applied to the tourism sector should not greatly impact demand or employment in the sector. The Budget decision to increase the VAT rate was made following this analysis.

With regard to the expected increase in Exchequer revenues in 2019 as a result of the Budget change, this is estimated to be €466 million. The VAT rate increase in tourist accommodation is expected to yield €235m in 2019, restaurants are expected to yield €191m, hairdressing is estimated to yield €27m in 2019, bloodstock sales is expected to yield €7m and cinemas and shows is estimated to yield €6m in 2019.

*Questions - Written Answers*  
**Defence Forces Personnel**

44. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence if a person can be discharged from service at their request when there is an A7 complaint pending against them; the Defence Forces procedures in this regard; and if he will make a statement on the matter. [48780/18]

**Taoiseach and Minister for Defence (Deputy Leo Varadkar):** The provisions for discharge of enlisted personnel are set out in Defence Forces Regulation (DFR) A.10 made pursuant to the Defence Act 1954 (as amended). The Regulations set out the specific details required to be met to effect a discharge such as reasons, conditions and prescribed military authority for effecting the discharge.

**Defence Forces Ombudsman Complaints**

45. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence if personnel that have left the Defence Forces but have a grievance that they felt was never properly addressed can approach the Defence Forces Ombudsman; and if he will make a statement on the matter. [48781/18]

**Taoiseach and Minister for Defence (Deputy Leo Varadkar):** Section 6(2) of the Ombudsman (Defence Forces) Act 2004, provides for the making of complaints by former members of the Defence Forces. It states

(2) A former member of the Defence Forces may, subject to this Act, make a complaint to the Ombudsman concerning an action if it has affected that former member and was taken while he or she was a serving member of the Defence Forces by or on behalf of

- (a) a serving member of the Defence Forces,
- (b) a former member of the Defence Forces while he or she was a serving member of the Defence Forces, or
- (c) a civil servant.

(3) A complainant shall make a complaint referred to in subsections (1) and (2) not later than 12 months from

- (a) the date of the action concerned, or
- (b) the date on which the complainant became aware of the action, whichever is the later.

Further information may be obtained from the Office of the Ombudsman for the Defence Forces, 15 Lower Hatch Street, Dublin 2.

**Humanitarian Aid Provision**

46. **Deputy Catherine Murphy** asked the Tánaiste and Minister for Foreign Affairs and Trade the degree of diplomatic efforts through the EU that Ireland has made to ensure South Sudan's peace deal remains in place; his plans to continue to support the humanitarian efforts in South Sudan; the level of co-operation on same he has had with other supporting states; and if he will make a statement on the matter. [48705/18]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon):** South Sudan continues to endure an ongoing crisis, in large part the consequence of civil war. Since the most recent outbreak of conflict in 2015, over 50,000 people have been killed and more than 7 million people are in need of humanitarian assistance. On 12 September last, the President of South Sudan, Salva Kiir, signed a peace agreement with the opposition. While this peace agreement has the potential to mark a new departure, it is critical that South Sudan's leaders implement it without delay. Achieving lasting peace will require sustained effort and commitment as well as a genuinely inclusive approach to building the future South Sudan.

Ireland strongly supports efforts to build peace in South Sudan. In November 2017, during his visit to Addis Ababa, the Tánaiste met representatives of IGAD (Intergovernmental Authority on Development) and the African Union to discuss the situation in South Sudan. On that visit, the Tánaiste announced funding to the IGAD High Level Revitalization Forum, the process which delivered the revised peace agreement. Ireland will continue to support IGAD's work on monitoring and evaluating the implementation of the agreement in 2019.

Our Embassy in Addis Ababa which is accredited to South Sudan, monitors the situation and engages with local, regional and international parties on an ongoing basis. The Irish Ambassador in Addis Ababa visits Juba frequently where she meets with key government, UN, NGO, Red Cross and diplomatic partners, including the EU Delegation. She plans to visit again next week.

Two Departmental officials have been seconded to the EU Delegation in South Sudan, which is working to support the peace process, in particular by providing support to the implementing and monitoring bodies of the peace agreement. Ireland also cooperates closely with other EU member states on the issue of South Sudan in the European Council where Conclusions on South Sudan were adopted in April.

The EU Special Representative for the Horn of Africa, Alexander Rondos, appointed in 2012, contributes actively to achieve lasting peace, security and development in the region; this month he visited Dublin to brief the Tánaiste on current dynamics in the Horn of Africa, including South Sudan.

Ireland is responding to the continuing humanitarian need in South Sudan, with over €61 million in humanitarian assistance provided since 2012. Over €10 million in Irish funding has been provided so far this year, including to the South Sudan Humanitarian Fund and UNICEF to assist them in reaching the most vulnerable with lifesaving supplies and basic services. Irish funding will continue to support both those in need inside South Sudan as well as South Sudanese refugees in neighbouring countries. Ireland is also a significant contributor to the UN Central Emergency Response Fund, which has allocated \$187 million to alleviate the crisis since 2011, and to the EU, which has provided more than €90 million so far this year.

## **Human Rights**

47. **Deputy Niall Collins** asked the Tánaiste and Minister for Foreign Affairs and Trade the efforts being made to address the ongoing repression of peaceful protesters by the Ortega regime in Nicaragua; and if he will make a statement on the matter. [48719/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** 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.

## **Gambling Sector**

48. **Deputy Niall Collins** asked the Minister for Finance the reason a gaming licence was

granted (details supplied); and if he will make a statement on the matter. [48666/18]

**Minister for Finance (Deputy Paschal Donohoe):** The legal framework for the approval of a Gaming Licence is as follows. An operator of gaming machines is required to hold a Gaming Licence for each premises where gaming machines are available for play. Section 19 of the Gaming and Lotteries Act 1956 provides that Revenue shall, on the application of a person to whom a certificate for a gaming licence has been granted by the District Court and on payment by that person of the relevant excise duty to Revenue, issue to that person a gaming licence. Applicants to Revenue for a Gaming Licence are also required to hold a current tax clearance certificate. Where an applicant satisfies these requirements a Gaming Licence is issued.

In addition to a Gaming Licence, section 43(3) of the Finance Act 1975 provides that a gaming machine shall not be made available for play in a public place unless a Gaming Machine Licence is displayed in a conspicuous position on the machine concerned. Section 43(4) of the same Act provides that a Gaming Machine Licence may only be granted by Revenue to a holder of a Gaming Licence. I am also advised by Revenue that the details supplied are not sufficient to allow any more information to be provided, but in any case the restrictions imposed by section 851A of the Taxes Consolidation Act 1997 would limit their ability to provide information that could be associated with or related to an identifiable taxpayer.

### NAMA Expenditure

49. **Deputy Catherine Murphy** asked the Minister for Finance the number of homes the construction of which has been funded by NAMA; and the number of these that have been sold, by local authority and by year; and if he will make a statement on the matter. [48669/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised that, from Q1 2014 to Q3 2018, NAMA funded the construction of 8,013 new residential units in Ireland on residential development land under the control of its debtors and receivers. It is important to note that NAMA can only fund developments which are under the control of its debtors and receivers and which are commercially viable.

The breakdown by local authority area of the units funded by NAMA to end-September 2018 is set out in the following table.

Local Authority	Units
Dun Laoghaire Rathdown County Council	2,003
South Dublin County Council	1,482
Fingal County Council	1,328
Dublin City Council	908
Cork County Council	681
Kildare County Council	577
Wicklow County Council	308
Galway City Council	201
Meath County Council	127
Cork City Council	102
Laois County Council	75
Wexford County Council	56
Kilkenny County Council	42

Clare County Council	37
Monaghan County Council	36
Waterford County Council	34
Galway County Council	16
Total	8,013

The following table provides a breakdown by year of residential units funded by NAMA.

Year	Units
2014	1,502
2015	1,029
2016	2,117
2017	2,503
2018 (to end-Sept)	862
Total	8,013

As regards the data for 2018, I am advised by NAMA that the information is based on units that have been confirmed as delivered during the first three quarters of the year. There is a lag of approximately two months from the point at which units are completed to the point at which written confirmation of completion is received from monitoring surveyors. I am advised that the fourth quarter of each year is typically the busiest period for completions and that NAMA expects that a substantial number of units will be delivered in Q4 2018.

It is NAMA policy that units delivered through its residential delivery programme are openly marketed for sale. I am advised that, in the market conditions which have prevailed since 2014, NAMA debtors and receivers have not experienced any major delays in selling completed units. Accordingly, while the information set out in the tables above relate to completed units, I am advised that it corresponds closely to sales data.

## Brexit Issues

50. **Deputy Mattie McGrath** asked the Minister for Finance the detail of the most up to date analysis conducted by his Department on the economic impact of a no-deal Brexit; and if he will make a statement on the matter. [48790/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Government has welcomed the agreement reached between the EU and UK negotiators on a draft Withdrawal Agreement. Our priority now is to work towards the finalisation of that draft Withdrawal Agreement and the political declaration on the EU-UK future relationship. However any Brexit scenario will mean considerable change and impact for Ireland.

The Government's contingency planning for Brexit was initiated well in advance of the UK referendum in June 2016 and my Department has been to the fore in producing and funding a number of economic assessments on Brexit, both before and since the UK's referendum decision in June 2016, all of which are available on the Department's website.

The regular updates of my Department's macroeconomic forecasts, as part of the Budget process, analyse the impact of Brexit on the Irish economy. My Department's forecasts in Budget 2019, published last month, assume, as a central scenario, that the UK will make an 'orderly' exit from the EU. This involves a transition period being agreed between 2019 and 2020, and a free trade agreement thereafter. This feeds through to our fiscal projections.

The impact of Brexit on Irish output is outlined in Box 5 in the Budget 2019 Economic and Fiscal Outlook. In this box my Department sets out the potential economic impact of a central ('orderly' exit) scenario and an alternative ('disorderly') exit scenario. This shows that under the central scenario, after five years, the level of Irish output would be close to 2 per cent below what would be the case under a no Brexit baseline. There is of course still a great deal of uncertainty regarding the post-exit arrangement. Under the 'disorderly' exit scenario, the level of Irish output would be around 3¼ per cent lower than under the no Brexit baseline.

With regard to the long term impact, joint research by my Department and the ESRI published in 2016 shows that the potential impact of a hard Brexit is significant. After ten years the level of output would be almost 4 per cent below what it otherwise would have been in a no-Brexit scenario. The level of employment in Ireland would be 2 per cent lower, with the unemployment rate nearly 2 percentage points higher.

I should also point out that the Department of Finance has been to the fore in producing and funding a number of Brexit-related studies, both before and since the UK's referendum decision, covering overall macroeconomic and sectoral impacts.

It is important to stress that the economic models may not capture the full impact, given the difficulty in modelling financial market effects, non-tariff barriers and other factors. Therefore, these quantitative effects should be seen as a minimum as opposed to a maximum impact.

While it is still Government's view that a 'no deal' outcome remains unlikely, we are planning for all scenarios. It is imperative to boost the resilience of the Irish economy in order to minimise, in so far as is possible, any future disruption. Since the UK referendum in 2016, all of our national Budgets have been framed to prepare for the challenge of Brexit. The economic and fiscal policies, which we have pursued, mean that the economy is now in a better position to weather the impacts of Brexit.

## **Banking Sector**

**51. Deputy Jonathan O'Brien** asked the Minister for Finance if the rainy day fund codified in the National Surplus (Reserve Fund for Exceptional Contingencies) Bill 2018 could be used to recapitalise the banks; and if he will make a statement on the matter. [48650/18]

**Minister for Finance (Deputy Paschal Donohoe):** Under section 10 of the National Surplus (Reserve Fund for Exceptional Contingencies) Bill 2018, the only place to which a draw-down of the Fund can be made is the Exchequer. Any movement onward of funds for any purpose will be subject to the full rigour of the public financial procedures and will require a resolution of the Dáil.

## **Tax Collection**

**52. Deputy Jonathan O'Brien** asked the Minister for Finance if steps will be taken to lower the threshold of high wealth individuals from those holding €50 million worth of assets to €10 million; and if he will make a statement on the matter. [48651/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am assured by Revenue that it has maintained a focus on High Wealth Individuals (HWIs) over a long period. HWIs have been managed by dedicated units within its then Large Cases Division since it was established in 2003. Revenue recently split its Large Cases Division into two divisions, one of which is

now focused on HWIs, avoidance and pensions. I am advised by Revenue that one of the current criteria to be considered a HWI, and come within the management of its Large Cases HWI Division, is to have net assets of over €50 million.

The new Division is in the process, as reflected in one of the recommendations in the Annual Report by the Comptroller and Auditor General (C&AG), of reviewing the case base with a view to increasing the number of HWIs managed in the Division. As part of this review the threshold of €50 million in net assets will be re-assessed to identify the most appropriate threshold. I understand that Revenue's structural realignment is also being supported by an expansion in the number of specialist and experienced staff assigned to the oversight of the new Division's case base.

The Deputy will be aware that Revenue is independent in its administration of the tax and duty system. I am advised by Revenue that cases not previously or currently meeting the criteria for inclusion in its Large Cases Division were and are subject to ongoing risk evaluation and, where necessary, intervention programmes. This applies to all taxpayers including those not within the responsibility of the Large Cases HWI Division. For example, I understand that Revenue has established a new Medium Enterprises Division to manage the affairs of the tier of cases, both corporate and individuals below the Large Cases Division. This Division has a branch which will focus on wealthy individuals that fall within its case base.

Finally, the Deputy should be aware that measures were introduced in the 2006, 2007 and 2010 Finance Acts to restrict the use of certain tax reliefs and exemptions by high income earners. These measures ensure that these individuals have an effective tax rate of approximately 30%. The report on the 'Analysis of High Income Individuals' Restriction 2016' published by Revenue in September of this year shows that these restrictions impacted on 521 individuals in 2016 resulting in the collection of additional income tax of €38.5m.

### **Home Renovation Incentive Scheme Eligibility**

53. **Deputy Michael McGrath** asked the Minister for Finance if homeowners who have had work done to their home can qualify for the home renovation incentive scheme in circumstances in which a dispute has arisen with the contractor and the contractor has not entered the required information on the online HRI system with the Revenue Commissioners; and if he will make a statement on the matter. [48675/18]

**Minister for Finance (Deputy Paschal Donohoe):** Section 477B of the Taxes Consolidation Act 1997 provides for the Home Renovation incentive (HRI). As the Deputy will be aware, HRI provides a tax relief by way of an income tax credit on repair, renovation or improvement works on principal private residences or rental properties carried out by tax compliant contractors.

A key element of obtaining relief is that the contractor must be a qualifying contractor for the purposes of the Incentive and must complete the relevant documentation in electronic form. Where the contractor does not comply with these obligations, then no relief is due to an individual under the Incentive.

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

The Revenue guidance for homeowners includes material on 'Choosing a HRI contractor'. The guidance emphasises that it is important for a homeowner to check the Revenue system online to see that the details of works have been entered before the work commences. It



clearly states that if a contractor is not a qualifying contractor, he/she will not be able to enter the details on the Revenue online system and that the homeowner will not be able to claim the HRI tax credit.

If the Deputy knows of a contractor who is not co-operating with an individual to allow them make a claim under HRI, he should provide the relevant details to Revenue.

### **Tax Code**

54. **Deputy Pearse Doherty** asked the Minister for Finance the estimated cost of indexing the standard rate cut-off point for each of the next five years; and the cumulative cost. [48715/18]

55. **Deputy Pearse Doherty** asked the Minister for Finance the cost of indexing all tax bands and credits for each of the next five years with a breakdown of all elements; and the cumulative cost in relation to same. [48716/18]

64. **Deputy Michael McGrath** asked the Minister for Finance the estimated full year cost of increasing the standard tax band to €50,000 for a single person and increasing the standard tax band to €100,000 for a couple, respectively; and if he will make a statement on the matter. [48809/18]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 54, 55 and 64 together.

I am advised by Revenue that the estimated full year cost of increasing the standard rate cut off point for all income tax bands by €14,700 which would bring it to €50,000 for a single person and €100,000 for a couple in a single year, would be approximately €2.3 billion.

This estimated figure has been generated by reference to projected 2019 incomes, calculated on the basis of actual data for the year 2016, the latest year for which returns are available, and adjusted for income, self-employment and employment trends in the interim. The estimate is provisional and may be revised.

In relation to the questions from Deputy Doherty about indexation, it is not clear at what rate the Deputy is suggesting the credit should be indexed.

However, I would draw attention to the information available in the Post-Budget 2019 Ready Reckoner, which is available on the Revenue Statistics webpage at: <https://www.revenue.ie/en/corporate/information-about-revenue/statistics/ready-reckoner/index.aspx>

This Ready Reckoner presents a range of forecasting information, including, on page 10, a table showing the estimated cost to the Exchequer of a 1% indexation of credits, rate bands and exemption limits for Income Tax and the Universal Social Charge.

Revenue does not forecast future inflation rates and is, therefore, not in a position to provide a cost estimate beyond 2019.

### **Question Heading for question(s) 56**

56. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which his Department continues to monitor specific inflationary tendencies within the economy including

inflated rental prices; his plans to address such issues; and if he will make a statement on the matter. [48734/18]

**Minister for Finance (Deputy Paschal Donohoe):** Inflation in Ireland has been subdued for several years. Based on the Harmonised Index of Consumer Prices (HICP) inflation was just 0.3 per cent in 2017, this marked the fifth consecutive year in which inflation has been below 1 per cent. The subdued level of inflation has continued into 2018, with average inflation of just 0.7 per cent in the first ten months of the year. By contrast, inflation across the euro area accelerated to 1.7 per cent over the same period.

The divergence between inflation in the euro area and Ireland can in part be attributed to the impact of euro-sterling appreciation on consumer prices in Ireland. In turn this reflects the importance of the UK as a source of imports of consumer products, which have fallen in price recent years as a result of the appreciation.

While overall inflation has been subdued, services inflation has been relatively robust, averaging 1.6 per cent in the first ten months of the year. One important factor driving the increase in services inflation is strong growth in residential rents. Annual rent inflation averaged 6.4 per cent in the first ten months of the year.

The pace of growth in rent prices, which in part reflects the ongoing shortage of housing, is a concern. Although rental market policy is primarily the responsibility of my colleague the Minister for Housing, Planning and Local Government, the rapid growth in rents has implications for the macroeconomy and as such my Department continues to monitor inflationary tendencies in the residential rental market on an ongoing basis.

The Government's primary response to mitigating rental inflation is to increase the supply of residential property. 'Rebuilding Ireland: An Action Plan for Housing and Homelessness' sets out a comprehensive package of actionable measures designed to restore the housing market to a sustainable equilibrium. The construction sector is expanding strongly, and this is now feeding into the growing supply of residential property. New house completions in the four quarters to Q3 2018 are up 33 per cent to 17,161, while planning permission for 26,855 new units was granted in the four quarters to Q2 2018, up 39 per cent year-on-year. Over time, the growth in housing supply will mitigate the pressure on residential rents.

### **Brexit Issues**

57. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he continues to make provision for issues arising from Brexit in such a way as to maximise opportunities for the economy; and if he will make a statement on the matter. [48735/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Government priority now is to work towards the finalisation of the draft Withdrawal Agreement and the political declaration on the EU-UK future relationship. Any Brexit scenario will mean change and impact for Ireland.

My Department is working within the whole-of-Government framework overseen by the Department of Foreign Affairs to mitigate the economic impact of Brexit and to maximise opportunities. The key elements of the Government approach are:

- prudent management of our economy and the public finances to enable us to meet future challenges;

- negotiating effectively, as part of the EU27, with the objective of reaching an agreement that sees the closest possible relationship between the EU and the UK while also ensuring a strong and well-functioning EU;

- supporting business and the economy through a broad range of Government measures, programmes and strategies;

- exploring existing and possible future EU measures that could potentially assist Ireland in mitigating the effects of the UK's withdrawal on specific Irish businesses and economic sectors; and

- maximising any economic opportunities arising from the UK's decision to leave the EU.

The Government has recently launched a new Getting Ireland Ready public awareness campaign, with information on the Government's latest preparedness and support measures, as well as holding a series of public outreach events throughout October in Cork, Galway, Monaghan and Dublin. These events had strong participation from business and community. Further public outreach events are planned for this month.

In addition to preparing for the challenges of Brexit, Government and state agencies are working hard to fully exploit any opportunities that may arise. This includes promoting Ireland as an English speaking member of the EU with unfettered accesses to the EU market, and as a preferred destination for inward investment.

In the Department of Finance, my colleague the Minister of State Michael D'Arcy TD, who has responsibility for Financial Services and Insurance, continues to implement the Government's IFS2020 Strategy for driving growth in the international financial services sector. In a post-UK referendum environment, the IFS2020 Strategy provides a framework to maximise opportunities that may arise in the international financial services sector. Public announcements to establish or expand operations have already been made by a number of companies. The Government will continue to leverage our IFS2020 Strategy to maximise those opportunities and to drive growth in the IFS sector.

## **Economic Policy**

58. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he continues to have discussions with his counterparts at EU level with a view to preventing an economic crash in the future; and if he will make a statement on the matter. [48736/18]

**Minister for Finance (Deputy Paschal Donohoe):** As Minister for Finance, I attend the Economic and Financial Affairs Council of the European Union (ECOFIN) which is responsible for EU policy in areas including economic policy. I also attend meetings of the Eurogroup, where the Ministers of the euro area Member States discuss matters concerning their shared responsibilities related to the euro. The Eurogroup's main task is to ensure close coordination of economic policies among the euro area member states and to promote conditions for stronger economic growth.

At both the ECOFIN and Eurogroup meetings, Ministers of the Member States work alongside the European Commission and the European Central Bank (ECB) to take stock of the latest economic situation in the EU and euro area, including on the risks to the European economy's growth prospects.

The European Semester was initiated in response to the crisis in 2010. It provides a frame-

work for coordination of economic policies across the European Union in which guidance is provided to Member States before they take policy decisions at national level. The guidance is provided in the context of the Stability and Growth Pact (SGP) and the Macroeconomic Imbalance Procedure (MIP). As part of the Semester process, the Commission makes country-specific recommendations to provide tailored policy guidance to each EU country on how to boost jobs and growth, while maintaining sound public finances. Following the economic crisis, budgetary surveillance was enhanced with the ‘Six-Pack’ and ‘Two-Pack’ regulations which seek to complement the European Semester through enhanced monitoring and surveillance of the fiscal policies of EU Member States.

Following exceptionally strong growth in both the EU and the euro area in 2017, the broad based expansion is continuing in 2018 albeit at a slower pace, given the weakening in foreign demand. The latest estimates from Eurostat, the statistical office of the European Union, show that the euro area economy increased by 1.7 per cent in Q3 2018 compared to a year earlier. Growth continues to be steady due to the strength of domestic consumption and investment.

However, the European Commission’s Autumn 2018 Economic Forecast highlights that downside risks have increased of late, and dominate the outlook. Uncertainties continue in relation to the UK’s exit from the EU, escalating trade conflicts, geopolitical tensions, and changing global financial conditions. These risks require policy action that my fellow Finance Ministers and I are committed to addressing. At a global level, we must safeguard the open, rules-based, global trading system which has been associated with strengthening macroeconomic stability and raising living standards throughout the world. In Europe, we continue to make progress on developing Economic and Monetary Union, in particular through working to complete Banking Union, to reduce uncertainty and enhance financial stability. In addition, national authorities must implement prudent fiscal policies to achieve sustainable and inclusive economic growth for all.

### **Economic Growth**

59. **Deputy Bernard J. Durkan** asked the Minister for Finance the degree to which he expects the economy to grow in the context of 2019 and subsequent years, notwithstanding the threat of Brexit and or other external factors; and if he will make a statement on the matter. [48737/18]

**Minister for Finance (Deputy Paschal Donohoe):** Ireland’s economy is expected to continue to grow at a robust pace in the coming years. As I outlined in Budget 2019, my Department has forecast GDP growth of 7.5 per cent this year and 4.2 per cent in 2019.

This growth is expected to be broad based, with both domestic demand and net exports making positive contributions. Indeed, modified domestic demand, which strips out some of the volatile components of demand associated with the activities of multinationals, is forecast to grow by 5.2 per cent this year and by 4.1 per cent in 2019.

In the subsequent years (2020-2023), GDP growth is expected to average just under 3 per cent annually, broadly in line with potential growth. These forecasts take into account our central scenario with regard to Brexit, namely that a transition period will be agreed that extends or replicates existing frameworks until end-2020, in other words, the UK is assumed to remain in the single market and customs union until that point. From 2021 onwards, the baseline forecasts assume that the EU and UK will conclude a free trade agreement. This is expected to lower the level of GDP by almost 2 per cent over the period 2021-2023, relative to a baseline scenario of no Brexit, which is accounted for in my Department’s forecasts.

As well as Brexit, there are a number of other external risks I am monitoring closely. These include a disruption to world trade due to protectionism, a faster-than-expected normalisation of monetary policy, and policy changes in other jurisdictions that affect the competitiveness of Ireland's corporate tax regime.

As Minister for Finance, the best means available to me to mitigate these risks is to continue careful management of the public finances, and improve the resilience of the economy, including by implementing competitiveness-oriented policies.

### **Economic Policy**

60. **Deputy Bernard J. Durkan** asked the Minister for Finance the degree to which he continues to identify issues such as housing and or rental prices that remain likely to impact negatively on economic expansion; his plans to address these issues; and if he will make a statement on the matter. [48738/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Department of Finance continues to monitor developments in the construction and housing sectors with a view to identifying potential macroeconomic risks. The biggest such risk is a continuation of the present situation, in which supply falls significantly short of demand. If left unchecked, this shortage could increase affordability pressures, damage our competitiveness and harm our ability to attract investment. Due to the seriousness of the issue, housing supply is specifically listed as a domestic macroeconomic risk in the Economic and Fiscal Outlook published as part of Budget 2019. As such, it is accorded the highest priority within my department and in government more generally.

In response to this challenge — and in addition to the measures being implemented by my colleague the Minister for Housing, Planning and Local Government under 'Rebuilding Ireland' — Budget 2019 contained initiatives aimed at increasing the supply of new homes. In 2019, a total capital investment of €1.4 billion will be made in housing. A further investment of €310 million over three years will be made for delivery of affordable homes through the Serviced Sites Fund. Budget 2019 builds on actions taken in Budget 2018, which included the creation of Home Building Finance Ireland (HBFI), increases in the Vacant Site Levy and an increase in the rate of non-residential stamp duty.

The only long-term solution to inflation in both the owner-occupier and rental markets is to increase supply. Recent figures on new home completions released by the Central Statistics Office, show that we continue to have significant year on year increases. New home completions increased by 33 per cent in the 4 quarters to Q3 2018, to 17,161. Statistics on planning permissions and commencement notices are similarly positive. Planning permission for 26,855 new units was granted in the four quarters to Q2 2018, up 39 per cent year-on-year. Commencement notices — a measure of housing starts — increased by 20 per cent in the 12 months to August 2018, to 20,371. The Department of Finance will continue to monitor developments in the housing sector in the context of maintaining our strong economic growth.

### **Economic Competitiveness**

61. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he remains satisfied that the economy remains competitive in all aspects; and if he will make a statement on the matter. [48739/18]

**Minister for Finance (Deputy Paschal Donohoe):** The economic recovery in Ireland was



driven by a significant improvement in competitiveness, through productivity increases and wage and price moderation. The economy maintains this competitiveness today. Ireland's real harmonised competitiveness indicator, a widely-used measure of competitiveness published by the Central Bank, has improved by approximately 21 per cent since its peak in 2008.

It is important that we preserve this competitiveness to facilitate continued growth. The recovery in the economy has not yet translated into a material rise in inflation. As measured by the Harmonised Index of Consumer Prices (HICP), inflation has averaged just 0.7 per cent on an annual basis thus far in 2018.

As outlined in my Department's recent economic forecasts, published with Budget 2019, the domestic economy is expected to be a driver of growth over the medium term. This could place upward pressure on prices and wages and lead to a reduction in competitiveness.

To avoid this, we must focus on maintaining competitiveness-oriented policies and prudent fiscal policy. As announced, the Government will achieve a balanced budget in 2019. We are also increasing public capital investment via the National Development Plan to further build capacity within the economy. This will address the bottlenecks to growth which emerged during the economic recovery, for example the need for residential development and public infrastructure investment.

My Department will continue to closely monitor all developments related to competitiveness to avoid complacency and continue to achieve balanced growth.

### **Insurance Costs**

**62. Deputy Bernard J. Durkan** asked the Minister for Finance when the benefits of the review of the motor insurance sector will accrue in terms of reduced premiums; and if he will make a statement on the matter. [48741/18]

**Minister for Finance (Deputy Paschal Donohoe):** As you are aware, the Cost of Insurance Working Group published its Report on the Cost of Motor Insurance on 10 January 2017. The Report makes 33 recommendations with 71 associated actions to be carried out in agreed timeframes, set out in an Action Plan within the Report.

Work is ongoing on the implementation of the recommendations by the relevant Government Departments and Agencies and there is a commitment within the Report that the Working Group will prepare quarterly updates on its progress. The seventh such update was published earlier this month and shows that of the 59 separate applicable deadlines within the Action Plan set to the end of Q3 2018, 45 relate to actions which have now been completed. Substantial work has also been undertaken in respect of the nine action points categorised as "ongoing".

I believe that the continued implementation of the recommendations from the Report on the Cost of Motor Insurance, in parallel with the implementation of the recommendations from the recently-published Report on the Cost of Employer and Public Liability Insurance, will make a difference to the pricing of insurance premiums. It is envisaged that the implementation of all the recommendations from the two primary Reports cumulatively, with the appropriate levels of commitment and cooperation from all relevant stakeholders, will achieve the objective of delivering fairer premiums for consumers and businesses alike.

In this regard, it should be noted that the most recent CSO data (for October 2018) indicates that private motor insurance premiums have decreased by 22.9% since peaking in July 2016. There was a drop of 9.1% year-on-year in October, the 19th consecutive month with a year-on-

year reduction.

While the CSO statistics indicate a greater degree of stability on an overall basis, these figures represent a broad average and therefore there are many people who may still be seeing increases. However, I am hopeful that this greater stability in pricing will be maintained with the result that premiums should continue to fall from the very high levels of mid-2016. Furthermore, it remains important for consumers to shop around when it comes to premium renewals.

### **Economic Competitiveness**

63. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which the economy in terms of economic performance rates alongside other EU and non-EU states including Eurozone members; and if he will make a statement on the matter. [48742/18]

**Minister for Finance (Deputy Paschal Donohoe):** As published in Budget 2019, my Department has forecast GDP growth of 7.5 per cent this year and 4.2 per cent in 2019. This growth is expected to be broad based, with both domestic demand and net exports making positive contributions. Indeed, modified domestic demand is forecast to grow by 5.2 per cent this year and by 4.1 per cent in 2019.

As a barometer of how well our economy is performing, there is no story more positive than the one emanating from our labour market, with more people working in our economy than ever before. In addition, further output growth should continue to pay dividends in the labour market next year, with over 60,000 jobs likely to be created and an unemployment rate converging towards 5 per cent.

In an EU context, Ireland remains one of the fastest growing Member States. The strong growth and performance seen in our economy is also clearly illustrated by a comparison with the performance of our main trading partners – the euro area, the UK and the US. Following stronger than expected growth last year, the pace of expansion in the euro area and EU economies is expected to ease. For the euro area the Commission is forecasting growth of 2.1 per cent this year, moderating to 1.9 per cent and easing further to 1.7 per cent in 2020. For the UK, modest GDP growth of 1.3 per cent is expected this year slowing slightly to 1.2 per cent for both 2019 and 2020, based on a technical assumption of status quo in terms of trading relations between the EU27 and the UK. The US economy continues to benefit from several tailwinds, supporting GDP growth of 2.9 per cent this year, although this is expected to moderate to 2.6 per cent next year and to 1.9 per cent in 2020. In common with Ireland, there has been a recovery in employment growth in all our main export markets – though at a more modest pace – with a corresponding reduction in unemployment.

*Question No. 64 answered with Question No. 54.*

### **Tax Reliefs Data**

65. **Deputy Michael McGrath** asked the Minister for Finance the plans of the Revenue Commissioners to cut flat rate relief for a number of industries; the estimated amount of extra tax that will be received as a result of the changes; the rationale for making this change; the industries impacted by this change; and if he will make a statement on the matter. [48810/18]

66. **Deputy Michael McGrath** asked the Minister for Finance the number of persons claiming flat rate relief by industry; the cost of this relief being claimed in each case in tabular form;

and if he will make a statement on the matter. [48811/18]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 65 and 66 together.

I propose to take these two questions together as they relate to the flat rate expense regime operated by Revenue. I am aware that there have been some recent updates to Revenue's concessionary flat rate expenses regime.

In the first instance, it is important to note that there has been no change to the general rule set out in legislation that says that all employees are entitled to claim a deduction under section 114 of the Taxes Consolidation Act (TCA) 1997 in respect of an expense incurred wholly, exclusively and necessarily in the performance of the duties of their employment, to the extent which the expenses are not reimbursed by the employer.

Revenue are independent in the administration of the tax code and the flat rate expenses regime is an additional concessionary practice operated by Revenue where both specific commonality of expenditure exists across an employment category and the statutory requirement for the tax deduction as set out in section 114 TCA 1997 is satisfied.

The purpose of the regime is to simplify administration where the specific legislative criteria is met to help both the taxpayer and Revenue, by making it easier for large groups of employees working in the same sector to avail of their entitlement to tax relief in respect of expenses incurred in the performance of their employment duties.

The flat rate expense is agreed following engagement between Revenue and the relevant representative body for the particular group of employees who incur the same expense. This regime developed incrementally over the last 40 to 50 years, and currently incorporates some 53 employment categories covering broadly 134 individual flat rate expenses.

Given the historic nature of some of the flat rate expenses and having regard to changes in employment circumstances, regulations and work practices across employments, Revenue commenced a comprehensive review in 2018 of flat rate expenses. The rationale for the review, which is in line with best practice and good corporate governance, is to ensure the expenses agreed are still justified and appropriate to modern day employments and work practices and are in accordance with the legislative requirement for deduction as set out in section 114 of the TCA.

I am advised by Revenue that a flat rate expense can only be retained where the legislative basis underpinning the deductibility is supported and they have engaged with relevant representative bodies in cases under review. A consequence of the review by Revenue may be an adjustment to the quantum of the flat rate expense (either increased or decreased) or it may be withdrawn where the continuation is no longer justified. I understand that engagement is ongoing in relation to some existing and new categories of flat rate expenses, which is likely to either result in an increase to the existing amount or a new category agreed with Revenue.

The flat rate expense categories initially selected by Revenue for review in 2018 were based on a combination of two factors, the quantum in terms of number of claimants and the value. Revenue has advised that they intend to have their review completed by the end of next year. Therefore, in the interest of fairness to all sectors and employees currently benefiting from the regime, Revenue has decided that the effective date for implementation of any changes to particular flat rate expense categories will be deferred until 1 January 2020, prior to which the review of all the flat rate expenses operating in the various employment categories will be completed.

The flat rate expense categories listed in the following table will be withdrawn with effect from 1 January 2020:

Flat Rate Expense Category	Flat Rate Expense Amount	Number of recipients in 2018	Total gross value of Flat Rate Expenses - 2018
Agricultural Advisers	€671	122	€81,862
Cardiac Technician	€107/€212	881	€177,535
Journalist in employment	€381/ €153	8,134	€2,255,910
Professional valuer in the Valuation Office	€680	42	€28,560
Freelance actors in employment	€750	682	€511,500
Shop Assistant	€121	75,822	€9,174,462

More generally, I am informed by Revenue that it is estimated that the total number of PAYE workers who benefit from the flat rate expenses regime in 2018 is in the order of 536,000. I am also informed by Revenue that a breakdown of the cost and numbers by reference to each industry in which the flat rate regime currently operates is not readily available. It is not possible for Revenue to accurately quantify the tax saving/cost associated with the withdrawal as it depends on the particular tax circumstances of the individual recipients, for example, the extent of their income subject to tax and whether income is subject to tax at the standard or marginal rate. However, in the context of their ongoing review of the flat rate regime, Revenue has undertaken to provide a sectoral breakdown.

Finally, Revenue has advised that withdrawal of a flat rate expense does not impact on a taxpayer's statutory right to claim a deduction under section 114 of the TCA 1997 in respect of an expense incurred wholly, exclusively and necessarily in the performance of the duties of their employment, to the extent to which the expenses are not reimbursed.

### NAMA Loans Sale

67. **Deputy Michael McGrath** asked the Minister for Finance the number of NAMA loan sales that have been subjected to review by the Comptroller and Auditor General; the names of the loan sales; the amount of proceeds received from each loan sale under review by the Comptroller and Auditor General; and if he will make a statement on the matter. [48812/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Comptroller and Auditor General is independent in the exercise of his functions and therefore my Department does not have access to the information requested.

The C&AG does report publicly on material findings emerging from his work. Chapter 6 of the C&AG's second progress report on NAMA, published in June 2018, examined the processes applied by NAMA in eleven loan sales, covering the period 2011 to 2016. The C&AG also published a special report on the Sale of Project Eagle which examined the loan sales process for a portfolio of Northern Ireland debtor loans.

## **Economic Policy**

68. **Deputy Michael McGrath** asked the Minister for Finance his views on whether there is a risk of overheating in the economy here over the next number of years; his plans to deal with inflation and the rising cost of living in view of the fact that the European Central Bank controls monetary policy; and if he will make a statement on the matter. [48813/18]

**Minister for Finance (Deputy Paschal Donohoe):** As I outlined in Budget 2019, our economy is in good shape. Following GDP growth of 7.2 per cent in 2017, GDP is forecast to grow by 7.5 per cent this year. While the GDP figures can be misleading in an Irish context, a broader range of measures including labour market and tax revenue developments confirm the economy is performing strongly.

Despite the rapid rate of growth, the main indicators of an overheating economy – for instance the growth in wages, prices and credit - do not yet suggest that overheating pressures have emerged.

The strength of the economic recovery has perhaps been most clearly evident in the labour market. Since the low point in 2012, close to 400,000 additional jobs have been created. As a result there are now more people in work than ever before. Importantly employment growth is broad based, with growth recorded in 10 of the 14 sectors reported by the CSO. Despite the improvements in the labour market, there remains some slack in the economy for employment to increase further.

Importantly the recovery in the economy has not yet given rise to significant inflationary pressures. For the first ten months of the year, inflation, as measured by the Harmonised Index of Consumer Prices (HICP), averaged just 0.7 per cent on an annual basis, this follows five consecutive years in which inflation has been below 1 per cent. Although price pressures have emerged in both the housing and the rental markets, this reflects the undersupply of housing over the last number of years, rather than evidence of over-heating pressures.

In relation to credit growth it should be noted that lending to Irish households only turned positive during the second half of 2017 after several years of contraction. Safeguards are now in place to help prevent a reoccurrence of the unsustainable build up in credit, most notably the macro-prudential regulations introduced by the Central Bank.

Over the coming years, our economy is expected to move towards full employment. As such, it is important that we remain cognisant of the upward pressure this will place on both prices and wages, which could give rise to a loss of competitiveness. While the economy is expected to continue to grow strongly, such pressures in the economy may give rise to imbalances over the medium term.

With this in mind, we will continue to focus on maintaining competitiveness-oriented policies and building capacity within the economy. In particular, we are now investing significantly to address the bottlenecks to growth which emerged during the economic recovery, such as the need for residential development and public infrastructure investment.

The Government will also continue to implement budgetary policies designed to enhance the resilience of our public finances. As set out in Budget 2019, we will ‘balance the books’ next year and are currently establishing the Rainy Day fund. This prudent approach to our public finances will help to mitigate against any future downturn in economy activity.

## **Employment Investment Incentive Scheme**



69. **Deputy Michael McGrath** asked the Minister for Finance the penalties and fines that would be imposed on applicants who make incorrect, intentional and unintentional applications to the scheme under the proposed changes in the employment investment incentive scheme, EIIS, in the Finance Bill 2018; and if he will make a statement on the matter. [48814/18]

**Minister for Finance (Deputy Paschal Donohoe):** Finance Bill 2018 provides for a number of changes to the operation of the Employment Investment Incentive (“EII”). One of these is putting the claims on a self-assessment basis, with the company responsible for judging whether or not it meets the company conditions, and the individual investors responsible for judging whether or not they meet the investor conditions.

Under the proposed changes, the company will give the investor a “statement of qualification”, attesting to the fact that the company meets the company conditions. That statement is treated as a tax return filed with Revenue. Having received a “statement of qualification”, the investor will then claim the relief from Revenue. If the statement of qualification is incorrect, penalties could apply to it as they would to a tax return filed by the company. If the investor makes an incorrect claim for relief, other than because they were given an incorrect statement of qualification, then penalties may arise.

- Section 1077E of the Taxes Consolidation Act 1997 (TCA) sets out penalties for deliberately or carelessly making incorrect returns or failing to make returns.

- Section 1077E (2) provides that where a person deliberately makes an incorrect return, declaration, claim, statement or accounts to Revenue, that person will be liable to a penalty. The maximum penalty for tax defaults under this subsection is 100% of the tax underpaid.

- Section 1077E (5) provides that where a person carelessly (but not deliberately) delivers an incorrect return, makes an incorrect statement, claim or declaration or submits incorrect accounts, that person will be liable to a penalty. The maximum penalty for tax defaults under this subsection is 40% of the tax underpaid, or 20% of the tax underpaid if the underpayment is 15% or less of the person’s overall liability to tax for the period.

Revenue have informed me that, in both cases, the penalty shall be mitigated if the person who made the incorrect return, declaration, claim, statement or accounts co-operates with Revenue and/or makes a prompted or unprompted qualifying disclosure.

I am further advised by Revenue that reviews of both the “statement of qualification” and the individual’s claim for relief will be carried out in accordance with the Code of Practice for Revenue Audit and other Compliance Interventions.

### **Protected Disclosures**

70. **Deputy Stephen S. Donnelly** asked the Minister for Public Expenditure and Reform his plans to include private companies in the protected disclosures legislation, including companies providing healthcare services; and if he will make a statement on the matter. [48655/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Protected Disclosures Act 2014 provides robust statutory protections for workers against the real or potential penalisation by their employers where they have brought concerns about wrongdoing in the workplace to light. The Act provides for a “stepped” disclosure regime in which a number of distinct disclosure channels are available - internal, “regulatory” and external - which the worker can access to acquire important employment protections but which require different evidential thresholds.

The protections and disclosure channels under the Act are available to workers in both the private and public sectors, including to workers in companies providing healthcare services. There are specific requirements in relation to the public sector, in terms of the requirement to establish procedures for dealing with disclosures from workers, and the requirement to publish an annual report in relation to protected disclosures. While those requirements do not apply to the private sector, the Workplace Relations Commission has prepared a Code of Practice for employers, workers and their representatives in both the private and public sectors to assist in the practical implementation of the Act. This Code of Practice has been given a statutory basis through the Industrial Relations Act 1990 (Code of Practice on Protected Disclosures Act 2014) (Declaration) Order 2015 (S.I. No. 464 of 2015).

As stated in the statutory Review of the Protected Disclosures Act completed in July 2018, consideration will be given to requiring the private sector to establish internal procedures in the context of the negotiation of the EU Directive on whistleblowing (“Proposal for a Directive of the European Parliament and of the Council on the protection of persons reporting on breaches of Union law”) which was published in April 2018. This Proposal, as it is currently worded, contains requirements for private sector entities above certain thresholds to establish internal channels and procedures for reporting and following up on protected disclosures.

### **Public Sector Staff Retirements**

71. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform if he will address a matter raised in correspondence (details supplied) in relation to the Public Service Superannuation (Age of Retirement) Bill 2018; and if he will make a statement on the matter. [48656/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I refer the Deputy to my answer to PQ 46505/18 of 13 November 2018.

### **Minor Works Scheme Applications**

72. **Deputy Willie Penrose** asked the Minister for Education and Skills if an application for a minor works grant for a school (details supplied) will issue; and if he will make a statement on the matter. [48797/18]

**Minister for Education and Skills (Deputy Joe McHugh):** On 14 September 2018, the announcement of the major package of investment in education under Project Ireland 2040 confirmed that, starting this year, all primary schools will receive the €29 million Minor Works Grant in either December or early January of each school year.

The minor works grant must be spent on the physical infrastructure of the school or on items of furniture and equipment for educational use including IT related equipment.

### **Departmental Funding**

73. **Deputy Kevin O’Keeffe** asked the Minister for Education and Skills the position in relation to a building (details supplied). [48664/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The property referred to by the Deputy is not in my ownership. In common with other buildings of its kind, there is a charging

lease in place on the property, in this case dated 1971 for 99 years to protect the state's investment in the property.

In circumstances where a property has ceased to be used as a school, and a request is received from the property owner to release the State's interest secured under a charging lease, such requests are considered in the context of the specific circumstances which pertain to the individual property.

I can confirm that my Department has not received a request from the property owners to release my interest in this property.

Further, my Department is not in a position to provide any financial support in this case as this property is not in my ownership.

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

74. **Deputy Jackie Cahill** asked the Minister for Education and Skills if he will commence discussions with the principals and boards of management in primary schools in Clonmel, County Tipperary and its environs for the provision of ASD units to reflect the population size and the demand for the service; and if he will make a statement on the matter. [48667/18]

**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, in looking to open special classes, must take into account the present and future potential need for such classes, taking particular account of the educational needs of the children concerned. The NCSE will also take account of location and sustainability in looking to establish special classes in certain areas.

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

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

The NCSE's planning for future projected need for special class provision in all areas of Co. Tipperary, is an on-going process. Should the NCSE identify the need to establish a new ASD special class in the Clonmel area in the future, it will consider all schools in the area in relation to establishing an ASD special class.

As the NCSE is responsible for the establishment of special classes, I have arranged for the Deputy's question on planning for emerging need in Clonmel to be forwarded to the NCSE for their attention and direct reply. My Department has no role in such matters.

### **School Transport Provision**

75. **Deputy Michael McGrath** asked the Minister for Education and Skills if he will assist in resolving a matter relating to school transport for a person (details supplied); and if he will make a statement on the matter. [48702/18]

**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.

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

Bus Éireann has confirmed that a new contractor will provide a school transport service for the child in question from the beginning of December.

### **Teaching Council of Ireland**

76. **Deputy Michael McGrath** asked the Minister for Education and Skills if a matter raised in correspondence (details supplied) in relation to teaching registration will be addressed; and if he will make a statement on the matter. [48706/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The correspondence referred to in the question has been received and considered in my Department.

Under the Teaching Council Acts 2001-2015 the Teaching Council is the body with statutory authority and responsibility for the regulation of the teaching profession in Ireland including the registration of teachers in the State.

The Teaching Council registers teachers in accordance with the Teaching Council [Registration] Regulations 2016, Statutory Instrument 444/2016, as amended, which provides for a number of routes of registration, including primary, post primary and further education.

Section 30 of the Teaching Council Acts requires that an applicant for a teaching position in a recognised school be registered with the Teaching Council in order to be paid from public funds.

Circular 31/2011 sets out to ensure, as far as possible, that people appointed to teach are registered teachers with qualifications appropriate to the sector and suitable to the post for which they are employed and that unemployed teachers are offered employment in preference to those who have retired.

### **Institutes of Technology**

77. **Deputy Sean Fleming** asked the Minister for Education and Skills the status of a matter (details supplied); and if he will make a statement on the matter. [48707/18]

**Minister for Education and Skills (Deputy Joe McHugh):** It is a matter for each consortium of Institutes of Technology to progress their plans to seek designation as a technological university under the Technological Universities Act 2018 and culminating in the submission of an application to the Minister for Education and Skills for an order under section 36 of the 2018 Act.

In relation to the Technological University of South East Ireland (TUSEI) consortium comprising the Institute of Technology Carlow and Waterford Institute of Technology, the Minister of State for Higher Education, Mary Mitchell O'Connor T.D., has met with the Presidents and Chairs of both institutes on a number of occasions this year with a view to encouraging the progression of the TUSEI development project. It is understood that, as has been stated publicly, the consortium through its joint steering group is continuing to progress its work with a view to submitting an application for an order under section 36 of the 2018 Act by the end of 2018.

The TUSEI consortium has received some €1.72 million in Exchequer funding to date to advance their project, including €1m in higher education landscape restructuring funding which was announced by the Minister of State for Higher Education on 21 September 2018.

### **Minor Works Scheme Applications**

78. **Deputy Peter Burke** asked the Minister for Education and Skills when the minor works grant will issue to a school (details supplied); and if he will make a statement on the matter. [48725/18]

**Minister for Education and Skills (Deputy Joe McHugh):** On 14 September 2018, the announcement of the major package of investment in education under Project Ireland 2040 confirmed that, starting this year, all primary schools will receive the €29 million minor works grant in either December or early January of each school year.

I expect to make an announcement shortly with regard to the timing of the payment of the Minor Works Grant for the current school year.

### **Schools Amalgamation**

79. **Deputy Mattie McGrath** asked the Minister for Education and Skills the status of the amalgamation of schools (details supplied) in County Tipperary; and if he will make a state-



ment on the matter. [48728/18]

**Minister for Education and Skills (Deputy Joe McHugh):** I wish to advise the Deputy that the amalgamation process involving the schools referred to will be finalised with the delivery of the major school building project.

The building project is currently at Stage 2B of Architectural Planning. Statutory Approvals, comprising Planning Permission, Disability Access Certificate and Fire Safety Certificate, have been granted.

My Department has authorised the project to proceed to carry out the pre-qualification of contractors which normally takes between 8 and 12 weeks to complete. The pre-qualification ensures that there are a number of appropriate and suitable candidates who can undertake the works successfully.

My Department has advised the school of the position and the timeframes involved.

### **School Funding**

80. **Deputy Paul Kehoe** asked the Minister for Education and Skills when funding will be rolled out for schools (details supplied); the way in which it can be applied for; and if he will make a statement on the matter. [48744/18]

**Minister for Education and Skills (Deputy Joe McHugh):** I wish to advise the Deputy that my Department's current focus is to prioritise funding for essential classroom accommodation to meet demographic need.

The Deputy will be aware that the National Development Plan (NDP) provides for an €8.4 billion investment in school buildings over the period 2018 to 2027 to deliver on NDP and National Planning Framework objectives through addressing the twin priorities of catering for demographics and ensuring a strengthened focus on refurbishment of existing school stock. The announcement referred to the commitment to a PE Hall build and modernisation programme in post primary schools, starting in the second half of the Project Ireland 2040 period. The manner in which this commitment will be progressed will be determined at that point.

I am aware of the important role that PE in schools plays in the development of a healthy lifestyle and this will continue to be a priority issue for my Department.

### **School Curriculum**

81. **Deputy Thomas Byrne** asked the Minister for Education and Skills the number of requests by him to the National Council for Curriculum and Assessment in each of the years 2011 to 2017 and to date in 2018 for the examination of the addition of subjects and or reform of curricula (details supplied); the number for which an examination has been completed; the length of the examination in tabular form; and if he will make a statement on the matter. [48752/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The following table sets out the main requests from Ministers/DES Management formally received by the NCCA over the period in question and progress/outcomes in relation to these. However, it is very important to note that the NCCA is an aegis body of the DES and as such many of the main areas of their work are discussed and decided on in the context of regular deliberations on the NCCA's Strategic Plan, its Annual Plans of Work, the Department's Action Plans and the national strategies

and initiatives prioritised by the Department. For example Languages Connect, my Departments Foreign Language Strategy requires the development of new syllabuses in Mandarin, Portuguese, Polish and Lithuanian. Therefore, the specific requests tabulated represent only one dimension of the work of the NCCA as a statutory body.

Date	Request	Progress/Outcomes
August 2011	Request to develop new curriculum specifications for Languages (Irish and English) and Mathematics at primary level in line with actions included in the DES Literacy and Numeracy Strategy.	A new Languages curriculum has been developed and introduced on a phased basis. Work on the Mathematics curriculum for is ongoing.
November 2012	Request for NCCA to develop a Framework for Junior Cycle	The Framework was introduced in schools in 2015. From 2014-2018 NCCA completed work on 21 subject specifications, 11 short courses and Guidelines on Wellbeing in the context of developing the contents of the Framework.
April 2013	General request to continue to prioritise work on the Irish language at primary, junior and senior cycle levels.	An integrated languages curriculum has been developed at primary level. New specifications for Junior Cycle Irish for Irish-medium and English-medium schools have been introduced in schools in 2018. Work on new Leaving Certificate specifications is ongoing.
October 2013	Request to develop the Aistear/Síolta Practice Guide for Early Childhood Education.	Practice guide developed, in use and providing a basis for professional development in the sector.
January/February 2015	Request to develop a short course in Junior Cycle Philosophy and continue development of LC Politics and Society	LC Politics and Society introduced in schools in 2016. JC Philosophy available to schools in 2017.
March 2015	Request to develop a standard report template as part of the Framework for Junior Cycle and the junior cycle developments	The report template for the Junior Cycle Profile of achievement was developed and introduced for the first cohort of students in 2017.
April 2015	Request to develop Guidelines on the new curriculum area of Wellbeing as part of the Framework for Junior Cycle and the junior cycle developments	Guidelines on Wellbeing were developed and introduced for use in schools in 2017.

Date	Request	Progress/Outcomes
December 2016	Request to consider potential for introduction of Leaving Certificate Computer Science and Coding at primary level into the curriculum	LC Computer Science developed in 2017 and introduced in schools in 2018. Development work with schools on coding ongoing and informing primary curriculum review.
April 2018	Request to review Relationships and Sexuality Education in schools	Review ongoing. Report in Q2, 2019.
September 2018	Request to conduct a curriculum audit of Traveller culture and history in the curriculum	Audit commencing November 2018. Report Q2, 2019.
November 2018	Request to develop a new second assessment component for Leaving Certificate Science subjects	Work commencing December 2018.

### Departmental Funding

82. **Deputy Thomas Byrne** asked the Minister for Education and Skills the funding provided to the National Council for Curriculum and Assessment in each of the years 2011 to 2017. [48753/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The following table shows the NCCA's funding for the years 2011 to 2017.

#### NCCA Funding in €1,000's

2011	2012	2013	2014	2015	2016	2017
3,447	3,225	4,162	4,441	4,341	4,664	5,204

### State Bodies

83. **Deputy Thomas Byrne** asked the Minister for Education and Skills the staff complement and grades of the National Council for Curriculum and Assessment. [48754/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The NCCA has the following staff:

Grade	Number
Chief Executive	1
Deputy Chief Executives: 2	2
Directors, Curriculum and Assessment: 6	6
Corporate Services	
Assistant Principal 1	1
Higher Executive Officer 2	2
Executive Officer 2	2
Clerical Officer 4	4

Grade	Number
Temporary Clerical Officer 1	1
Education Officers	27
Project Officers	1
Aistear Co-ordinator (funded by DCYA).	1
Total	48

### School Curriculum

84. **Deputy Thomas Byrne** asked the Minister for Education and Skills the status of the request for the NCCA to initiate a review of the sex education curriculum. [48755/18]

85. **Deputy Thomas Byrne** asked the Minister for Education and Skills if the NCCA has provided a timeline for a response with regard to his predecessor's request for a review of the sex education curriculum. [48756/18]

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

In April 2018, my predecessor announced a review of Relationships and Sexual Education (RSE) in schools. This review is currently underway and covers both the content of RSE curriculum and support materials, as well as the delivery of the curriculum to students.

Included in the areas for particular consideration during the review are:

- Consent, what it means and its importance
- Developments in contraception
- Healthy, positive sexual expression and relationships
- Safe use of the internet
- Social media and its effects on relationships and self-esteem
- LGBTQ+ matters.

Given the scope of the request, the review will comprise of three inter-related dimensions:

A review of research was commissioned in June 2018 and a report was published this week. Studies have emerged over the last months that will also support the development of discussions and key questions in the review.

A number of consultative events are being planned. The first will be held on 27 November at Collins Barracks, Dublin and will involve approximately 60 groups and organisation who have expressed an interest in or who are known to have an interest in contributing to the review.

Approximately 20 primary and post primary schools, representing a range of school types and experiences will be directly involved. The outcome from this strand of the review will inform recommendations in relation to curriculum gaps, implementation barriers and enablers, and support needs. Furthermore, there will be an opportunity for any school to be involved, should they wish, to facilitate workshops locally.

The timelines for the three dimensions of the review are likely to intersect somewhat but

will also contribute and add to the progression of the review. I expect to receive a report from the NCCA in Q2 2019.

### **Student Assistance Fund**

86. **Deputy Timmy Dooley** asked the Minister for Education and Skills his views on whether it is appropriate for a college to arrange for a student from a low income family on a SUSI grant to go to another county on a non-paid work placement for over three months and expect them to both source and pay for accommodation in a housing crisis while also paying for accommodation at the college; and if he will make a statement on the matter. [48759/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The student maintenance grant is a contribution towards the living costs of a student. It is not intended to cover the full costs of attending college. The student grant scheme does however, provide for different levels of maintenance support, depending on means.

Universities and Institutes of Technology have statutory autonomy under the Universities Act 1997 and the Institutes of Technology Acts 1992 to 2006. The management of their academic affairs, including the content and delivery of courses, are matters for individual institutions.

I understand that several third level courses, including the Early Childhood and Education Course in IT Sligo, contain modules involving work placement. Students will be aware of the requirement to undertake placements prior to commencing the course.

If particular issues arise for students during the course of their studies, they should contact the relevant Academic Department or the institution's Access Office. In this regard, students in third-level institutions experiencing exceptional financial need can apply for support under the Student Assistance Fund. This fund assists students in a sensitive and compassionate manner, who might otherwise be unable to continue their third level studies due to their financial circumstances. Information on the fund is available through the Access Officer in the third level institution attended. The fund is administered on a confidential, discretionary basis.

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

87. **Deputy Kathleen Funchion** asked the Minister for Education and Skills when the recently proposed legislative change will be enacted which will compel schools to open specialised ASD special educational needs classes in circumstances in which it is needed; the way in which this legislative change will be enforced once formalised in view of the fact that there has been resistance from schools in the past to open and provide these ASD classes, particularly in the Dublin 6, 6W and 12 areas, which are poorly served in relation to the provision of specialised ASD classes at primary level when compared to other areas with similar enrolment numbers (details supplied); and if he will make a statement on the matter. [48777/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The National Council for Special Education (NCSE) is responsible for the establishment of special class and special school placements in various geographical areas where there is an identified need, in consultation with the relevant education partners and the Health Service Executive (HSE).

Since 2011, the NCSE has increased the number of special classes by over 150% from 548 in 2011 to 1,459 across the country now. The number of ASD special classes in Co. Dublin



have increased from 66 in 2011/2012 to 197 in 2018/2019.

Details of all special classes for children with special educational needs are available on [www.ncse.ie](http://www.ncse.ie).

While most schools fully embrace an open and inclusive policy, some students with Special Educational Needs continue to experience difficulties in securing enrolment. My Department has acknowledged that in recent years the establishment of special class provision in some schools and communities has been challenging.

The Education (Admission to Schools) Act 2018 when fully commenced will assist in addressing these issues.

The Deputy will be aware that, on the 3rd October 2018, my predecessor Minister Bruton, commenced a number of sections of the Act. On that date the Minister also announced the commencement of Section 8 of the Act, from Monday 3rd December 2018, which will provide the Minister with a power, after a process of consultation with the National Council for Special Education (NCSE), the board of management and the patron of the school, to compel a school to make additional provision for the education of children with special educational needs.

This power will come into effect on Monday 3rd December 2018. The NCSE is engaging with the education partners and finalise procedures in advance of this date. This new power will build on the work which has been done in recent years to facilitate schools to open special classes.

Section 67 of the Act will provide certain powers to the NCSE to designate a school placement for a child in circumstances where a child is experiencing difficulties in securing enrolment.

A number of the remaining sections of the Act which have not yet been commenced including Section 67, require regulations and procedures to be drafted, and will require consultation with the Education Partners prior to commencement.

I intend to have the other remaining sections of the Act commenced in time for admissions to the 2020/21 school year.

### **School Transport**

88. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills if he will address a matter (details supplied) regarding school bus routes; and if he will make a statement on the matter. [48788/18]

**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.

Bus Éireann has advised that the detailed information requested is not readily available and will involve a significant amount of administrative time to compile.

In this regard, Bus Éireann has been requested to respond directly to the Deputy.

### **Departmental Funding**

89. **Deputy Billy Kelleher** asked the Minister for Education and Skills the funding allocation to the regional skills fora in 2018 and 2019. [48795/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The funding allocated to the Regional Skills Fora for 2018 was €1m . This includes salary costs and direct and indirect costs for each of the 9 Regional Skills Forum Managers.

The funding allocations for 2019 have not yet been published in the Revised Estimates Volume, but it is expected that similar funding will be available in 2019.

### **Schools Establishment**

90. **Deputy Thomas Byrne** asked the Minister for Education and Skills if his attention has been drawn to the shortage of second level places in the Dunshaughlin school planning area; and his plans to address the matter. [48799/18]

91. **Deputy Thomas Byrne** asked the Minister for Education and Skills if his attention has been drawn to the fact that large parts of the Dunshaughlin school planning area are not within the catchment area of a college (details supplied). [48800/18]

**Minister for Education and Skills (Deputy Joe McHugh):** I propose to take Questions Nos. 90 and 91 together.

As the Deputy may be aware, in order to plan for school provision and analyse the relevant demographic data, my Department divides the country into 314 school planning areas. My Department uses a Geographical Information System (GIS) to identify where the pressure for school places across the country will arise. The GIS uses data from a range of sources, including the Central Statistics Office, Ordnance Survey Ireland, the Department of Social Protection and my Department's own databases. With this information, my Department carries out nationwide demographic exercises at primary and post-primary level to determine where additional school accommodation is needed.

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

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

In April 2018, the Government announced plans for the establishment of 42 new schools over the next four years (2019 to 2022). In addition to the new schools announced, there will be a need for further school accommodation in other areas in the future. Approximately 40% of extra school places are delivered by extending existing schools.

While the announcement did not include a new post-primary school for the Dunshaughlin school planning area, the requirement for new schools will be kept under on-going review and in particular will have regard for the increased rollout of housing provision as outlined in Project Ireland 2040.

It is the responsibility of the managerial authorities of all schools to implement an enrolment policy in accordance with the Education Act, 1998. The enrolment policy must be non-discriminatory and must be applied fairly in respect of all applicants.

My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in the area. Parents have the right to choose which school to apply to and where the school has places available the pupil should be admitted. However, in schools where there are more applicants than places available a selection process may be necessary. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. However, this may result in some pupils not obtaining a place in the school of their first choice.

Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department, or in the case of an Educational Training Board (ETB) school to the ETB in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school. Further information on the Section 29 appeals process is available on the Department's website [www.education.ie](http://www.education.ie). The Education Welfare Service of the Child and Family Agency (Tusla) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child.

The Education (Admission to Schools) Act 2018, which was signed into law by the President on the 18th July 2018, is an important piece of legislation which will introduce a more parent-friendly, equitable and consistent approach to how school admissions policy operates for the almost 4,000 primary and post-primary schools in this country and a fair and balanced school admission process for all pupils.

### **School Staff**

92. **Deputy Niall Collins** asked the Minister for Education and Skills the details of the principals who served in a school (details supplied); the periods they served since the school was established; and if he will make a statement on the matter. [48807/18]

**Minister for Education and Skills (Deputy Joe McHugh):** The principal teachers of the school referred to by the Deputy were recruited and employed by the managerial authority of the school. They have been paid on payrolls operated by my Department on behalf of the managerial authority. The information required for their payment is provided by the managerial authority on standardised forms submitted to my Department.

The main purpose for which my Department requires the personal data provided is the correct payment of the salary. It is also required for the correct payment of pension at retirement.

Under the terms of the General Data Protection Regulation, the information as requested by the Deputy cannot be provided by my Department.

### **Irish Prison Service**

93. **Deputy Catherine Murphy** asked the Minister for Justice and Equality if his Depart-

mental officials and-or his predecessor retain a file (details supplied); if his officials or his predecessor made a recommendation that a person be reinstated to their role within the Irish Prison Service through his Department; and if he will make a statement on the matter. [48663/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised that the Irish Prison Service retains a personnel file in respect of the Officer referred to by the Deputy.

I am further advised that the Director General of the Service reviewed the file relating to the person named and that he is satisfied that proper procedures were followed in relation to his dismissal. There has been no recommendation that he should be reinstated.

### **Commencement of Legislation**

94. **Deputy Pearse Doherty** asked the Minister for Justice and Equality when Part 9 of the Children and Family Relationships Act 2015 will be commenced. [48665/18]

**Minister for Justice and Equality (Deputy Charles Flanagan) :** Part 9 of the Children and Family Relationships Act 2015 provides for a number of amendments to the Civil Registration Act 2004, all of which have yet to be commenced.

Sections 92, 93, 95 and 99 of the 2015 Act provide for the registration and re-registration of the birth of a donor-conceived child. These sections cannot be commenced until Parts 2 and 3 of the 2015 Act are brought into operation by the Minister for Health. The Children and Family Relationships (Amendment) Bill 2018 was enacted on 24 July 2018. This Act was introduced to correct typographical and technical errors in the Children and Family Relationships Act 2015, which will facilitate the subsequent commencement of Parts 2 and 3 of the 2015 Act. It is the Minister for Health's intention that Parts 2 and 3 of the 2015 Act will be commenced as soon as possible.

Officials from my Department, the Department of Employment Affairs and Social Protection, and the Department of Health are working to coordinate the scheduling of the commencement of sections 92, 93, 95 and 99 of the 2015 Act once Parts 2 and 3 of the Act have been commenced and the appropriate regulatory and operational mechanisms are in place to allow for birth registration of donor-conceived children.

The commencement of the other sections of Part 9 of the 2015 Act (unrelated to birth registration of donor-conceived children) is dependent on provisions of the Civil Registration (Amendment) Act 2014 being commenced by the Minister for Employment Affairs and Social Protection. These sections may be commenced separately and do not affect the bringing into force of the provisions on birth registration of donor-conceived children.

### **Legal Proceedings**

95. **Deputy Catherine Murphy** asked the Minister for Justice and Equality if the State Claims Agency has been engaged and-or consulted regarding civil actions initiated against him, the Attorney General and the Garda Commissioner relating to matters which arose during the tenure of a person (details supplied); and if he will make a statement on the matter. [48751/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Deputy refers to a number of civil actions initiated by the last-named person against the Minister for Justice and Equality, Ireland, the Attorney General and the Garda Commissioner.

Given the nature and background of these cases, they are being handled by the Chief State Solicitor's Office on behalf of the State. My priority and that of the Government is for the cases to be settled without undue delay, in the interests of the last-named person and his family.

I wish to inform the Deputy that I have asked the Attorney General to advise on settlement of these cases.

### **Departmental Data**

96. **Deputy Catherine Murphy** asked the Minister for Justice and Equality the number of injury warrants issued historically by his Department and-or the Irish Prison Service; and if he will make a statement on the matter. [48662/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** My Department does not issue Injury Warrants. I understand that matters relating to Injury Warrants come within the responsibility of the Department of Public Expenditure and Reform.

### **Commencement of Legislation**

97. **Deputy Noel Grealish** asked the Minister for Justice and Equality when the Assisted Decision-Making (Capacity) Act 2015 will be commenced by ministerial order; and if he will make a statement on the matter. [48684/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Assisted Decision-Making (Capacity) Act 2015 provides a modern statutory framework to support decision-making by adults with capacity difficulties. The Act was signed into law on 30 December 2015.

New administrative processes and support measures, including the setting up of the Decision Support Service within the Mental Health Commission (a body under the Department of Health), must be put in place before the substantive provisions of the Act can be commenced.

A high-level Steering Group comprised of senior officials from the Department of Justice and Equality, the Department of Health, the Mental Health Commission (MHC) and the Courts Service, together with the Director of the Decision Support Service, is overseeing the establishment and commissioning of the Decision Support Service (DSS) and this work is ongoing. The Steering Group meets approximately once a month to monitor progress.

A number of provisions of the Act were commenced in October 2016 in order to progress the setting up of the Decision Support Service. The Assisted Decision-Making (Capacity) Act 2015 (Commencement of Certain Provisions) Order 2016 (S.I. No. 515 of 2016), brought Part 1 (Preliminary and General) and Part 9 (Director of the Decision Support Service) of the Act, other than sections 3, 4 and 7 in Part 1 and sections 96 and 102 and Chapter 3 in Part 9, into operation on 17 October 2016. These provisions were brought into operation in order to enable the process of recruitment of the Director of the Decision Support Service (DSS) to begin. Ms Áine Flynn was appointed Director of the Decision Support Service on 2 October 2017.

The commencement of Part 8 of the Act, which provides a legislative framework for advance healthcare directives, is a matter for the Minister for Health. The Minister for Health, under the Assisted Decision-Making (Capacity) Act 2015 (Commencement of Certain Provisions) (No. 2) Order 2016 (S.I. No. 517 of 2016), brought some provisions of Part 8 of the Act into operation on 17 October 2016. The provisions commenced in Part 8 were the definition of "Minister" in section 82; the definitions of "code of practice" and "working group" in sec-



tion 91(1); and section 91(2). The commenced provisions provide for the establishment by the Minister for Health of a multi-disciplinary group to advise in relation to codes of practice on advance healthcare directives. The multi-disciplinary group has been set up and work is ongoing on the code of practice on advance healthcare directives.

The key preparations are being put in place under the oversight of the Steering Group to allow for further commencement orders for the provisions of the 2015 Act to be made when the DSS is ready to roll out the new decision-making support options. The Director of the DSS is working in a very determined way to get the necessary staff resources, processes, IT system, expert panels, codes of practice and regulations in place in order that the DSS can be up and running as quickly as possible. There are many complex strands to this work, including involvement of multiple organisations.

Every effort is underway to ensure that the DSS has all necessary capacity to open for business as soon as possible. While the DSS has been working towards being operational and ready for the commencement of the main provisions of the Act in early 2020, the situation will be kept under review as the preparatory work on implementation moves forward.

In April 2018, the MHC engaged the consultancy firm BearingPoint to support the development of a detailed, costed plan to establish a fully operational Decision Support Service. The contract also includes ongoing project management support for the design and establishment of the organisation, business processes, IT systems and risk management framework.

The MHC has in recent weeks received sanction for the recruitment of a number of staff for the DSS and also a number of staff to provide shared services for the MHC and DSS. The MHC proposes to recruit these staff on a phased basis between now and 1 January 2020.

The National Disability Authority is currently finalising its work on the suite of draft codes of practice in relation to non-healthcare matters which are required to be prepared under section 103 of the Assisted Decision-Making (Capacity) Act 2015.

In June 2018, my Department recruited an external legal expert to assist in the preparation of draft regulations in relation to decision-making assistance agreements, co-decision-making agreements, certain matters relating to decision-making representatives, and enduring powers of attorney. These regulation-making powers are provided for in sections 10(4), 31, 45(3), 45(4), 46(3) and 79 of the Assisted Decision-Making (Capacity) Act 2015. Work on the draft regulations is ongoing.

The 2019 Budget provides for an allocation of €3 million in the Justice and Equality Vote for the establishment of the Decision Support Service.

The commencement of Part 8 of the Act, which provides for a legislative framework for advance healthcare directives, is a matter for the Minister for Health.

### **Magdalen Laundries Data**

98. **Deputy Catherine Connolly** asked the Minister for Justice and Equality the reason the addendum to the terms of Magdalen restorative justice ex gratia scheme presumes that no child under 12 years of age worked in a Magdalen laundry in view of the fact that the McAleese report confirms that some children under 12 years of age did; and if he will make a statement on the matter. [48693/18]

99. **Deputy Catherine Connolly** asked the Minister for Justice and Equality if testamentary

evidence will be accepted as evidence for the purposes of the addendum to the terms of the Magdalen restorative justice ex gratia scheme; and if he will make a statement on the matter. [48694/18]

100. **Deputy Catherine Connolly** asked the Minister for Justice and Equality the details of all records returned by religious orders to him; the age of the children and hours worked and so on pursuant to the Conditions of Employment (Records) Regulations 1947, sections 122 and 124 of the Factories Act 1955, and the Factories (General Register) Regulations 1956; and if he will make a statement on the matter. [48695/18]

101. **Deputy Catherine Connolly** asked the Minister for Justice and Equality when all State records relating to the Magdalen laundries from the McAleese archive will be released; and if he will make a statement on the matter. [48696/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I propose to take Questions Nos. 98 to 101, inclusive, together.

The Government is committed to complying with all of the recommendations of the Ombudsman in relation to the operation of Magdalen Restorative Justice *Ex Gratia* Scheme. In relation to the Ombudsman's principal recommendation that the Scheme should be applied to women who worked in the laundry of one of the 12 'Magdalen' Institutions and who were resident in one of 14 adjoining institutions, the Addendum to the terms of the scheme giving effect to this recommendation has been finalised and published on the Department's website - [www.justice.ie](http://www.justice.ie).

Letters have issued to all persons known to date to my Department who may be eligible for an award under the terms of the Addendum. These letters do not seek any information which the Department already has and any additional information sought is necessary to process the applications in as timely a fashion as possible. Further, the letters to the women concerned make it clear that any further relevant information sought relates to work in the laundry in as much detail as they can remember.

The Addendum provides that the first phase of processing a completed application is the making of a provisional assessment as to whether the applicant comes within the scope of the scheme. This assessment will be made based on the records of the institutions concerned (where available) and any other relevant records or statements, which may include the applicant's testimony and in some cases testimony from other persons. Each application will be assessed individually on its merits. On this basis, a decision will be made as to whether on the balance of probabilities the applicant comes within the scope of the scheme. In addition, for those cases where there is insufficient documentary evidence available to make an assessment on their case, an interview process is in place so as to facilitate a fairer assessment of a woman's application.

In relation to the age at which a girl started work in a Magdalen laundry, the information contained in the McAleese Report relates only to girls and women admitted to the Magdalen Institutions. The McAleese Committee did not conduct any research into the adjoining institutions which are now covered by the Addendum. The statistical analysis carried out by the Committee indicated that the average age on entry into the Magdalen Institutions was 23.8 years of age and the median age was 20 years of age. While the youngest entrant was identified as 9 years of age, this had occurred in the 1930s. The McAleese Committee's analysis also shows that only 4.1% were under 14 years of age at the time of entry. As stated in the Addendum, it is open to an applicant to show that she worked in a Magdalen Laundry before she reached 12 years of age and, where shown, such work would be included in the calculation of the 'work' element of the lump sum.

It is assumed that the details requested by the Deputy in relation to age, hours worked and the records of the religious congregations returned to the Department, relates to records received by the Department in processing applications under the scheme established in 2013 for those women who were admitted to and worked in a Magdalen Institution. The only criteria relevant to calculating the lump sum payable to successful applicants under that scheme is as set out by Judge Quirke in his report on the scheme of compensation for the Magdalen women. Those criteria are (i) that the applicant had been admitted to and worked in the Magdalen Institution and (ii) the length of stay in that institution. Therefore the only information required from records submitted by the relevant religious congregations are the entry and exit date for the applicant. Records as to the age of the applicant while in the Magdalen Institution or their hours of work were not relevant to the calculation of the award. Applicants to the scheme are asked to provide supporting documentation and, where it is necessary and the applicant has consented, the religious congregations provide records to the Department. It should be noted that the religious congregations co-operated fully with the Department in the administration of the scheme and provided records where requested.

In relation to the McAleese inquiry which preceded the Quirke report and the establishment of the ex-gratia scheme, the religious congregations also cooperated and provided access to their archives. When the McAleese report was finalised and published, the records provided by the congregations were returned to them and they are not part of the State archive. Chapters 5 & 12 of the McAleese Report detail the research undertaken on the legislation and regulation of employment, factories and the workplace.

Chapter 6 of the McAleese Report sets out the approach in relation to the archive. The McAleese Committee agreed that the archive be deposited and stored centrally with the Department of the Taoiseach, noting the approach taken in relation to archiving set out in the Commissions of Investigation Act 2004.

The Committee decided that the archive contains only copies of state records, in order to avoid disturbance to or destruction of original or archived files. The originals of all such records identified – many of which were already archived, and some of which are covered by the National Archives Act 1986 - will remain in their original files and locations.

There are no plans at this stage to provide access to the McAleese archive at this time.

## **Garda Operations**

102. **Deputy Catherine Murphy** asked the Minister for Justice and Equality the number of instances in which the PSNI has entered here in the past five years to assist An Garda Síochána with its operations; the number of times An Garda Síochána has requested permission to leave here to assist the PSNI in Northern Ireland with its operations; the level of engagement he and An Garda Síochána have had with their counterparts in Northern Ireland in the context of Brexit in order to ensure that both police services can co-operate in the event of a hard border; and if he will make a statement on the matter. [48704/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** There is very close and substantial on-going cooperation between an Garda Síochána and the PSNI in respect of all aspects of cross border policing, notably in combating organised crime, road safety and responding to the security threat posed by paramilitary groups. As such, the presence of members of An Garda Síochána and the PSNI in each other's jurisdictions takes place in the context of the on-going co-operation to keep all communities on this island safe. The Deputy will be aware that An Garda Síochána is the only police service empowered by statute to exercise policing and

security services in the State and, in accordance with the law, to engage in co-operation with other police services in this regard.

The two police services have for many years operated a joint Cross Border Policing Strategy, the overarching purpose of which is to improve public safety throughout Ireland, to disrupt criminal activity and enhance the policing capability of both police services on the island of Ireland. The Strategy covers the range of policing activities and contains a series of initiatives in which both police services are actively engaged and which will go towards fulfilling its objectives. A good practical example of on-going co-operation is the Annual Cross Border Conference on Organised Crime, the most recent of which was held in County Down on 7 November. The Conference brings officers from An Garda Síochána and the PSNI together to enhance co-operation between all law enforcement agencies on both sides of the border under the shared objective of combatting organised crime.

Close police co-operation on this island across the full range of policing responsibilities will continue regardless of the final shape of Brexit. I would emphasise that it is the Government's firm intention that the same border arrangements as currently apply on the island of Ireland will continue. In its approach to the Brexit negotiations, the Government has ensured that protecting the gains of the peace process and the avoidance of a hard border are the highest priority for Ireland, our partner Member States and the European Commission. I have discussed this matter with my counterparts in the British Government and I know that protecting the gains of the peace process are a clear and shared objective.

### **Garda Data**

103. **Deputy Robert Troy** asked the Minister for Justice and Equality the number of fixed charge penalty notices paid to date of the 50,833 drivers that have been caught while driving behind the wheel; and if he will make a statement on the matter. [48718/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** My Department has sought a report from the An Garda Síochána in relation to the information requested by the Deputy.

I will contact the Deputy directly on receipt of a Garda report in relation to this matter.

### **Leave to Remain**

104. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in the determination of an application for leave to remain in the case of a person (details supplied); and if he will make a statement on the matter. [48729/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that it received a request for permission to reside in this State from the person concerned on 7 August 2018. INIS sought further information 17 August from the person's legal representative, however, INIS has no record of a response to that request. I understand that it remains open to the person to provide the information and the request will be considered further by INIS in light of a response.

The Deputy may be aware that I launched a new scheme on 15 October 2018 which allows certain non-EEA nationals, who came to Ireland to study between January 2005 and December

2010, to apply for permission to remain in the State.

Eligible applicants may apply for a permission to remain in the State, including the right to reside and work in the State, and will be subject to renewal after two years. The Scheme is open for on-line applications until 20 January 2019. The person concerned may wish to consult the INIS website at [www.inis.gov.ie](http://www.inis.gov.ie) for further information.

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

### **Deportation Orders**

105. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a deportation order in the case of a person (details supplied) will be reconsidered; and if he will make a statement on the matter. [48730/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is the subject of a Deportation Order signed on 01 October 2018. This Order requires the person concerned to remove themselves from the State and remain outside the State. The enforcement of the Deportation Orders are a matter for the Garda National Immigration Bureau.

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

### **Irish Naturalisation and Immigration Service Administration**

106. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a travel document will issue to a person (details supplied); and if he will make a statement on the matter. [48731/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that a person who has been granted permission to remain in the State, and who does not possess or cannot obtain a national passport, may submit an application for a travel document, which will be examined on its merits. Unlike a refugee, a person with non-protection permission to remain does not have an entitlement to be issued with a travel document, and such a document would be issued solely on a discretionary basis. Applications are examined on a case by case basis.

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



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

### **Immigration Status**

107. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if and when stamp 4 will issue to a person (details supplied); and if he will make a statement on the matter. [48732/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned requested an extension of her permission to reside in this State. I am further informed that INIS wrote to the person concerned on 24 October 2018 and informed her that permission to reside on Stamp 3 conditions was granted for a period of one year.

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

### **Brexit Supports**

108. **Deputy Bernard J. Durkan** asked the Minister for Business, Enterprise and Innovation the action she has taken to assist small and medium enterprises withstand the threat of Brexit including the Brexit loan scheme; if further initiatives are planned in this regard; and if she will make a statement on the matter. [48740/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** My Department and its agencies are providing extensive supports to ensure that businesses are prepared for Brexit. These supports aim to assist businesses in identifying key risk areas and the practical preparatory actions to be taken over the coming months.

For 2019, I have allocated an extra €8 million to the enterprise agencies and regulatory bodies under my Department, which work with firms to develop their supports for business. I have also allocated an additional €5 million to the local enterprise offices, LEOs, for 2019 to increase their Brexit supports to businesses in every county.

The Future Growth Loan Scheme was announced in Budget 2019 as a Brexit support measure for Irish businesses. The Scheme will make up to €300 million funding available to eligible Irish SMEs, including those in primary agriculture, to support them to strategically invest over the long-term. It will provide low cost loans for terms of between 8-10 years, which is not readily available on the market.

This will complement the Brexit Working Capital Loan Scheme which was launched in March this year, making a fund of up to €300 million available in the form of low cost loans of up to 3 years for eligible businesses to help them innovate, change or adapt to mitigate their Brexit challenge. So far, there have been 304 applications to the scheme, with 265 approved by the Strategic Banking Corporation of Ireland.

Local Enterprise Office funding has been increased by 22%, and this increase is being

used to assist micro-enterprises in becoming more competitive and better able to cope with the changing environment in which they are operating. The suite of LEO Brexit supports includes tailored mentoring to address Brexit-related business challenges and targeted training on specific Brexit challenges.

Enterprise Ireland has established a Prepare for Brexit online portal and communications campaign, as well as an online “Brexit SME Scorecard” to help Irish businesses self-assess their exposure to Brexit and a “Be Prepared Grant” to support SME clients in planning to mitigate risks arising from Brexit. It has also launched a new Eurozone Strategy to help SMEs broaden their export footprint beyond the UK.

InterTrade Ireland’s Brexit advisory service was established in May 2017 to provide a focal point for SMEs working to navigate the changes in cross-Border trading relationships brought about by Brexit negotiations. To date, the Brexit advisory service has engaged directly with more than 2,350 SMEs in Ireland through the various elements of the service. I have allocated an additional €1 million to InterTrade Ireland for 2019 to increase the impact of its Brexit support for businesses.

As part of awareness-raising activities, EI has rolled out regional Brexit Advisory clinics throughout the year. My Department and its agencies have also participated in the Getting Ireland Brexit Ready roadshow to inform businesses of supports available to them to prepare for Brexit.

### Departmental Data

109. **Deputy Billy Kelleher** asked the Minister for Business, Enterprise and Innovation the number of young persons aged between 15 and 29 years of age classified as not in employment, education, or training; the percentage as a proportion of the number of unemployed; the corresponding EU average rate in tabular form; and if she will make a statement on the matter. [48791/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The number of young persons aged between 15 and 29 years of age that are classified as ‘not in employment, education or training’ (NEET) is measured in the OECD publication ‘Education at a Glance 2018’. As demonstrated in the following table, 13.1% of young adults in Ireland in the 15-29 year old age bracket can be classified as NEET. The EU22 average for young adults in the same age bracket is slightly higher at 13.4%.

OECD Education at a Glance 2018	Not in employment, education or training (NEET)
Ireland (2017)	13.1%
EU22 average (2017)	13.4%

The Labour Force Survey measures the NEET classification for 15-24 year olds. Under this classification, 10.9% of young people in this age bracket can be classified as NEETs. The European average for this age bracket is also 10.9%. This is detailed in the following table. The Labour Force Survey also measures monthly unemployment for 15-24 year olds. In October 2018, this stood at 12.8%

Labour Force Survey	Not in employment, education or training (NEET)
Ireland (2017)	10.9%

Labour Force Survey	Not in employment, education or training (NEET)
EU average (2017)	10.9%

### Brexit Issues

110. **Deputy Billy Kelleher** asked the Minister for Business, Enterprise and Innovation the contingencies in place for trading enterprises in the transport and haulage sector in the event of a no deal Brexit; and if she has had discussions with the EU Commission and the Minister for Transport, Tourism and Sport regarding flexibility in relation to state aid thresholds for trading enterprises using port facilities to transport goods to continental Europe or via the UK land bridge in such an event. [48792/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I have been advised by my colleague, the Minister for Transport, Tourism and Sport, that pending the final outcome of the EU/UK negotiations, it is not possible at this stage to outline what regulatory regime will be in place for Irish licensed road transport operators in the various post-Brexit scenarios. The Government remains focused on the finalisation of the withdrawal agreement to ensure an orderly UK exit, work is continuing to prepare for all contingencies.

Officials from my Department are part of a Technical Working Group on State aid which also comprises representatives from DG Competition, Enterprise Ireland and the Department of Agriculture, Food and the Marine. The objective of the Group is to scope and design schemes to support enterprises impacted by Brexit in line with State Aid rules.

Should Brexit related issues arise that require an approach that does not fit within the existing State Aid rules, this will be raised as part of the Technical Working Group discussions.

### Work Permits Data

111. **Deputy Bernard J. Durkan** asked the Minister for Business, Enterprise and Innovation the progress to date in the determination of an application for trusted partner status in the case of a company (details supplied); and if she will make a statement on the matter. [48686/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The Employment Permits Section of my Department inform me that the above named company was granted Trusted Partner status on 14 November 2018. A letter issued to the company on this date notifying it of this decision.

### Workplace Relations Commission

112. **Deputy Bernard J. Durkan** asked the Minister for Business, Enterprise and Innovation the reason a reply has not issued from the Workplace Relations Commission to a person (details supplied) in response to a complaint raised regarding their previous employment with an organisation; when a reply will issue; and if she will make a statement on the matter. [48779/18]

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** The Workplace Relations Act 2015, provides that amongst other functions, the Workplace Relations Commission (WRC) has a quasi-judicial power to investigate and adjudicate on complaints at first instance under a wide range of employment rights, equality and industrial relations legislation.

The WRC is independent in the exercise of its quasi-judicial function and this Department has no direct involvement in its day to day operations. However, I understand that a decision issued in this case on 2 August 2016 and that it was open to either of the parties involved to make an appeal to the Labour Court in writing not later than 42 days from the date of the recommendation.

I understand the WRC has replied to the complainant's follow up queries on this case on three occasions in 2018.

### **Brexit Issues**

113. **Deputy Billy Kelleher** asked the Minister for Business, Enterprise and Innovation the meetings she has held with accountancy bodies regarding Brexit and its potential impact on audit and accountancy; and the number of such meetings to date. [48794/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** Since my appointment as Minister for Business, Enterprise and Innovation I have had two engagements with the accountancy profession which included Brexit in the agenda.

On 17 April 2018 I met with the President of Chartered Accountants Ireland and on 24 October 2018 I gave the opening address to the IAASA Brexit Business Briefing.

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

114. **Deputy Kathleen Funchion** asked the Minister for Health the transport services being provided for both adults and young persons with additional needs that have recently completed their studies and wish to attend a day service; and his plans to improve access for those persons to day services, particularly for those living in rural areas that have great difficulty in accessing and availing of day services due to a lack of transport provided. [48654/18]

**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.

### **Commencement of Legislation**

115. **Deputy Pearse Doherty** asked the Minister for Health when Part 2 and 3 of the Children and Family Relationships Act 2015 will be commenced. [48665/18]

**Minister for Health (Deputy Simon Harris):** The Children and Family Relationships (Amendment) Bill 2018 was enacted on 24 July 2018. This Act was introduced to correct typographical and technical errors in the Children and Family Relationships Act 2015, which will facilitate the subsequent commencement of Parts 2 & 3 of the Act. Parts 2 & 3 of the Children

and Family Relationships Act 2015 contain provisions relating to the regulation of donor-assisted human reproduction (DAHR) procedures carried out in the State, including dealing with the rights of children born as a result of those procedures. There are important administrative and operational arrangements to be put in place to facilitate the implementation of Parts 2 & 3, including the establishment of the National Donor-Conceived Person Register and the appointment of authorised persons under the Act. It is my intention that Parts 2 & 3 of the Act will be commenced as soon as possible.

### **Addiction Treatment Services**

116. **Deputy Fergus O'Dowd** asked the Minister for Health if funding will be made available for drug addiction services in Drogheda in view of the crisis that has led to worrying events requiring a significant and costly Garda response; if an emergency meeting will be held to assess and plan an urgent outreach response to address the rise in drug addiction in the Drogheda area; and if he will make a statement on the matter. [48708/18]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** As the Health Service Executive is responsible for the provision of addiction services I have asked it to respond directly to the Deputy in relation to an outreach response to address the rise in drug addiction in the Drogheda area.

The HSE's National Service Plan 2018 sets out the type and volume of health and social care services to be provided by the Health Service Executive in 2018, having regard to the funding allocated.

Implementing the health-led national drugs strategy continues to be a Government priority. Within the envelope of resources available in Budget 2019 for health services, my intention is to prioritise funding for community drug and alcohol projects in Task Force areas of greatest need, additional drug and alcohol midwives working with vulnerable mothers-to-be and enhanced treatment services to address existing and emerging needs.

### **Nursing Homes Support Scheme**

117. **Deputy Charlie McConalogue** asked the Minister for Health the status of discussions he has had with his colleague in the Department of Health regarding changes to be introduced relating to the fair deal nursing home support scheme; if a date has been agreed; and when this will be introduced. [48830/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** The proposed policy change to the Nursing Homes Support Scheme (NHSS), to cap contributions from farm assets at 3 years where a family successor commits to working the productive asset, has been approved by Government. My Department is working on the development of draft Heads of Bill while considering a number of complex ancillary policy and operational matters which may need to be addressed in the proposed legislation.

It is intended that this proposed policy change, the 3 year cap, will be extended to eligible existing participants in long term residential care so that they are not disadvantaged, but that there would be no retrospective recoupment of contributions for those who have paid contributions over and above the 3 year period. Subject to legal advice, I expect to bring Heads of Bill to Government in the next session before this year end.



The changes to the Scheme will come into effect in 2019 subject to the legislative process.

### **Hospital Waiting Lists**

118. **Deputy Pearse Doherty** asked the Minister for Health further to Parliamentary Question No. 371 of 23 October 2018, when a reply will issue. [48652/18]

**Minister for Health (Deputy Simon Harris):** I have been informed by the HSE that a response to Parliamentary Question Order Number 371 (PQ 43242/18) has now been issued to the Deputy.

### **Ambulance Service Staff**

119. **Deputy Timmy Dooley** asked the Minister for Health if he will provide information (details supplied) in relation to the position of director of the National Ambulance Service. [48668/18]

**Minister for Health (Deputy Simon Harris):** I have asked the HSE to respond directly to the Deputy on this matter.

### **Hospital Accommodation Provision**

120. **Deputy Jan O'Sullivan** asked the Minister for Health if the HSE will develop a second X-ray room to support the expanded emergency department at Our Lady of Lourdes Hospital, Drogheda; when the second room will become operational; and if he will make a statement on the matter. [48670/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the Health Service Executive to respond to you directly as soon as possible.

### **Health Promotion**

121. **Deputy Bernard J. Durkan** asked the Minister for Health if the results of the Healthy Ireland Survey 2018, which show that 41% of persons that successfully quit smoking in the past 12 months used e-cigarettes, will inform a revision of the Tobacco Free Ireland strategy aimed at including e-cigarettes (details supplied); and if he will make a statement on the matter. [48671/18]

122. **Deputy Bernard J. Durkan** asked the Minister for Health if he is considering the inclusion of e-cigarettes among the alternatives presented to smokers which contact the HSE smoking cessation services, including quit.ie, in view of recently published results of a survey (details supplied); and if he will make a statement on the matter. [48672/18]

124. **Deputy Bernard J. Durkan** asked the Minister for Health his plans to commission further comprehensive research on e-cigarettes in view of recently published Healthy Ireland Survey 2018 results (details supplied); and if he will make a statement on the matter. [48674/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 121, 122 and 124 together.

The recently published Healthy Ireland 2018 survey found that the prevalence of smoking in Ireland has declined from 22% in 2017 to 20% in 2018 which is to be welcomed.

The Tobacco Free Ireland (2013) policy document contains a number of recommendations to assist smokers in quitting tobacco use. One of those recommendations is to examine the evidence regarding the outcomes of the use of Nicotine Replacement Therapy ('NRT') and other approaches.

My Department requested HIQA to undertake a Health Technology Assessment ('HTA') of the clinical and cost effectiveness of pharmaceutical and non-pharmaceutical smoking cessation products and services. The HTA was published in 2017 and found that all the pharmacological interventions were effective compared to no treatment and that a prescription only drug called varenicline was the most effective drug on its own. However, the HTA also found that using a combination of varenicline and NRT was the most effective pharmacological intervention and that people using this combination were over three and a half times more likely to quit than those who were in a control group and did not receive this treatment.

Group behavioural therapy, individual counselling, intensive advice and telephone support were all found to be effective behavioural interventions with group therapy found to be the most effective of these interventions. The addition of a behavioural intervention to a pharmacological intervention improved the effectiveness of the intervention.

The HTA recommended that smoking cessation services should seek to increase the uptake of varenicline, either alone or in combination with NRT, for smokers who want to use a pharmacological support.

In relation to e-cigarettes and vaping, although the HTA found that results for e-cigarettes are promising, there is currently a lack of evidence to recommend their use as a smoking cessation aid and at present no e-cigarette product is licensed as a medicinal product in Ireland. The safety of e-cigarettes is an evolving area of research; while potentially safer than smoking, evidence on its long-term safety has yet to be established. In the absence of additional evidence confirming the effectiveness of e-cigarettes, the HTA recommended that the HSE smoking cessation services should seek to increase the uptake of combination NRT treatment among those for whom varenicline is contraindicated, not tolerated or not preferred.

The results of the HTA are informing the development by the HSE, in conjunction with the National Clinical Effectiveness Committee, of national clinical guidelines.

The Department of Health is aware of, and actively monitoring, publications by authoritative bodies internationally on the use of e-cigarettes as a smoking cessation tool. Analysis of emerging research on all products, and the findings of Healthy Ireland 2018 in relation to e-cigarette usage in Ireland, will continue to inform decisions around any future additional regulation in this area.

## Health Promotion

**123. Deputy Bernard J. Durkan** asked the Minister for Health if he is considering changing the approach to smoking cessation policies here in view of a review (details supplied); and if he will make a statement on the matter. [48673/18]

**Minister for Health (Deputy Simon Harris):** The recently published Healthy Ireland 2018 survey found that the prevalence of smoking in Ireland has declined from 22% in 2017 to 20% in 2018 which is to be welcomed.

The Tobacco Free Ireland (2013) policy document contains a number of recommendations to assist smokers in quitting tobacco use. One of those recommendations is to examine the evidence regarding the outcomes of the use of Nicotine Replacement Therapy ('NRT') and other approaches.

My Department requested HIQA to undertake a Health Technology Assessment ('HTA') of the clinical and cost effectiveness of pharmaceutical and non-pharmaceutical smoking cessation products and services. The HTA was published in 2017 and found that all the pharmacological interventions were effective compared to no treatment and that a prescription only drug called varenicline was the most effective drug on its own. However, the HTA also found that using a combination of varenicline and NRT was the most effective pharmacological intervention and that people using this combination were over three and a half times more likely to quit than those who were in a control group and did not receive this treatment.

Group behavioural therapy, individual counselling, intensive advice and telephone support were all found to be effective behavioural interventions with group therapy found to be the most effective of these interventions. The addition of a behavioural intervention to a pharmacological intervention improved the effectiveness of the intervention.

The HTA recommended that smoking cessation services should seek to increase the uptake of varenicline, either alone or in combination with NRT, for smokers who want to use a pharmacological support.

In relation to e-cigarettes and vaping, although the HTA found that results for e-cigarettes are promising, there is currently a lack of evidence to recommend their use as a smoking cessation aid and at present no e-cigarette product is licensed as a medicinal product in Ireland. The safety of e-cigarettes is an evolving area of research; while potentially safer than smoking, evidence on its long-term safety has yet to be established. In the absence of additional evidence confirming the effectiveness of e-cigarettes, the HTA recommended that the HSE smoking cessation services should seek to increase the uptake of combination NRT treatment among those for whom varenicline is contraindicated, not tolerated or not preferred.

The results of the HTA are informing the development by the HSE, in conjunction with the National Clinical Effectiveness Committee, of national clinical guidelines.

*Question No. 124 answered with Question No. 121.*

## **EU Regulations**

125. **Deputy Éamon Ó Cuív** asked the Minister for Health when the draft regulation under section 12(1) of the Public Health (Alcohol) Act 2018 will be finalised for submission to the EU under regulation EU 1169/2011; if this regulation will provide for obligatory bilingual warnings in view of the fact that the research (details supplied) quoted by him in Dáil Éireann did not provide objective proof that bilingual warnings such as this were less effective; the length of time it will take to obtain EU approval for the implementation of these regulations; and if he will make a statement on the matter. [48677/18]

**Minister for Health (Deputy Simon Harris):** Sections 12(4) and 12(5) of the Public Health (Alcohol) Act provide that the health information to be on notices in licensed premises and on websites that sell alcohol products must be in both the English and the Irish language. Regulations made in relation to those requirements will therefore include the requirement for bilingual information.

Section 12(1) on the health information to be on the labels of alcohol products does not contain a requirement that this information be in the English and the Irish language. It is not my intention to attempt to go beyond the legislation as made by the Houses of the Oireachtas in making those regulations.

It is my intention that the relevant draft regulations will be finalised for submission to the European Commission by year-end. The length of time taken to approve those regulations is a matter for the Commission.

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

126. **Deputy Robert Troy** asked the Minister for Health the number of personal assistant hours allocated in County Westmeath in the past five years, in tabular form. [48678/18]

127. **Deputy Robert Troy** asked the Minister for Health the number of personal assistant hours allocated in County Longford in the past five years, in tabular form. [48679/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I propose to take Questions Nos. 126 and 127 together.

The Government is committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide greater independence in accessing the services they choose, and enhance their ability to tailor the supports required to meet their needs and plan their lives. This commitment is outlined in the Programme for Partnership Government, which is guided by two principles: equality of opportunity and improving the quality of life for people with disabilities.

As the Deputy's questions relates to service matters, I have arranged for them to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Medicinal Products Availability**

128. **Deputy Michael Healy-Rae** asked the Minister for Health if a drug will be provided to a person (details supplied); and if he will make a statement on the matter. [48680/18]

**Minister for Health (Deputy Simon Harris):** Under the Health (Pricing and Supply of Medical Goods) Act 2013, the HSE has statutory responsibility for the administration of the community drug schemes; therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

### **Orthodontic Services Data**

129. **Deputy Charlie McConalogue** asked the Minister for Health the number of orthodontists employed by the HSE to cover County Donegal; and if he will make a statement on the matter. [48685/18]

**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.

### **Patient Transfers**

130. **Deputy Pearse Doherty** asked the Minister for Health when a patient (details supplied) will transfer from Letterkenny University Hospital to St. Vincent's Hospital; and if he will make a statement on the matter. [48687/18]

**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.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Hospital Services**

131. **Deputy Mick Wallace** asked the Minister for Health the status of the University Hospital Waterford second cath laboratory project (details supplied). [48689/18]

**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.

### **Primary Care Centres Provision**

132. **Deputy John Brassil** asked the Minister for Health further to Parliamentary Question No. 132 of 20 September 2018, if a reply has been received from the developer; if planning permission and legal agreements have commenced; and if he will make a statement on the matter. [48690/18]

**Minister for Health (Deputy Simon Harris):** As the HSE has responsibility for the provision, along with the maintenance and operation of Primary Care Centres and other Primary Care facilities, the Executive has been asked to reply directly to the Deputy.

### **Medicinal Products Availability**

133. **Deputy Billy Kelleher** asked the Minister for Health when a decision will issue in relation to Translarna; and if the HSE will reimburse Translarna for the five boys who require same. [48697/18]

**Minister for Health (Deputy Simon Harris):** The HSE has statutory responsibility for decisions on pricing and reimbursement of medicines, in accordance with the provisions of the Health (Pricing and Supply of Medical Goods) Act 2013; therefore, the matter has been referred to the HSE for reply to the Deputy.

### **Medicinal Products Reimbursement**

134. **Deputy Billy Kelleher** asked the Minister for Health if the recent application submit-



ted for Translarna came before the technology review committee for rare diseases. [48698/18]

**Minister for Health (Deputy Simon Harris):** The HSE has statutory responsibility for decisions on pricing and reimbursement of medicines, in accordance with the provisions of the Health (Pricing and Supply of Medical Goods) Act 2013; therefore, the matter has been referred to the HSE for reply to the Deputy.

### **Medicinal Products Reimbursement**

135. **Deputy Billy Kelleher** asked the Minister for Health if there will be engagement with or inclusion of patient representation as part of the assessment process for Translarna. [48699/18]

**Minister for Health (Deputy Simon Harris):** The HSE has statutory responsibility for decisions on pricing and reimbursement of medicines, in accordance with the provisions of the Health (Pricing and Supply of Medical Goods) Act 2013; therefore, the matter has been referred to the HSE for reply to the Deputy.

### **Medicinal Products Reimbursement**

136. **Deputy Billy Kelleher** asked the Minister for Health if the assessment process for orphan drugs has changed. [48700/18]

137. **Deputy Billy Kelleher** asked the Minister for Health his plans to revise the Health (Pricing and Supply of Medical Goods) Act 2013 to allow for a different and unique rule set to specifically apply when assessing orphan drugs in view of the fact that the current assessment process for orphan drugs is not fit for purpose. [48701/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 136 and 137 together.

The Oireachtas has put in place a robust legal framework for medicines reimbursement in the Health (Pricing and Supply of Medical Goods) Act 2013, which gives full statutory powers to the HSE to assess and make decisions on the reimbursement of medicines. The Act sets out criteria for medicine reimbursement decisions.

The 2013 Act requires the HSE to have regard to both clinical benefits and cost effectiveness, but it does not provide for a different rule set when assessing orphan drugs. It would take an act of the Oireachtas to change the current assessment process for medicines. However, both the National Centre for Pharmacoeconomics (NCPE) and the HSE are mindful of the differences and challenges in terms of patient numbers when assessing this type of medicine.

The NCPE conducts health technology assessments (HTAs) for the HSE and makes recommendations on reimbursement to assist HSE decisions. The NCPE uses a decision framework to systematically assess whether a drug is cost-effective as a health intervention.

There has been substantial engagement between the Department, the HSE and the NCPE over the last number of months, which has resulted in a number of key changes in the HSE medicines assessment process, within the confines of the 2013 Health Act.

In June 2018, the HSE leadership appointed a Technology Review Committee for Rare Diseases, which is responsible for:

1. Reviewing proposals received from industry or expert groups in Ireland for funding of new products for rare diseases or expanded indications for existing products for rare diseases and making recommendations on the implementation of the relevant recommendations from the National Rare Diseases Plan 2011-2018; and

2. Contributing to the development of clinical guidelines for relevant orphan medicinal products (OMPs) and supporting the implementation of guidelines with the National Drugs Management Programme Office where applicable.

The Committee's recommendations for reimbursement of OMPs are not intended to replace any part of the existing medicines appraisal process, but rather to complement it.

The Technology Review Committee for Rare Diseases is intended to provide greater balance and transparency to the assessment process. The inclusion of two public or patient representatives, from a selected panel of three, recognises the value of having patient representation on the Committee. As well as examining the methodologies for assessing orphan drugs, the Committee will also consider the views of patients, caregivers and the wider issues that go into health technology assessments.

This Committee is operational and has already completed work in relation to orphan products.

The composition of the HSE Drugs Group has recently been expanded to include two representatives from the National Patients Forum and more clinical expertise in the area of rare diseases.

In light of these developments, I do not propose to bring forward proposals to change the assessment criteria for orphan drugs, which would require the approval of the Oireachtas.

### **Care of the Elderly**

138. **Deputy Barry Cowen** asked the Minister for Health the estimated cost of replacing all nursing home facilities with retirement villages; if a detailed impact assessment has been undertaken on the proposal; and if he will make a statement on the matter. [48711/18]

139. **Deputy Barry Cowen** asked the Minister for Health the number of residents in nursing home care facilities nationwide. [48712/18]

140. **Deputy Barry Cowen** asked the Minister for Health the estimated number of persons requiring nursing home care in five, ten, 15 and 20 years according to demographic analysis. [48713/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** I propose to take Questions Nos. 138 to 140, inclusive, together.

A key principle underpinning Government policy is to support older people to live in their own home with dignity and independence for as long as possible. The changing demographics and the implications for future health care costs underpin the importance of developing a wider choice of appropriate housing options for older people suited to their needs. The aim is to encourage and facilitate timely planning by older people and to rebalance the care model away from residential care to supporting older people to remain living independently at home for longer. As the research shows, this reflects the preferences of older people themselves.

The aim is to ensure that older people will have more choice by developing a range of hous-

ing options that are suited to their needs, so they can plan ahead and, insofar as possible, choose the right option for them. These options may include retirement villages, housing with supports projects or other initiatives.

Varying levels of support will be needed to enable older people to continue living in their own homes and communities, including care needs where appropriate. However, it is envisaged that there will always be a cohort of people for whom residential nursing home care is the most appropriate option. The main issue is the significant gap in alternative or intermediary options. This is the issue that I wish to address. There is a significant need to put in place suitable options to give older people the choice and importantly, to ensure that care is provided in the most appropriate setting. This aligns with the vision of Sláintecare where there is an overarching aim to bring care closer to the community and the person's home.

The Capacity Review published earlier this year, in addition to recognising the pressures being faced across the health system in terms of access to healthcare, was also an indication of the Government's desire to plan appropriately for the future. Analysis of future scenarios (based on demographic projections and taking account of envisaged reform measures) shows potential requirements for the period to 2031. On the back of these findings, the Government committed to providing 4,500 additional short and long term residential care beds in the National Development Plan. The exact criteria for the planning and design of these beds will be evaluated on a phased basis as the projects are approved.

Currently more than 23,200 people are supported in nursing homes under the Nursing Homes Support Scheme. This figure does not include those in short stay or transitional care beds. The Health Information & Quality Authority website has information on the number of registered beds for each designated residential care centre, public and private.

On November 20 I hosted an expert conference on housing for older people with my colleague Mr. Damien English T.D. Minister for Housing and Urban Development. The overwhelming outcome of the event, shared by the experts, was that choice and the development of a range of community supports and services in close proximity to older people is the key to achieving the objective of keeping people living longer and independently in their communities. The outcome of this conference will be used by my officials and officials of the Department of Housing, Planning and Local Government to inform the development of a suitable policy framework for housing for older people.

### **Nursing Home Services**

141. **Deputy Barry Cowen** asked the Minister for Health the number of persons on waiting lists for nursing homes nationwide; and if he will make a statement on the matter. [48714/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Medicinal Products Reimbursement**

142. **Deputy Kevin O'Keeffe** asked the Minister for Health further to Parliamentary Question No. 391 of 18 September 2018, the progress that has been made since in relation to an application for the reimbursement of Translarna from a company (details supplied). [48720/18]

**Minister for Health (Deputy Simon Harris):** The HSE has statutory responsibility for decisions on pricing and reimbursement of medicines, in accordance with the provisions of the Health (Pricing and Supply of Medical Goods) Act 2013; therefore, the matter has been referred to the HSE for reply to the Deputy.

### **Orthodontic Services Provision**

143. **Deputy Charlie McConalogue** asked the Minister for Health when a person (details supplied) in County Donegal will be called for orthodontic treatment; and if he will make a statement on the matter. [48721/18]

**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.

### **Medical Card Eligibility**

144. **Deputy John Curran** asked the Minister for Health if he will review upwards the income thresholds for the medical card, general practitioner card, over 70s medical card and the over 70s general practitioner card in view of increases in wages and the minimum wage in particular and increases in the rate of social welfare payments; and if he will make a statement on the matter. [48747/18]

**Minister for Health (Deputy Simon Harris):** Budget 2019 provided for increases in a number of social welfare payments which are intended to come into effect in March 2019. It would be the Government's intention that people's ability to qualify for a medical card would not be adversely affected by this increase. I have asked the HSE to monitor the situation and to advise me if it considers that changes in the rates of social welfare payments may affect people's ability to qualify for a medical card.

Although increases in income may have an impact on a person's eligibility for a medical card it should be noted that the medical card assessment process does take into account certain allowable expenses such as mortgage costs, travel-to-work costs and childcare costs, which may also vary over time. Furthermore, if a person's sole income is derived from a social welfare payment, even where this is more than the current means threshold, he/she will be awarded a medical card.

### **Departmental Expenditure**

145. **Deputy Fergus O'Dowd** asked the Minister for Health if there was an underspend in the 2017 social inclusion budget for counties Louth and Meath; if so, the amount; the groups the underspend was distributed to; if there was a set criteria for which these moneys were allocated; if so, the criteria; the members of the HSE that make the final decision on these funds; if the local drug task force and its professional experience has a contribution or role in forming the distribution of overspends for vital services; and if he will make a statement on the matter. [48750/18]

**Minister of State at the Department of Health (Deputy Catherine Byrne):** As this is a service matter, it has been referred to the Health Service Executive for attention and direct reply to the Deputy.

### **Prescriptions Data**

146. **Deputy Maureen O'Sullivan** asked the Minister for Health when there was a review of the continued prescriptions for medication for a person (details supplied). [48757/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

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

147. **Deputy Thomas P. Broughan** asked the Minister for Health if his attention has been drawn to the fact that a number of legal cases have been taken against the HSE for failing to commence assessments of needs within the statutory time period; the steps being taken to ensure that assessments of needs take place within the statutory three month time period; and if he will make a statement on the matter. [48766/18]

**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.

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

148. **Deputy Thomas P. Broughan** asked the Minister for Health the number of children waiting for an assessment of need; the average waiting time a child must wait for the HSE to commence this assessment; and if he will make a statement on the matter. [48767/18]

**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**

149. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an appointment for a person (details supplied); and if he will make a statement on the matter. [48768/18]



**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.

### **Patient Safety**

150. **Deputy Louise O'Reilly** asked the Minister for Health if his attention has been drawn to the fact that a patient with tuberculosis was not isolated while at University Hospital Galway; and if disclosures of this incident have been made to him. [48774/18]

**Minister for Health (Deputy Simon Harris):** In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

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

151. **Deputy Brendan Smith** asked the Minister for Health further to Parliamentary Question No. 227 of 25 October 2018, if the additional funding will be provided in the 2019 Estimates for the necessary provision of services (details supplied); and if he will make a statement on the matter. [48775/18]

152. **Deputy Brendan Smith** asked the Minister for Health if a health facility (details supplied) provides placements only for persons in counties Cavan and Monaghan; if persons from outside this catchment area are facilitated in this centre; and if he will make a statement on the matter. [48776/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I propose to take Questions Nos. 151 and 152 together.

The Government is committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide greater independence in accessing the services they choose and enhance their ability to tailor the supports required to meet their needs and plan their lives. This commitment is outlined in the Programme for Partnership Government, which is guided by two principles: equality of opportunity and improving the quality of life for people with disabilities.

The Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Hospital Appointments Status**

153. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a hospital appointment for a person (details supplied); and if he will make a statement on the matter. [48778/18]

**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.

### **Hospital Charges**

154. **Deputy James Browne** asked the Minister for Health the position regarding the care of a person (details supplied); the reason the costs of the care were given to the family; and if he will make a statement on the matter. [48782/18]

156. **Deputy James Browne** asked the Minister for Health his views on whether it is acceptable for the HSE to write to a person (details supplied) receiving care in Beaumont Hospital detailing the amount spent on a relative's care; and if he will make a statement on the matter. [48784/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 154 and 156 together.

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

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

155. **Deputy James Browne** asked the Minister for Health the costs related to the care of a person (details supplied); and if he will make a statement on the matter. [48783/18]

**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.

*Question No. 156 answered with Question No. 154.*

### **Respite Care Services**

157. **Deputy Fergus O'Dowd** asked the Minister for Health the details of the newly agreed respite contract for persons with disabilities in north County Louth; and if he will make a statement on the matter. [48802/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** The Government is committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide greater independence in accessing the services they choose and enhance their ability to tailor the supports required to meet their needs and plan their lives. This commitment is outlined in the Programme for Partnership Government, which is guided by two principles: equality of opportunity and improving the quality of life for people with disabilities.

The Programme for Partnership Government states that the Government wishes to provide more accessible respite care to facilitate full support for people with a disability.

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Cancer Screening Programmes**

158. **Deputy Stephen S. Donnelly** asked the Minister for Health if the figure of 221 women being adversely affected by the CervicalCheck issues is accurate; and if he will make a statement on the matter. [48806/18]

**Minister for Health (Deputy Simon Harris):** This question relates to operational issues, and accordingly I have asked the HSE to respond directly to the Deputy.

However, the Deputy might note that, as advised at the Joint Oireachtas Committee on Health recently, the HSE will shortly commence a validation exercise to ensure data held by the National Screening Service in relation to the 221 women affected by the CervicalCheck audit is fully up to date. This will, for example, help with planning support needs for patients.

It should be noted that this piece of work is not an audit but, rather, aims to ensure the information already held is updated appropriately.

### **Cancer Screening Programmes**

159. **Deputy Róisín Shortall** asked the Minister for Health the steps he is taking further to a report (details supplied); the extent of the review of cases proposed; the person or persons that will carry out this review; the length of time covered by the review; and when he expects the review to be completed. [48815/18]

163. **Deputy Róisín Shortall** asked the Minister for Health the number of persons that have been informed of a change to their test results with regard to a report (details supplied); and if

there is a helpline for persons that may have concerns in this regard. [48819/18]

164. **Deputy Róisín Shortall** asked the Minister for Health the number of persons that have been informed of a change in their test result by those that were misinformed owing to a clerical error and those whose results were changed as a result of subsequent more advanced retesting of their original samples with regard to a report (details supplied), respectively. [48820/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 159, 163 and 164 together.

In relation to the issue which has been raised by the Deputy, I would note that officials of my Department have been in contact with the Health Service Executive (HSE). The HSE in turn have advised that in late October 2018, an error was discovered in correctly communicating a genetic test result by the Department of Clinical Genetics at Our Lady's Children's Hospital Crumlin (OLCHC) following an enquiry by an oncologist for a patient with recurring cancer who had a genetic test, known as a BRCA test, in 2009. Crumlin Hospital are currently reviewing this incident as a matter of the utmost priority.

This error has been reported as an incident and is being managed in accordance with the HSE Incident and Risk Management policy, including in commencing an incident review process of this transcription error in correctly communicating the test result in a letter to the referring clinician. Direct contact has been made with the patient involved in this incident, with an offer made for an Open Disclosure meeting to take place at the discretion of the patient.

As a precaution, OLCHC has also instigated a review of the communication of all BRCA test results since 2006, firstly prioritising the 335 positive BRCA results processed by the Department of Clinical Genetics. This review of the correct communication of the positive BRCA test is currently underway and is expected to be completed in the forthcoming days. The hospital will then review the correct communication of the negative BRCA tests.

For the sake of clarity, I would also like to stress to the House that there is no concern regarding the accuracy of the BRCA test itself. The error which has occurred relates to the correct communication of the test result.

A dedicated contact helpline has been set up at OLCHC to assist patients with concerns. It is in operation from Monday to Friday, 9:00am-5:30pm. Patients wishing to contact the helpline should phone (01) 4096219.

### **Cancer Screening Programmes**

160. **Deputy Róisín Shortall** asked the Minister for Health if guidelines exist in the HSE regarding the auditing of the issuance of test and or screening results for human error; and if he will make a statement on the matter. [48816/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter I have asked the HSE to reply directly to the Deputy.

### **Hospital Services**

161. **Deputy Róisín Shortall** asked the Minister for Health the steps that were taken to address the issues raised in a review (details supplied) of the National Centre for Medical Genetics; and if he will make a statement on the matter. [48817/18]

**Minister for Health (Deputy Simon Harris):** The Donnai-Newman Report on the Review of Genetics Services in Ireland (2014) was commissioned by the HSE to recommend improvements in the governance, management and future development of the genetic services. The report made several recommendations, the vast majority of which focused on the internal team working and clinical governance issues at Our Lady's Children's Hospital Crumlin. The report resulted in 56 actions to be undertaken by the HSE and Crumlin Hospital. The HSE has confirmed that 31 of these actions have been implemented and 16 are currently being implemented.

An external multi professional team, led by an experienced NHS UK Health Manager, has been assisting the Department of Clinical Genetics at Crumlin to deliver an improved service for patients and clinical service users. There continues to be investments in the recruitment of extra staff resources and the purchase of new equipment to assist with the implementation of improvements to the service.

A key recommendation of the Donnai-Newman Report was that a Steering Group should be set up to develop a National Genetic and Genomic Medicine Network that reflects best international practice. This Steering Group was established by the HSE in early 2015. Their report included recommending the appointment of a National Director of the National Genetic and Genomic Medicine Network and a Clinical Laboratory Director. The HSE National Service Plan 2018 includes a commitment to commence development of the National Genetics and Genomic Network. These key posts, in collaboration with relevant stakeholders, will inform the development of the national strategic direction for genetic and genomic medicine services, including genetic services.

### **Hospital Services**

162. **Deputy Róisín Shortall** asked the Minister for Health the reason the genetics department in Our Lady's Children's Hospital, Crumlin is located in the hospital in view of the fact it provides a national service to adults; the governance structure which applies to this department; and his plans to establish this as a stand alone unit within the HSE. [48818/18]

**Minister for Health (Deputy Simon Harris):** The service for medical genetics in Our Lady's Children's Hospital, Crumlin, established in late 1994, provides services for patients and families in Ireland affected by, or at risk of, a genetic disorder. The service is under the governance of Our Lady's Children's Hospital, Crumlin. It is recognised that there have been rapid and progressive developments in genetics and genomic medicine in recent years and that it is an area of medicine that will continue to rapidly develop.

In 2014, a review of the laboratory and clinical genetic services at Crumlin was commissioned by the HSE. The report made recommendations relating to the genetic services at Crumlin and also recommended that investment should be made in developing a contemporary solution for clinical and laboratory genetics & genomics for the country.

Following on from that report a Steering Group was established by the HSE in 2015 to develop a plan for the genetics & genomics national network. Recommendations included the appointment of a National Director of National Genetic and Genomic Medicine Network and a Clinical Laboratory Director. The HSE National Service Plan 2018 includes a commitment to commence development of the National Genetics and Genomic Network. These key posts, in collaboration with relevant stakeholders, will inform the development of the national strategic direction for genetic and genomic medicine services, including genetic services.

*Question No. 163 answered with Question No. 159.*



### **Community Care Provision**

165. **Deputy Aengus Ó Snodaigh** asked the Minister for Health when the new 20 bed unit in a facility (details supplied) will be opened and ready to take patients. [48821/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Hospital Services**

166. **Deputy Kevin O’Keeffe** asked the Minister for Health if surgery will be scheduled for a person (details supplied). [48822/18]

**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.

### **Nursing Homes Support Scheme**

167. **Deputy Charlie McConalogue** asked the Minister for Health when the changes announced in budget 2018 with respect to the fair deal scheme and the future treatment and possible discount on chargeable assets for farms and business will be introduced in primary legislation; and if he will make a statement on the matter. [48829/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** The proposed policy change to the Nursing Homes Support Scheme (NHSS), to cap contributions from farm assets at 3 years where a family successor commits to working the productive asset, has been approved by Government. My Department is working on the development of draft Heads of Bill while considering a number of complex ancillary policy and operational matters which may need to be addressed in the proposed legislation.

It is intended that this proposed policy change, the 3 year cap, will be extended to eligible existing participants in long term residential care so that they are not disadvantaged, but that there would be no retrospective recoupment of contributions for those who have paid contributions over and above the 3 year period. Subject to legal advice, I expect to bring Heads of Bill

to Government in the next session before this year end.

The changes to the Scheme will come into effect in 2019 subject to the legislative process.

### **Agriculture Scheme Applications**

168. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if he will consider amending the application form for the BPS and ANC schemes for 2019 to ensure there is a place on the form for persons to put in land which is occupied long-term without registered ownership, lease or rental and which under the terms of the schemes if farmed must be declared even though not eligible for payment; and if he will make a statement on the matter. [48676/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The Basic Payment Scheme terms and conditions state that in determining the eligibility of land applied upon to draw down payment, the land declared must be managed by the farmer. If the farmer is not the owner of the land, the farmer must be in a position to provide verifiable evidence that the land is available to them for the required period.

Farmers who enter into leases or letting agreements for any of the lands declared by them on their Basic Payment application must be in a position to provide verifiable evidence if requested that the land is available to them for the required period as set out under the “Land Availability Rule”. Land that is declared by a farmer on the basis that it is available to them on the 31 May only on foot of an agreement with another party will only be eligible for payment if a written agreement is in place.

As above, for all lands declared by a farmer, where the farmer is not the owner of the lands declared, the farmer must be able to provide verifiable evidence that the land is available to them for the required period. Only lands that meet these criteria should be declared by the farmer in their application for the basic payment scheme.

### **Departmental Schemes**

169. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if the case of a person (details supplied) will be examined; and if he will make a statement on the matter. [48803/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department has responsibility for delivering a wide range of schemes and services to its many customers. Many of these schemes are, by their very nature, complex and the Department aims to ensure that the needs of all its customers, including people with learning difficulties are met and that the rights of equal treatment are upheld in the delivery of services.

In accordance with Section 26(2) of the Disability Act 2005, I have appointed two Access Officers in my Department, who are available upon request, to provide assistance and guidance to persons with disabilities in accessing services provided by my Department.

In addition to the Access Officers, Department officials are available in all regions to provide assistance to applicants who have questions or concerns on any scheme operated by the Department. My Officials have a detailed knowledge of the relevant schemes and services and are in a position to respond to customer queries.

Bearing in mind the need to communicate clearly in both written and verbal communications, my Department also provides step by step guidelines, user friendly explanatory manuals, question and answer sheets and working examples for most schemes, as well as telephone help lines to deal with queries.

Officials in my Department have previously been in contact with the person concerned and have put in place several measures to meet his particular needs.

In relation to spraying, the Sustainable Use of Pesticides Directive requires all Professional Users (i.e. anybody who applies/sprays products authorised for professional use) to be appropriately trained.

As part of the validation contract of every accredited training provider, there is an undertaking to make skills/competency-based courses, such as those required by the Department for the registration of professional users, accessible to all.

The person concerned was informed by the Department of a number of training providers who were willing to meet with him in order to put in place the specific support that would have been required for him to complete the necessary training.

The person concerned should contact the accredited training providers to agree what supports are required. If there is any difficulty in this regard the person concerned should either contact the relevant awarding body or officials in my Department again.

### Departmental Schemes

170. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the financial allocations on an annual basis under the 2014-2020 RDP for schemes (details supplied); the annual amount expended on the listed schemes in each year since it was established; the number of active participants in the scheme; and the number of approved applicants that subsequently withdrew from each scheme in tabular form. [48824/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The information requested by the Deputy is set out in the following table:

Table 1 – Voted Allocations for Schemes 2014-2018, Expenditure 2014- end October 2018

	Knowledge Transfer Scheme	GLAS	Beef Data and Genomics Programme	TAMS II	Sheep Welfare Scheme	Hen Harrier Programme
Allocation 2014	0	0	23,000,000	0	0	0
Expenditure 2014	0	0	21,750,521	0	0	0
Allocation 2015	0	20,000,000	35,000,000	0	0	0
Expenditure 2015	0	11,452,500	34,692,000	0	0	0
Allocation 2016	0	139,500,000	52,000,000	28,000,000	0	0
Expenditure 2016	0	102,615,247	61,800,000	3,971,000	0	0
Allocation 2017	22,821,000	228,500,000	49,000,000	49,832,000	17,000,000	2,940,000

	Knowledge Transfer Scheme	GLAS	Beef Data and Genomics Programme	TAMS II	Sheep Welfare Scheme	Hen Harrier Programme
Expenditure 2017	13,784,000	195,583,187	47,137,000	31,256,000	15,851,000	717,000
Allocation 2018	23,000,000	203,000,000	49,500,000	69,943,000	20,000,000	5,200,000
Expenditure to end October 2018	14,857,927	75,262,539	13,580,218	52,843,711	2,589,822	888,943

The above are the total allocations and expenditure for the schemes. In a few cases, small parts of the allocation and expenditure for schemes are not co-funded.

The annual scheme allocations are determined during the annual estimates process. 2019 allocations will be published in December this year and the 2020 allocations in December 2019.

Table 2 – No. of participants and withdrawals

	Knowledge Transfer Scheme	GLAS	Beef Data and Genomics Programme	TAMS II	Sheep Welfare Scheme	Hen Harrier Programme
Number of active participants	18,868	49,149	24,572	10,142	18,969	624
Number of applicants that have withdrawn	869	2,906*	7,225**	383	1,234***	0

\*Data includes both withdrawn and rejected applications because the system does not differentiate between those categories. Also, some double counting may occur as individuals who moved tranche could be recorded as both active in the latter tranche but withdrawn/rejected in the former tranche.

\*\*Data includes 859 participants excluded from the scheme because of issues relating to non-completion of training and Carbon Navigator requirements.

\*\*\*The number withdrawn includes total withdrawn over year 1 and 2 of the scheme.

### Aquaculture Licence Data

171. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the number of aquaculture licences sought in the 2010 to 2018 period by county, in tabular form; the number awaiting a decision in this period; the number decided in this period; the number awaiting decision to date by shell fish licences and fin fish licences; and if he will make a statement on the matter. [48825/18]

172. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the number of aquaculture licences sought since he came into office; the number awaiting decision when he came into office; the number decided since he came into office; the number awaiting a decision to date by shell fish licences and fin fish licences; and if he will make a statement on the matter. [48826/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I propose to

take Questions Nos. 171 and 172 together.

The detailed information requested by the Deputy is not readily available in full. Provision of the information sought will require an extensive examination of my Department's records. The information will be forwarded to the Deputy within 2 weeks.

### **TAMS Funding**

173. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the steps which will be taken with regard to funding approved for works in TAMS II applications that have yet to be drawn down which will expire by the end of 2018; the number of applicants in this position; the value of moneys approved not drawn down to date; the steps which will be taken with regard to moneys approved but not drawn down; if these funds can be carried forward; and if not, if they must be returned to the Exchequer or the EU budget. [48827/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The budget for TAMS II for the duration of the Rural Development Programme (2014-2020) is €395m. Payment claims continue to be received and processed on an ongoing basis as is the case with applications for approval.

It is open to any farmer whose approval has expired to submit a new application under the scheme .

TAMS is a demand led Scheme and expenditure is dependent on the volume and value of payment claims received. To date, payments to the value of €92.4m have issued, €57.2m in 2018.

Reminder messages have been sent to applicants with outstanding approvals, reminding them to check their expiry date and to submit their claims for payment as soon as they are in a position to do so. A reminder also issued to Agricultural Advisors.

- Applicants with a 12 month approval have the option of applying for a 6 months extension. The extension will only be granted for structures and fixed investments where work has commenced. No extension will be granted for mobile equipment. An application for an extension must be lodged, together with documentary evidence, to the online system between the start of the eight month and before the end of the eleventh month following the original date of approval.

To date 17,344 approvals have issued with a grant value of €280.5m;

Of this:

- 6, 351 payments have been made with a grant value of €92.4m
- 1,010 approvals have expired with an estimated grant value of €12.5m
- 9, 983 approvals have yet to be drawn down with an estimated grant value of €188m.

Payments will continue to be made from the budget for TAMS II for the duration of the Rural Development Programme (2014-2020) of €395m.

### **Departmental Expenditure**



174. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the annual allocation and spend on the ANC programme in 2016 to 2018; and the allocation made in Budget 2019. [48828/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The annual allocations and spend for the Areas of Natural Constraints (ANC) for scheme years 2016 – 2018 are set out in the following table.

Scheme Year	Annual Allocation	Spend
2016	€202M	€203,788,340
2017	€202M	€204,435,403
2018	€227M	€214,882,220 to date
2019	€250M	-

### Common Fisheries Policy Review

175. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if a review of the Common Fisheries Policy will take place from 2019 at EU level with new changes to be implemented from 2023. [48831/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Article 49 of Regulation (EU) 1380/2013, the basic regulation of the Common Fisheries policy, states that “The Commission shall report to the European Parliament and to the Council on the functioning of the CFP by 31 December 2022.”

In normal circumstances, the process for reviewing and possibly revising the CFP would probably be commencing sometime in 2019 to allow for a comprehensive examination of how the current policy has functioned and is achieving its objectives in time for the end of 2022. It would be up to the European Commission, in accordance with the right of initiative, following such a review to propose possible changes.

When such a review does take place, Ireland will again be a central player in that process. However, I am firmly of the view that now is not the time to commence our internal EU27 consideration of a review of the CFP. We must instead concentrate all our efforts on the ongoing Brexit negotiations until we have clarity on the exact nature of the future relationship with the United Kingdom.

The discussion on the post Brexit CFP will undoubtedly occur in earnest once the overall future relationship and its impact for fisheries is clear. For the coming period it is important to keep the focus on Brexit.

### Brexit Issues

176. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on the joint communication by a number of countries (details supplied) regarding their views on EU proposals to split import quotas for agricultural and industrial goods with the UK due to Brexit. [48832/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** On the 26 June 2018, the European Council authorised the European Commission to open formal negotiations within the World Trade Organisation (WTO) on how to divide up existing EU Tariff Rate

Quotas (TRQs) between the EU27 Member States and the United Kingdom (UK).

On 24 July 2018, the EU's formal notification was circulated to WTO Members in accordance with Article XXVIII of the GATT 1994 with a view to apportioning the EU's entire WTO bound Tariff Rate Quotas (TRQs).

The products which have TRQs attached are primarily agricultural and fishery products (including specific beef, swine, sheep, poultry, dairy, fruit, vegetables, wheat, maize, rice and fish products), and a small number of industrial products (including specific wood, silicon, glass, flax and fructose products). The methodology applied to apportionment is based on the UK's share of total Union imports under the TRQ over a recent representative three-year period (2013-2015). This usage share is applied to the entire scheduled TRQ volume to arrive at the UK's share of a given TRQ. The Union's share then consists of the remainder of the TRQ in question. This means the total volume of a given TRQ is not changed. The full product list including the EU share in quota is contained in the Regulation Annex.

Ireland has actively engaged with the discussions to date at EU level. Ireland prioritises the need to minimise disruption to trade as the UK leaves the EU and the importance of maintaining the existing levels of market access, which is also the intention of the European Commission. Ireland was one of a number of Member States who sought to enhance the consultation requirements for the European Commission with Member States in the apportionment process and we were successful in that regard. This provides us with assurances that any unintended consequences of the proposed approach, given the fluidity of the overall Brexit process, will be discussed by Member States at the relevant Committee, in particular, the Trade Policy Committee.

Following bilateral engagement with a number of WTO Members as well as exchanges at the Committee on Market Access on 9 October 2018, the EU submitted a revised set of data on 19 October 2018. The EU is ready to engage in negotiations as soon as possible and has invited Members to submit their claims/revised claims without further delay.

As appropriate, my Department will be liaising closely with the Department of Business, Enterprise and Innovation, which has lead responsibility on this issue.

### **TAMS Eligibility**

**177. Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if TAMS II provides grant aid to slurry spreaders (details supplied). [48833/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Slurry spreading equipment including trailing shoe, dribble bar and injection systems are grant aided under the Low Emission Slurry Spreading Equipment Scheme which is one of the suite of seven measures available under TAMS II. Full details, including the Terms and Conditions of the Scheme are available on my Department's website.

### **Common Agricultural Policy**

**178. Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on references to the Common Agricultural Policy in the European Commission's draft withdrawal agreement with the United Kingdom (details supplied). [48834/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The Articles

and Annexes in the draft Withdrawal Agreement referred to by the Deputy relate to a derogation being allowed to the UK in relation to State Aid rules, in the event of an agreed extension of the transition period.

The draft Withdrawal Agreement confirms that, unless otherwise provided for, EU law shall be applicable to and in the United Kingdom during the transition period, which ends on 31 Dec 2020. Consequently the normal EU State Aid rules will apply to the UK, including Northern Ireland during that period.

However, during any extended transition period, the United Kingdom shall be considered as a third country for the purposes of the implementation of programmes and activities under the multiannual financial framework applying as and from the year 2021. During this period, it is considered reasonable to allow the UK to continue to support farmers in Northern Ireland, but that this should be done in a way that is consistent with current arrangements under the Common Agricultural Policy and that does not disadvantage EU farmers.

The articles referred to by the Deputy outline the means by which this will be achieved, including through annual maximum levels of support and minimum percentage compliance with the WTO Agreement on Agriculture, which will be decided by the Joint Committee established under the Withdrawal Agreement.

### **Fishing Industry**

179. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on references to arrangements relating to fishing opportunities under article 130 of the European Commission's draft withdrawal agreement with the United Kingdom and article 6 of the protocol on Ireland and Northern Ireland (details supplied). [48835/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Overall, Ireland's and the EU27's basic position is to protect our fishing communities. While all parties would like higher quota shares, the way to achieve that is to grow the fish stocks through sustainable management for the benefit of all. Managing fisheries sustainably and fairly must be an integral and inseparable part of the overall future EU/UK relationship.

If this withdrawal deal goes through, from a fisheries perspective, we have clarity that there will be no changes to the status quo on fisheries for the duration of the transition period. The transition period will last at least until the end of December 2020 but could be extended. Within this timeframe and within the context of the overall economic partnership, the EU and UK will work to establish a new fisheries agreement to be in place after transition.

As is set down in the draft Political Declaration, negotiations on fisheries will take place in the context of the overall future economic relationship between the EU and the United Kingdom. In other words, fisheries will not be dealt with in isolation.

I will continue to work closely with the Tánaiste, the Commission, relevant Member States and the fishing industry to ensure the best outcome for Ireland's fishing communities.

### **Common Agricultural Policy**

180. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the status of the position taken by Ireland at the EU agri council ministers meeting in Vienna recently regarding policies intended to boost performance in the CAP proposals; and the

role of independent national agencies of monitoring compliance and if measures designed to tackle crises are sufficient. [48836/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I attended the Informal meeting of Agriculture Ministers in Schloss Hof near Vienna, Austria on 24 September 2018, where I had the opportunity to further discuss the CAP post 2020 with my colleagues. Informal Council meetings do not reach formal agreed conclusions.

The theme of the discussion was “Shaping the future of vital rural areas and quality food production in the European Union”, and focused on how the CAP could support farmers to produce high quality food in a competitive and sustainable way that generates an adequate income and how the CAP supports multifunctionality and the family farm.

The multi-functionality of the agriculture sector means it is contributing to a lot of different objectives and all of these are needed. At the informal Council I highlighted that farmers need to generate adequate farm income and they must also be properly supported for the public goods they deliver on. All of this will require a CAP Strategic Plan that is balanced and best meets local needs.

However, none of this can be properly achieved without the adequate support. My position on the budget remains firm and I believe that now is not the time to cut funding.

With regard to monitoring compliance, I am supportive of the move to a performance based model and we will need time to put in place changes in systems and reporting. This new framework must be based on system which provides simplification for all.

When it comes to tackling crises, I believe this will be one of the priority issues for consideration in the next CAP. I welcome the proposal which maintains the current suite of market interventions. It is important to maintain a strong framework to underpin market stability and protect producers.

The negotiations on the CAP Post 2020 proposals are ongoing and I will continue to engage with all parties involved to ensure the best possible outcome for Ireland’s agricultural sector as they progress.

### **Inland Fisheries Regulation**

181. **Deputy Michael Healy-Rae** asked the Minister for Communications, Climate Action and Environment if he will address a matter (details supplied); and if he will make a statement on the matter. [48804/18]

**Minister of State at the Department of Communications, Climate Action and Environment (Deputy Seán Canney):** I gave statutory notice on 14 November 2018 of the draft Wild Salmon and Sea Trout Tagging Scheme Regulations, 2018 to provide for the management of the wild salmon and sea trout fishery by IFI from 1 January 2019. The draft regulations provide for an individual management regime for each of Ireland’s 147 salmon rivers, river sections and estuaries based on the conservation imperative for their individual genetic stock in line with the requirements of the EU Habitats Directive.

The regulations are based on management advice received from Inland Fisheries Ireland (IFI). This advice from IFI is supported by individual stock assessments carried out by an independent Scientific Committee comprising scientists from a range of organisations.

A statutory 30 day public consultation period is currently underway and observations on the draft regulations may be made, via written submission, at any time during this period which concludes on 13 December 2018.

A copy of the draft regulations, which are made every year, is available on my Department's website, [www.dccae.gov.ie](http://www.dccae.gov.ie), and is open for public inspection at the offices of the Inland Fisheries Division of the Department in Cavan and also at the offices of Inland Fisheries Ireland around the country.

The person referred to by the Deputy may make a submission within the statutory consultation process. A detailed response to all submissions received in the process will issue after the period of consultation has closed. It is not appropriate to comment on individual cases while the public consultation process is underway.

### **Television Licence Fee Collection**

182. **Deputy Michael Healy-Rae** asked the Minister for Communications, Climate Action and Environment his views on appointing the Revenue Commissioners as the television licence fee collection agent in order to help reduce evasion rates; and if he will make a statement on the matter. [48657/18]

184. **Deputy Michael Healy-Rae** asked the Minister for Communications, Climate Action and Environment his views on public service broadcasting; his further views on licence fee reform; when action plan points in these areas will be published; and if he will make a statement on the matter. [48659/18]

185. **Deputy Michael Healy-Rae** asked the Minister for Communications, Climate Action and Environment the aspects of the television licence fee reform the interdepartmental working group is reviewing; when the report will be published; if there will be engagement by the group with stakeholders; and if he will make a statement on the matter. [48660/18]

189. **Deputy John Curran** 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 an engagement by the group with stakeholders; and if he will make a statement on the matter. [48762/18]

190. **Deputy John Curran** 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. [48763/18]

193. **Deputy Seán Haughey** 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 an engagement by the group with stakeholders; and if he will make a statement on the matter. [48770/18]

194. **Deputy Seán Haughey** 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. [48771/18]

196. **Deputy Seán Haughey** 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. [48773/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** I propose to take Questions Nos. 182, 184, 185, 189, 190, 193, 194 and 196 together.

I refer the Deputies to the reply to Question No. 201 (48489/18) of 21 November 2018. The position is unchanged.

### Ministerial Meetings

183. **Deputy Michael Healy-Rae** asked the Minister for Communications, Climate Action and Environment when he will meet with an organisation (details supplied) to discuss the independent production sector here; and if he will make a statement on the matter. [48658/18]

191. **Deputy John Curran** 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. [48764/18]

195. **Deputy Seán Haughey** asked the Minister for Communications, Climate Action and Environment when he will meet with an organisation (details supplied) to discuss with it the Irish independent production sector; and if he will make a statement on the matter. [48772/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** I propose to take Questions Nos. 183, 191 and 195 together.

I refer the reply to Question No. 206 (48514/18) of 21 November 2018. The position is unchanged.

*Questions Nos. 184 and 185 answered with Question No. 182.*

### RTÉ Expenditure

186. **Deputy Michael Healy-Rae** asked the Minister for Communications, Climate Action and Environment his views on the significant reduction in spend by RTÉ for the independent production sector (details supplied) here; the steps he is taking to ensure that this spend is increased to 2007 levels; and if he will make a statement on the matter. [48661/18]

188. **Deputy John Curran** 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. [48761/18]

192. **Deputy Seán Haughey** 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. [48769/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** I propose to take Questions Nos. 186, 188 and 192 together.

I refer to the reply to Question No (48488/18) of 21 November 2018. The position is unchanged.

## **Energy Resources**

187. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and Environment if a review will be instigated of policy on building new fossil fuel infrastructure, such as, a facility (details supplied) in the context of climate change; if a debate in Dáil Éireann will be facilitated on whether Ireland should allow fracked shale gas in the energy mix; and if he will make a statement on the matter. [48743/18]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** I refer to the reply to Question Nos. 534 and 549 of 20 November 2018, the position is unchanged. In relation to a Dáil debate on the matter raised in the Question, this is a matter for the House to decide when ordering its business.

*Question No. 188 answered with Question No. 186.*

*Questions Nos. 189 and 190 answered with Question No. 182.*

*Question No. 191 answered with Question No. 183.*

*Question No. 192 answered with Question No. 186.*

*Questions Nos. 193 and 194 answered with Question No. 182.*

*Question No. 195 answered with Question No. 183.*

*Question No. 196 answered with Question No. 182.*

## **Departmental Funding**

197. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the status of funding for an organisation (details supplied); and if he will make a statement on the matter. [48808/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Ballinskelligs Inshore Rescue are an organisation which is a declared resource to the Coast Guard.

They are a member of the Community Rescue Boats Ireland (CRBI), a nationwide group of independent voluntary rescue boats which are trained and administrated by Irish Water Safety.

Ballinskelligs Inshore Rescue receives a yearly grant as do all other CRBI members of approx. 5k from the Department. They also qualify for V.A.T. exemption under S.I. 249 of 2013.

Boat units which come under the direct control and management of the Coast Guard are stationed around the coast at the volunteer Coast Guard units. The capital and current costs of purchasing and maintaining the Coast Guard fleet are set out in the Voluntary Services and Training budgets.

The capital and current budgets do not take into account the financial needs of other organisations therefore the Coast Guard is not in a position to fund the cost of the equipment upgrade at Ballinskelligs Inshore Rescue.

## **Driver Test**

198. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the status of a driver test for a person (details supplied); and if he will make a statement on the matter. [48653/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As driver testing is a matter for the Road Safety Authority, I have referred this question to the Authority for direct response. I would ask the Deputy to contact my office if a reply is not received within ten days.

### **Public Transport Expenditure**

199. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport the amount expended by Irish Rail on private bus transfers when commuter train services were not fully available; the amount expended when DART services were not available in the past five years to date; and if he will make a statement on the matter. [48723/18]

200. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport the amount expended by Irish Rail on Dublin Bus transfers when commuter train services were not fully available; the amount expended by Irish Rail on Dublin Bus transfers when DART train services were not fully available; and if he will make a statement on the matter. [48724/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take Questions Nos. 199 and 200 together.

As Minister for Transport, Tourism and Sport, I have responsibility for policy and overall funding in relation to public transport. However, I am not involved in the day-to-day operations of public transport.

The issues raised are operational matters for Iarnród Éireann and I have therefore forwarded your questions to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Rail Services Data**

201. **Deputy Peter Burke** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question No. 290 of 24 October 2018, the scheduled arrival time and the actual arrival time of all evening train services serving Mullingar in the past two months in tabular form and not the percentage of on-time trains that was provided by the company; if the delays experienced compare to those experienced during the same period in 2016 and 2017; the effect of recent timetable changes to the train schedules and arrival times; and if he will make a statement on the matter. [48726/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism and Sport, I have responsibility for policy and overall funding in relation to public transport. However, I am not involved in the day-to-day operations of public transport.

The issue raised is an operational matter for Iarnród Éireann and I have therefore forwarded your question to the company for direct reply.

### **Bus Services**

202. **Deputy Shane Cassells** asked the Minister for Transport, Tourism and Sport the reason for disruptions to the 109B bus services from Trim and Kilmessan (details supplied); and if he will make a statement on the matter. [48745/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The issue raised is a matter for the National Transport Authority (NTA) in conjunction with Bus Éireann 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.

### **Sports Facilities Provision**

203. **Deputy Brendan Ryan** asked the Minister for Transport, Tourism and Sport his plans for the development of a national training base for the IHU in view of the fact that Ireland is the only top grade hockey country in the world without such a facility (details supplied); and if he will make a statement on the matter. [48746/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Sport Ireland, which is funded by my Department, is the statutory body with responsibility for the development of sport, increasing participation at all levels and raising standards, including the development of the Sport Ireland National Sports Campus at Abbotstown.

As part of Sport Ireland's partnership strategy for the development of facilities by the main field sport National Governing Bodies of sport, an agreement is in place with Hockey Ireland for the development of hockey facilities at the Campus. I understand that Sport Ireland is currently engaging with Hockey Ireland in relation to requirements for its international teams.

The Board of Sport Ireland allocated additional high performance funding amounting to €500,000 to Hockey Ireland in August to support the delivery of its high performance programme including advancing the establishment of a base at the Sport Ireland National Sports Campus.

### **Child and Family Agency Policy**

204. **Deputy Maureen O'Sullivan** asked the Minister for Children and Youth Affairs the protections and protocols in place to avoid a recurrence of a traumatic removal in which trauma was caused for the child, the mother and the professionals involved (details supplied); and the special arrangements in place, including a provision of a mother and baby unit, to minimise the trauma, particularly for the child in these circumstances. [48785/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Deputy will be aware that I am not in a position to comment on individual cases, or on matters which are the subject of court decisions.

The decision to remove a child from the care of their parents is not one that is taken lightly, particularly at a young age. In all cases, the safety, wellbeing and best interests of the child must be the primary concern.

I have written to Tusla, the Child and Family Agency, in relation to the operational matters raised by the Deputy. A further reply will issue when I have had their response.

### **Illness Benefit Payments**

205. **Deputy Michael Healy-Rae** 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. [48681/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Illness Benefit claim for the person concerned is now fully paid up to the 24th November 2018 and arrears due have been issued.

If the customer 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.

### **Illness Benefit Applications**

206. **Deputy Brendan Howlin** asked the Minister for Employment Affairs and Social Protection the status of an illness benefit application by a person (details supplied); when payment will issue; and if she will make a statement on the matter. [48688/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Illness Benefit claim for the person concerned is medically certified and paid up to the 15th November 2018.

This customers next medical certificate was due on the 16th November 2018.

If the person concerned 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.

### **State Pensions**

207. **Deputy Brendan Griffin** asked the Minister for Employment Affairs and Social Protection her views on the case of a person (details supplied); and if she will make a statement on the matter. [48691/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** On 23 January last, the Government agreed to allow pensioners, born on or after the 1st September 1946, affected by the 2012 changes in rate bands, to have their state pension (contributory) entitlement calculated under an interim “Total Contributions Approach” (TCA). The changes also provide for up to 20 years of home caring periods in the calculation of that entitlement, for those who took time out of the workplace for parenting children under age 12, or individuals who needed increased levels of care.

The changes apply to those who reached pension age on or after 1st September 2012 who were awarded less than maximum rate, on post Budget 2012 rate bands. The changes do not apply to anyone already entitled to maximum rate state pension (contributory).

Currently there are approximately 79,000 pensioners in this category. My Department has already issued Information Letters to over 70,000 of these pensioners who are resident in Ireland. Over 8,000 pensioners residing outside of Ireland are expected to receive their letters in December.



The Information Letter informs pensioners that my Department will contact them directly with the outcome of their individual pension review, or a request for further information regarding gaps in their social insurance record, if this information is required in order to complete their review. It is not necessary for anyone to contact the Department on this matter.

Work on examination of the social insurance records of the pensioners concerned commenced in September. As social insurance records are unique to individual pensioners, this is a manual examination phase and it is expected to continue until the end of the year. To date, over seventy temporary staff members have been recruited to work on this phase.

Further recruitment will take place in January 2019, when the first pension reviews are expected to get under way, following enactment of the Social Welfare, Pensions and Civil Registration Bill 2018. In line with this timeframe, it is anticipated that the first review outcomes will be notified to these pensioners during Quarter 1 2019.

Payment of increases, where awarded, will be made immediately after an individual's review is completed. Given the numbers involved, it will take my Departments a number of months to work through all the reviews. In all cases, where the outcome of the review results in an increase in state pension (contributory) entitlement, the increase will be backdated to 30 March 2018 or the date of a person's 66th birthday if later, and arrears will be paid.

If a pensioner does not qualify for an increased rate under the new arrangements, they will continue to receive their existing rate of entitlement. No personal pension entitlement rate will be reduced as a result of this review.

I hope this clarifies the matter for the Deputy.

### **One-Parent Family Payment Payments**

208. **Deputy Brendan Griffin** asked the Minister for Employment Affairs and Social Protection her views on the case of a person (details supplied); and if she will make a statement on the matter. [48692/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The customer's One Parent Family (Jobseekers Transition) Payment had a Penalty Rate applied. This decision was reviewed and the penalty rate was lifted. The arrears issued to the customer on 15 November 2018.

I trust this clarifies the matter.

### **Partial Capacity Benefit Scheme Applications**

209. **Deputy Michael Healy-Rae** asked the Minister for Employment Affairs and Social Protection the status of a partial capacity benefit application by a person (details supplied); and if she will make a statement on the matter. [48703/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Partial Capacity Benefit claim for the person concerned has now been processed and all payments and arrears due to him up to 20th November 2018 have been issued.

I trust this clarifies the matter for the Deputy.

### **Illness Benefit Payments**

210. **Deputy Kevin O’Keeffe** asked the Minister for Employment Affairs and Social Protection the reason payment of illness benefit has not issued to a person (details supplied) who made a claim at the end July 2018. [48722/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Illness Benefit claim for the person concerned has been processed and all arrears due up to the 10th September 2018, the date of the customers final medical certificate, have been issued.

I trust this clarifies the matter for the Deputy.

### **Illness Benefit Applications**

211. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the progress to date in the determination of further information furnished to her Department in respect of an illness benefit claim in the case of a person (details supplied); and if she will make a statement on the matter. [48733/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Illness Benefit claim for the person concerned is both certified and paid up to 14th November 2018.

If the person concerned 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 to him.

I trust this clarifies the matter for the Deputy.

### **Social Welfare Benefits Eligibility**

212. **Deputy Maureen O’Sullivan** asked the Minister for Employment Affairs and Social Protection the way in which correspondence issued on 30 October 2018 which appeared to have the situation resolved in the case of a person (details supplied) was then followed by further correspondence on 12 November 2018 suggesting otherwise. [48749/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The person concerned is in receipt of a Jobseekers payment and was requested on 30th October 2018 to submit documentation to show that they are genuinely seeking work (GSW). Unfortunately the person concerned returned limited information relating to efforts seek work. It was then considered that the person concerned was not genuinely seeking full-time employment.

On the 12th November the Deciding Officer issued a Natural Justice letter to the person. The person concerned was advised that if they had any other supporting evidence to show to the Department that they were genuinely seeking work that they should submit such evidence within 14 days from the 12th November 2018 .

I trust this clarifies the matter for the Deputy.

### **Illness Benefit Payments**

213. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protec-

tion if an outstanding illness benefit for a person (details supplied) will issue; and if she will make a statement on the matter. [48796/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Illness Benefit claim for the person concerned has been processed and any arrears due have been issued.

The claim is paid up to the 26th November 2018 and medically certified up to the 29th November 2018.

If the person concerned remains ill and unfit for work after that date, further medical certificate should be submitted to the Department in order for further payments to issue.

I trust this clarifies the matter for the Deputy.

### **Social Welfare Appeals**

214. **Deputy Eamon Scanlon** asked the Minister for Employment Affairs and Social Protection the status of a domiciliary care allowance application by a person (details supplied); and if she will make a statement on the matter. [48801/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** An application for domiciliary care allowance was received from the person concerned on the 23rd April 2018. The application was not allowed as the child was not considered to satisfy the qualifying conditions for the allowance. A letter issued on the 3rd July 2018 setting out the decision of the deciding officer to refuse the allowance.

An appeal was registered by the Social Welfare Appeals Office on the 25th July 2018. As part of the appeals process, the application was re-examined by a deciding officer and the person concerned was notified on the 31st October 2018 that the review was unsuccessful. Following that, the file was sent to the Social Welfare Appeals Office on 13th November for consideration by an Appeals Officer. The Social Welfare Appeals Office will contact the person concerned directly about outcome of the appeal.

I hope this clarifies the matter for the Deputy.

### **House Prices**

215. **Deputy Bernard J. Durkan** asked the Minister for Housing, Planning and Local Government the extent to which he remains satisfied that first-time house buyers or the purchasers of a family home are not being priced out of the market; and if he will make a statement on the matter. [48765/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Ensuring that we have a supply of housing that is affordable for people to buy or rent, depending on their choice and circumstances, is a priority for the Government.

The underlying factors driving house prices now are fundamentally different from those which drove prices leading up to the financial crisis: current pressures in the housing market reflect a shortage of supply to meet the present demographic demands for housing, whereas previously credit was one of the primary factors contributing to house price inflation.

The credit environment now is markedly different. There is now an enhanced regulatory regime in place to monitor and manage risks to the economy emerging from the housing sector. The Central Bank's macro prudential rules, which are working effectively, aim to increase both bank and borrower resilience and mitigate the risks of credit fuelled house-price spirals emerging.

The availability of appropriate development finance for commercially viable residential projects has been identified as a key contributory factor to underpin further progress in addressing the shortfall in housing supply. The Government is meeting this challenge through the launch of Home Building Finance Ireland (HBFI) which will utilise up to €750 million to provide debt funding for residential development, funding new housing construction across all regions in the country.

In overall terms, the key elements of the Government's approach to addressing the issues in our housing sector are set out in the Rebuilding Ireland Action Plan for Housing and Homelessness, and Project Ireland 2040, which sets out a comprehensive set of measures designed to address the on-going structural constraints within the construction sector and restore the housing market to a sustainable equilibrium. The CSO's most recent Residential Property Price Index, published on 14 November 2018, shows a moderation in house price growth rates; in the year to September 2018, residential property prices at national level increased by 8.2%, compared with an increase of 8.9% in the year to August and an increase of 12.0% in the twelve months to September 2017. In Dublin, residential property price growth continued to moderate, with an annual increase of 5.8% in the year to September 2018.

Increasing housing supply, however, is the most important element of our response to the housing crisis. In that regard, the most recent data show the continuation of some very positive trends:

- Planning permissions (Q2 2018) granted up 39% year on year;
- Commencement notices (August 2018) up 20% year on year;
- New homes available for use (Q3 2018) up 20% year on year;
- Registrations (July 2018) up 7% year on year.

The Government continues to address affordability specifically. In particular, for those households earning low to moderate annual gross incomes (up to €50,000 for single applicants and €75,000 for dual applicants), a multi-stranded approach is being taken to the targeted delivery of affordable housing.

In order to support the affordable housing programmes of local authorities, the Government has committed €310 million, over the three years 2019 to 2021, under the Serviced Sites Fund (SSF) announced as part of Budget 2019. The funding is available for key facilitating infrastructure, on public lands, to support the provision of affordable homes to purchase or rent. I envisage a maximum amount of SSF funding of €50,000 per affordable home and on this basis at least 6,200 affordable homes could be facilitated.

A first call for proposals under the Fund issued to the four Dublin local authorities; Kildare, Meath, Wicklow, Louth and Cork County Councils, and Cork and Galway City Councils. Fifteen proposals were received, from nine of the local authorities targeted under this first call and I expect to announce funding decisions in relation to these applications shortly. I expect infrastructure works on approved projects to begin as soon as possible thereafter and delivery of affordable homes from late 2019/early 2020 onwards.

More broadly, all local authorities are carrying out economic assessments of the requirement for affordable housing in their areas and the viability to deliver such affordable housing from their sites. My Department hosted a workshop for local authorities on 8 November to discuss these issues.

A second call for proposals under the Fund will be made shortly. The scope of that call will be influenced by the information received from local authorities, as part of the aforementioned assessments, which they have been requested to submit by 30 November.

In terms of the type of affordable housing that will be delivered on local authority sites it may be affordable housing for purchase, for example, under the recently commenced provisions of Part 5 of the Housing (Miscellaneous Provisions) Act 2009, or cost rental, which is being advanced on a number of pilot sites before being rolled out further. The Regulations to support the operation of Part 5 will be finalised shortly. These initiatives complement other Government actions which help first-time buyers to buy a home, such as the Help to Buy Scheme and the Rebuilding Ireland Home Loan.

Finally, the new Land Development Agency (LDA) will contribute significantly to the delivery of affordable housing. All of the State land developed by the LDA will include 40% social and affordable homes to purchase or rent.

### **Home Loan Scheme**

216. **Deputy Joan Collins** asked the Minister for Housing, Planning and Local Government when the next tranche of moneys will be provided for the Rebuilding Ireland home loan scheme (details supplied). [48748/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** My Department has sanctioned sufficient funding to local authorities in order to approve loans under the Rebuilding Ireland Home Loan Scheme (RIHL).

In relation to the specific case that the Deputy has raised, she will be aware that under Section 63(3) of the Local Government Act 2001, a local authority is independent in the performance of its functions. In addition, under Section 6 of the Housing (Miscellaneous Provisions) Act 2009, the Minister's power to issue policy directions and guidelines to housing authorities in relation to their housing functions should not be construed as enabling the Minister to exercise any power or control in relation to any individual case with which a housing authority is or may be concerned. As such, I am precluded from intervening in relation to individual cases.

Under the Regulations that govern the Rebuilding Ireland Home Loan it is a matter for each local authority to make the decision on loan approval applications. Each authority must establish a Credit Committee, in accordance with the statutory Credit Policy, to consider these applications on a case-by-case basis, having regard to the recommendations of the assessment of applications undertaken by the Housing Agency.

The statutory Credit Policy also obliges local authorities to establish an appeals process to which applicants, who are dissatisfied with a decision of a Credit Committee, may appeal that decision. It is therefore open to the persons referred to by the Deputy to make such an appeal. Details of the appeals process can be obtained from the relevant local authority.

In relation to the details supplied by the Deputy, I am advised that the relevant Local Authority has sufficient financial capacity to address the application referred to.



## Social and Affordable Housing Data

217. **Deputy Jan O’Sullivan** asked the Minister for Housing, Planning and Local Government the number of social houses built in County Waterford in the past 12 months; if Waterford Council sought funding from his Department in order to build housing; and the housing waiting list figure for Waterford city and county. [48787/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Statistics on the number of social housing properties constructed, purchased and leased by local authorities and approved housing bodies, including for Waterford City & County Council, are published on my Department’s website at the following link: [www.housing.gov.ie/housing/social-housing/social-and-affordable/overall-social-housing-provision](http://www.housing.gov.ie/housing/social-housing/social-and-affordable/overall-social-housing-provision).

All local authorities, including Waterford City & County Council, have been advised of their individual social housing targets across build, acquisition and leasing for 2018 and also for 2018-2021. Full details of the targets for all local authority areas, including Waterford, are available on the Rebuilding Ireland website at the following link: <http://rebuildingireland.ie/news/minister-murphy-publishes-social-housing-delivery-targets-for-local-authorities-2018-2021/>. New social housing construction projects are listed in the quarterly Construction Status Report, with the most recently published version available at the following link: <http://rebuildingireland.ie/news/minister-murphy-publishes-latest-social-housing-construction-report/>. This shows a significant level of such projects in Waterford, including projects completed and currently on site, many of which I expect to be completed in the near future.

Funding for new social housing delivery is provided to local authorities as they deliver the projects. Accordingly, Waterford City & County Council is continuously drawing down funding as they advance such projects.

Details on the number of households qualified for social housing support in each local authority area are provided in the statutory Summary of Social Housing Assessments (SSHA), which has been carried out on an annual basis since 2016. The results of each SSHA are available on my Department’s website and include breakdowns by each local authority across a range of categories. The 2018 Report can be accessed at: [www.housing.gov.ie/sites/default/files/publications/files/summary\\_of\\_social\\_housing\\_assessments\\_2018\\_-\\_key\\_findings.pdf](http://www.housing.gov.ie/sites/default/files/publications/files/summary_of_social_housing_assessments_2018_-_key_findings.pdf). The SSHA is a point in time exercise, with 11 June 2018 being the count date for the most recent report. Waterford City & County Council reported 1,117 households on its waiting list at that time.

## Planning Guidelines

218. **Deputy Willie Penrose** asked the Minister for Housing, Planning and Local Government further to Parliamentary Question No. 620 of 13 November 2018, the way in which commitments given to an organisation (details supplied) at a meeting on 4 October 2018 can be incorporated into the forthcoming regional spatial and economic strategies in order to ensure that the necessary changes to help deliver on the practical aspects as set out therein are implemented; if he as a statutory consultee will ensure that they are incorporated into the RSEs; and if he will make a statement on the matter. [48798/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** As set out in the reply to Question No. 620 of 13 November 2018 referred to, clarification of the practical aspects of implementation of the National Planning Framework policies across existing local authority plans and Regional Spatial Economic Strategies has been provided through

ongoing engagement by my Department and the Regional Assemblies. My Department will continue to provide support and guidance as appropriate and this engagement will feed into and help inform my assessment of the draft Strategies that are now being published for consultation, in my role as a statutory consultee.

### Local Authority Staff Data

219. **Deputy Robert Troy** asked the Minister for Housing, Planning and Local Government the percentage of women in each county council holding positions of county managers and director of services, in tabular form. [48823/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The information requested is set out in the following table. The numbers include Executive Managers and Heads of Finance, who are at Director of Service level.

It should be noted that grades at this level are required to be recruited by competition through the Public Appointments Service.

Local Authority	Chief Executive			Director of Service		
	Total	Female	% Female	Total	Female	% Female
Carlow	1	1	100%	4	1	20%
Cavan	1	0	0%	4	0	0%
Clare	1	0	0%	5	3	60%
Cork City	1	1	100%	8	1	13%
Cork County	1	0	0%	10	3	30%
Donegal	1	0	0%	6	0	0%
DLR	1	1	100%	9	7	78%
Dublin City	1	0	100%	12	5	42%
Fingal	1	0	0%	7	3	43%
Galway City	1	0	0%	4	2	50%
Galway County	1	0	0%	5	1	20%
Kerry	1	1	100%	6	1	17%
Kildare	1	0	0%	6	2	33%
Kilkenny	1	1	100%	4	1	25%
Laois	1	0	0%	3	0	0%
Leitrim	1	0	0%	3	1	33%
Limerick	1	0	0%	9	3	33%
Longford	1	0	0%	3	1	33%
Louth	1	1	100%	5	1	20%
Mayo	1	0	0%	6	2	33%
Meath	1	1	100%	5	2	40%
Monaghan	1	0	0%	4	1	25%
Offaly	1	1	100%	4	0	0%
Roscommon	1	0	0%	3	1	33%
Sligo	1	0	0%	4	2	50%
South Dublin	1	0	0%	8	3	38%
Tipperary	1	0	0%	8	2	25%

22 November 2018

Local Authority			Chief Executive			Director of Service
Waterford	1	0	0%	5	0	0%
Westmeath	1	0	0%	4	0	0%
Wexford	1	0	0%	5	1	20%
Wicklow	1	0	0%	7	0	0%
Totals	31	8	26%	176	50	28%