

Written Answers.

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

Questions Nos. 1 to 11, inclusive, answered orally.

Permanent Structured Co-operation

12. **Deputy Paul Murphy** asked the Taoiseach and Minister for Defence the progress made on the next annual PESCO national implementation plan for Ireland; his views on putting the plan to a vote in Dáil Éireann; and if he will make a statement on the matter. [16959/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): Ireland joined Permanent Structured Cooperation (PESCO) in December 2017 following Government and Dáil approval. The establishment of PESCO represents a further development in EU Cooperation in support of international peace and security under CSDP. Under PESCO, Member States will come together in different groups to develop and make available additional capabilities and enablers for peacekeeping and crisis management operations.

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

As part of PESCO, participating Member States have agreed to fulfil commitments which include; regularly increasing defence budgets in real terms, increased cooperation on cyber defence, and participating in at least one project under PESCO, among others. Member States also agree to produce a rolling National Implementation Plan to assist in the assessment of Member States' fulfilment of the PESCO commitments both collectively and on an individual basis.

I am pleased that progress under PESCO has been positive although progress on projects has been somewhat slower than expected. The commitments made under PESCO, and which are assessed in the National Implementation Plan, support the overall development of Defence Forces capabilities in support of peacekeeping and crisis management operations through cooperation and participation in joint projects, with like-minded partners. The projects in which we are involved, Maritime Surveillance and EU Training Mission Competence centre are directly relevant to current and recent crisis management operations under UN mandates (Operation Sophia and EUTM Mali).

As Dáil Éireann has already voted on Ireland's participation in PESCO which included fulfilling the commitments as outlined in the National Implementation Plan, a further vote in Dáil Éireann is not required. Ireland's 2019 National Implementation Plan was finalised in January. It is anticipated that work on the next iteration of Ireland's National Implementation Plan will begin in Q3 later this year.

13. **Deputy Denis Naughten** asked the Taoiseach and Minister for Defence the steps he is taking to address retention of personnel within the Defence Forces; and if he will make a statement on the matter. [16649/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): In 2018, the overarching turnover of personnel in the Permanent Defence Force was just below 8.1%. The average turnover rate since 2002 is 6.3% with a peak of 8.58% in 2012. This level of turnover, or higher, is often seen in other military organisations.

This overarching turnover rate can be further broken down. At its most basic level, this can be categorised as trained or untrained personnel. Untrained personnel are those that do not complete their initial training for example General Service recruits or 2 Star Privates or Cadets. On average 22% of General Service Recruits do not complete their training.

The number of trained personnel departing can vary year-on-year with significant differences not being unusual. The long run departure average for trained personnel is approximately 500 per annum. Departures of trained personnel in 2011 and 2012 exceeded 600 each year reaching a high of 677 in 2012. Departures in 2013 and 2014 were below 400 each year, reaching a low of 356 in 2014. In 2018, some 592 trained personnel departed.

The overarching turnover level does not illustrate important underlying trends. As the rate of turnover within a military organisation can differ across functional areas, the impact of turnover can vary accordingly. As I have previously outlined, particular challenges exist in certain specialist areas, for example pilots. I understand that this has proved challenging for many military forces internationally and it is not unique to Ireland.

There are a range of factors that influence a person's decision to remain in the Defence Forces. These include career progression opportunities, pay, personal development opportunities, work-life balance, job stimulation and work environment.

There are significant opportunities for career progression and development within the Defence Forces and there were over 800 promotions in the PDF in 2018. The Defence Forces actively encourage and support personnel to undertake education and training as well as participate in physical development and sport. Members of the Defence Forces have opportunities for diverse service, including opportunities to serve overseas. I am also aware that the military authorities have introduced further initiatives to enhance work-life balance and I very much welcome this.

Members of the Permanent Defence Force have received the pay increases due under the Lansdowne Road Agreement. In addition in 2017, following negotiations with PDFORRA, improved pay scales for general service recruits and privates, who joined the Permanent Defence Force post 1 January 2013, were implemented. The Public Service Stability Agreement 2018-2020, provides for increases in pay ranging from 6.2% to 7.4% over the lifetime of the Agreement. The increases due under the agreement from 1 January 2018, 1 October 2018 and 1 January 2019, have been paid to Permanent Defence Force personnel. Further increases in pay are scheduled in 2019 and 2020.

The Government has tasked the Public Service Pay Commission with conducting a comprehensive examination of recruitment and retention challenges in the Defence Sector. The Commission's work is on-going. The Government will give due consideration to the findings and any recommendations that arise from the work of the Commission.

The current challenges being faced by the Defence Forces are not unique and are also being experienced by other military organisations internationally. I will continue to work closely with the Secretary General and the Chief of Staff in furthering management responses to address current challenges.

Brexit Preparations

14. **Deputy Niamh Smyth** asked the Taoiseach and Minister for Defence his plans to reintroduce a new Army barracks in counties Cavan and Monaghan or the greater Border region in view of Brexit and the possible reintroduction of a hard Border; and if he will make a statement on the matter. [16651/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): As part of a whole of Government approach, my Department continues to engage in forward planning with the other Departments involved in addressing all issues relevant to the UK's decision to leave the European Union. This engagement involves the identification of key strategic, operational and policy issues arising from Brexit.

As I have outlined previously, the UK's decision to leave the EU does not of itself give rise to additional border control requirements. Furthermore, the avoidance of a hard border on the island is fundamental to the Withdrawal Agreement reached last November between the EU and the UK Government, and there can be no change to the commitments made in that Agreement. While the UK Government has so far been unable to secure parliamentary approval for the Agreement, the EU has been very clear that the Withdrawal Agreement, including the back-stop, will not be reopened. The Government is not preparing for a hard border and Ireland and the EU are at one on this. As such, there are no plans for a new Army barracks in counties Cavan and Monaghan or the greater Border region.

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

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

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

Question No. 15 answered with Question No. 11.

Naval Service

16. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence if he was consulted in advance of the NATO conference on medical care of sailors in County Cork recently; if he approved the conference; and if he will make a statement on the matter. [16967/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): I gave approval for the Defence Forces to host the NATO Maritime Medical Conference in Cork.

This conference is held annually and is hosted in a different country each year. The conference is open to participation by Partnership for Peace countries. The objective of the conference is to provide medical staff with pragmatic updates and information exchanges on developments in the area of maritime medicine.

The primary aim of Ireland's membership in Partnership for Peace is to enhance the Defence Force's interoperability with other professional military forces for the purpose of engaging in UN authorised peacekeeping and peace support operations. This conference gives Medical Officers an opportunity to remain current with latest developments and experiences in the context of the various Naval Service operational commitments. It provides a forum within which to engage and ensure that the Defence Force's policies and governance are in line with best international practice.

Defence Forces Recruitment

17. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the outcome in relation to the proposal to the Department of Public Expenditure and Reform regarding the employment of a full-time military psychiatrist; and if he will make a statement on the matter. [16969/19]

20. **Deputy James Browne** asked the Taoiseach and Minister for Defence if a psychiatrist has been appointed to the Defence Forces; and if he will make a statement on the matter. [16652/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): I propose to take Questions Nos. 17 and 20 together.

Deputies will already be aware of the ongoing efforts made by my Department to fill the vacancy left by the previous in-house military psychiatrist, who retired in May 2018. In this regard, a direct entrant competition for the position of military psychiatrist, which closed on 30th September 2018, yielded no applications. To continue to provide an interim in-house service until such time as the military psychiatrist position could be filled, attempts were made to secure a locum psychiatrist but these also proved unsuccessful.

To explore every option to facilitate an in-house appointment, I gave approval in late-2018 for my Department to conduct a competition for a contracted civilian consultant psychiatrist at pay rates equivalent to those available in the HSE. This approval was subject to sanction by the Department of Public Expenditure and Reform. Sanction has recently been received, and my Department is currently in the process of making the necessary arrangements for a competition to be advertised.

As I have outlined on numerous occasions in the past, there is a nationwide shortage of trained psychiatrists, with recruitment issues in a number of sectors of the health service. The difficulty with recruitment for such a position is not unique to the Defence Forces.

I also wish to stress yet again that there is no delay in referring Defence Forces personnel requiring immediate psychiatric care or assessment. Patients presenting to Defence Forces Primary Carers (Medical Officers or contracted civilian GPs) with a requirement for urgent psychiatric assessment are referred to HSE Accident & Emergency Departments. Those requiring hospitalisation are admitted immediately. Furthermore, in order to provide Defence Forces

Primary Carers with the broadest range of options possible in dealing with the spectrum of cases that present to them, they have also been authorised to refer cases to local external private psychiatrists for outpatient treatment where deemed appropriate.

Defence Forces Veterans

18. **Deputy Maureen O’Sullivan** asked the Taoiseach and Minister for Defence his views on the frustration and disappointment of veterans and their families over the issues surrounding the awarding of certain medals for those that fought in the Jadotville battle; and if he will make a statement on the matter. [16963/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): The siege of Jadotville was a prominent event that occurred during Ireland’s peacekeeping mission in the Congo in September 1961. “A” Company, 35th Infantry Battalion took responsibility for the UN post at Jadotville on 3rd September 1961. On the 9th September, a large force of Katangese Gendarmerie surrounded them and early on the morning of the 13th September “A” Company came under attack. From the 13th to the 17th September they endured almost continuous attack. They were taken into captivity on the 17th September and remained in captivity until finally released on the 25th October 1961.

In accordance with Defence Forces Regulations the award of medals for bravery is time bound. These may not be awarded in any case unless a recommendation is made through the usual channels to the Chief of Staff, not later than two years in the case of the Military Medal for Gallantry, and not later than four years in the case of the Distinguished Service Medal, after the performance of the act in respect of which the recommendation is made. Such awards are made on the recommendation of a Military Board appointed by the Chief of Staff for the purpose of examining and reporting on every recommendation for an award.

The issue of the award of medals to the men of “A” Company, 35th Infantry Battalion was comprehensively addressed in 1965. A properly constituted Medals Board considered the various cases presented and made a decision that no medals would be awarded. The Chief of Staff of the day considered the decision of the Board and was satisfied with the findings. Subsequently at that time, the question was raised again in a letter to a newly appointed Chief of Staff. He forwarded the letter to the original Medals Board and asked that they reconvene and review their decision. The Board indicated that the issues raised had received due consideration and that they were not prepared to alter their findings.

A review was conducted in 2004 by military officers for the purpose of a broader examination of the Jadotville case. This Board recommended that the events of Jadotville and the contribution of the 35th Battalion be given recognition. In this context, a number of measures have taken place to honour and to commemorate the events at Jadotville and the very significant contribution of “A” Company and of the 35th Battalion, as a whole, to the UN Peace Support Mission in the Congo.

Recognition of their contribution over the years include:

- A. A presentation of scrolls to “A” Company in 2006.
- B. Portraits of Lt Col McNamee (35th Battalion Commander) and Comdt Quinlan (Company Commander “A” Company) were commissioned in 2006.
- C. In July of 2010 the 50th anniversary of the first deployment to the Congo was commemorated in a highly publicised and well attended event in Casement Aerodrome, Baldonnell.

D. A nominal roll of “A” Company, printed in copper, was affixed to the monument in Costume Barracks and was unveiled as part of the 50th Anniversary of the Jadotville affair in September 2011.

E. On the occasion of the 55th anniversary of the Siege of Jadotville, I decided to issue a Unit Citation to honour the collective actions and bravery of the men of “A” Company. This was the first time a Unit Citation was awarded within the Defence Forces and I was delighted to be able to formally recognise the brave actions of these men.

Furthermore, on 13th June 2017, the Government decided, as an exceptional step, to award a medal known as “An Bonn Jadotville” or “The Jadotville Medal” to each member of “A” Company, 35th Infantry Battalion and to the family representatives of deceased members to give full and due recognition in honour of their courageous actions at the Siege of Jadotville. This medal presentation ceremony took place on 2nd December 2017 in Custume Barracks, Athlone. This location is considered the spiritual home of “A” Company and it is from here that “A” company assembled in advance of their fateful deployment to the Congo.

I am satisfied that the events and happenings to date properly honour the collective bravery of the men of “A” Company and full and due recognition has been afforded to them in their honour.

Question No. 19 answered with Question No. 11.

Question No. 20 answered with Question No. 17.

Overseas Missions

21. **Deputy Mick Wallace** asked the Taoiseach and Minister for Defence if he has had consultation with a person (details supplied) following recognition by the President of the United States of America of Israeli sovereignty over the Golan Heights; if so, the details of the interactions; and if he will make a statement on the matter. [16896/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): The issues arising from the recognition by the President of the United States of America of Israeli sovereignty over the Golan Heights is a matter for the Department of Foreign Affairs and Trade.

The Tánaiste and Minister for Foreign Affairs & Trade made clear in a statement of 25th March, 2019, that Ireland, along with the rest of the international community, continues to regard the Golan Heights as Syrian territory occupied by Israel. There is no reason to expect that this decision by the United States should affect the position of Irish troops in the UNDOF mission on the Golan Heights.

The General Staff of the Defence Forces, including the Chief of Staff, provide regular assessments and advice to me and the Secretary General of the Department of Defence on a range of ongoing strategic and operational issues as they pertain to the Defence Forces, not least in relation to our overseas deployments. For security and operational reasons, it would not be appropriate for me to comment in relation to the nature of such discussions, advice or assessments.

Army Barracks

22. **Deputy Denis Naughten** asked the Taoiseach and Minister for Defence his views on reports that the artillery regiment based at Custume Barracks, Athlone is to be relocated to Dub-

lin; and if he will make a statement on the matter. [16648/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): I can confirm for the Deputy that there are no plans to relocate 2 Brigade Artillery Regiment from its current location at Custume Barracks, Athlone.

I am satisfied that the current Army structures optimise the capacity of the Defence Forces to continue to fulfil all of the roles assigned by Government.

Defence Forces Operations

23. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the Defence Forces have ongoing opportunities to avail of training techniques and facilities available to other forces throughout Europe with a view to ensuring capability to deal with emergencies that may arise; and if he will make a statement on the matter. [16923/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): In accordance with the Framework for Major Emergency Management, primary responsibility for responding to emergencies caused by severe weather events, such as storms and flooding, rests with the three designated principal response agencies, namely, the relevant Local Authority, An Garda Síochána, and the Health Service Executive. The Defence Forces provide the fullest possible assistance to the appropriate Lead Department in the event of a natural disaster or emergency situation in its Aid to the Civil Authority role.

At National level, representation on the Government Task Force on Emergency Planning, by both the Department of Defence and the Defence Forces, ensures the fullest coordination and cooperation in the event of an emergency and that the command structure within the Defence Forces is compatible with the requirements in this area.

Major Emergency Plans have been developed by local and regional authorities and these Plans identify the procedures for requesting assistance from the Defence Forces.

The Defence Forces retains a wide range of specialist skills which can be deployed in such circumstances, including for a natural disaster or terrorist incidents.

With regard to security threats, primary responsibility for the internal security of the State rests with the Department of Justice and Equality and An Garda Síochána. Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of Aid to the Civil Power (ATCP) which, in practice, means to provide assistance and support to An Garda Síochána when requested to do so.

There is ongoing and close liaison between An Garda Síochána and the Defence Forces regarding security matters, including ATCP deployments and a wide variety of military training activities are specifically designed to counter or respond to possible security emergencies. Regular coordination and liaison meetings also take place between the Defence Forces and An Garda Síochána in relation to ATCP issues.

The full spectrum of Defence Forces personnel and equipment are available for deployment in response to any security and other emergencies that may arise.

In addition to training provided in Ireland, the Defence Forces have ongoing opportunities to avail of training techniques and facilities available to other forces throughout Europe. They attend training courses run by the following organisations:-

- NATO School Oberammergau
- Associated Centres of Excellence (COEs)
- Partner Training and Education Centres (PTECs); and,
- Other foreign militaries which offer courses of interest to the Defence Forces

I can confirm that the Defence Forces keep their operational plans and response capabilities for dealing with a wide range of threats under constant review. It is my priority as Minister with responsibility for Defence to ensure that the operational capacity of the Defence Forces is maintained to the greatest extent possible to enable the Defence Forces to carry out their roles both at home and overseas.

White Paper on Defence

24. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence his views on whether a commission should be established to examine defence matters in the same way as policing was reviewed; and if he will make a statement on the matter. [16841/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): The Commission on the Future of Policing was established by the Government in May 2017 in order to carry out a fundamental examination of all aspects of policing in this State and to bring forward proposals to the Government for the future of policing. The Commission reported in September 2018 and implementation is now being overseen by an Implementation Group on Policing Reform.

In terms of defence, the White Paper on Defence, which was approved by the Government in 2015, comprehensively deals with all aspects of defence policy and was informed by a lengthy and wide-ranging consultation process facilitated by my Department. This commenced in July 2013 when a Green Paper on Defence was published as part of a process that ultimately led to publication of the White Paper in August 2015.

The purpose of the Green Paper was to stimulate an open debate about future defence requirements and submissions were sought. In total, 122 written submissions were received from a wide variety of interested parties. Civil and military personnel of the Defence Organisation subsequently held follow-on meetings with selected groups and individuals and also met with other government departments and agencies, and international organisations as part of the consultation process. The then Minister for Defence also established an External Advisory Group to support him in his deliberations on the White Paper.

Furthermore, a symposium on the White Paper was held at Farmleigh House in May 2015 which provided a wide stakeholder group with the opportunity to hear alternative views, to learn from the experience of others and to debate the merits of differing courses of action. The audience comprised cross-party political representation, Irish and international think tanks and academic institutions, international organisations including the EU, UN and NATO, along with top level civil and military staff of the Department of Defence and the Defence Forces, representatives from other government departments and agencies, Civil Defence, the Representative and official Veterans Associations of the Defence Forces, and other interested parties.

There are no plans to establish a commission on defence but, significantly, the policy framework that is set out in the White Paper is designed to be flexible and responsive. It is within this context that the Government made a commitment to establish a process of fixed cycle of reviews to give assurance that defence policy remains up to date and relevant to changing

circumstances. The White Paper specifically provides that these defence reviews are to have a three yearly cycle and that the first of these would be a White Paper Update, which is well underway in my Department and close to completion, while a more comprehensive Strategic Defence Review will commence in early 2021.

As part of the process of establishing these reviews as a permanent feature of our approach to defence policy, and to seek to do so on a consensual basis, I wrote to the Joint Oireachtas Committee on Foreign Affairs and Trade, and Defence, in August 2018 to obtain their views and I met with the Committee last month in this regard.

Overseas Missions

25. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence if the Defence Forces are struggling to fill command positions for an imminent rotation of troops attached to the United Nations Interim Force in Lebanon; and if he will make a statement on the matter. [16840/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): Ireland has always been a strong supporter of the United Nations and UN Peacekeeping and has participated in the United Nations Interim Force in Lebanon (UNIFIL) mission since its establishment in 1978. The UNIFIL mission in Lebanon continues to represent Ireland's largest overseas deployment with 460 personnel.

Ireland's participation in UN and UN-mandated peacekeeping missions is a tangible demonstration of our commitment to the pursuit of international peace and security. At present there are some 670 members of the Defence Forces serving in overseas missions worldwide.

Permanent Defence Force personnel rotate to UNIFIL in May and November each year, following a six month tour of duty, on average. The 114th Infantry Battalion is due to replace the 113th Infantry Battalion in the area of operations shortly.

In respect of this upcoming deployment, I am advised by the Defence Forces that all officer command positions have been filled with the exception of one junior officer appointment which recently became vacant due to unforeseen circumstances. The military authorities are confident that this position will be filled shortly.

It should be remembered that the required increase in Ireland's contribution to UNIFIL was unexpected as we had been in discussions with the Czech Republic to backfill the exiting Finnish contingent. Unfortunately this did not materialise. At short notice, the Defence Forces were tasked to undertake a temporary backfill of our UNIFIL contingent. As a result, we now have a Battalion in UNIFIL and also a Company in UNDOF, along with other significant postings in the Middle East, Africa and the Balkans. This is a major success on the part of the Defence Forces to man two significant missions. The recently agreed deployment of a Polish Armed Forces contingent together with a contribution from the Hungarian Forces, will alleviate pressure on the Defence Forces when they join our UNIFIL contingent in November 2019.

Overseas Missions

26. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence if his attention has been drawn to the security advice for UN soldiers and associated personnel attached to the UN mission in the Golan Heights not to use UN vehicles with the UN's livery when travel-

ling in the region; if so, if his group flaunted that advice during his visit to the region in March 2019; and the person or body that made the decision to ignore the security advice. [16971/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): I would like to clarify that in March 2019, as part of the Governments planned St. Patrick's day schedule of events, I visited Cyprus, Lebanon and Jordan. I did not visit the Golan Heights in March and I have not visited the United Nations Disengagement Observer Force (UNDOF) on the Golan Heights this year to date.

I am further advised by the Defence Forces that they have not been given any security advice to indicate that they should not use UN vehicles with the livery of the UN when travelling in the region.

Defence Forces Properties

27. **Deputy Martin Heydon** asked the Taoiseach and Minister for Defence the progress made in appointing a multidisciplinary team in conjunction with Kildare County Council to examine current and future challenges arising on the Curragh plains; and if he will make a statement on the matter. [16974/19]

30. **Deputy Martin Heydon** asked the Taoiseach and Minister for Defence the status of discussions with Kildare County Council regarding collaboration in addressing issues and identifying opportunities for the improved management and presentation of the Curragh plains; and if he will make a statement on the matter. [16975/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): I propose to take Questions Nos. 27 and 30 together.

The Curragh plains are an important working facility for the Defence Forces, the horse racing industry and sheep owners who avail of long established rights of pasture. As both a working environment and a high value amenity of ecological importance, I am keenly aware of the multiple challenges facing my Department in ensuring the ongoing management of the plains.

My Department recently met with Kildare County Council to explore issues centred around the development of a collaborative consultancy study with Kildare County Council to examine the current land management arrangements for the Curragh plains and provide recommendations for their protection and future development. It is envisaged that the study would be carried out over a two year period. This matter is under active consideration in my Department.

Naturally, any such examination concerning the future of the Curragh plains must ensure that account is taken of the prime importance placed on the use of the area by the Irish Defence Forces and of the needs of the centrally located Defence Forces Training Centre.

Naval Service Operations

28. **Deputy Maureen O'Sullivan** asked the Taoiseach and Minister for Defence further to Parliamentary Question No. 70 of 2 April 2019, if a coherent plan will be ensured for migrants after rescue which has not been the case with Operation Sophia for future missions by the Defence Forces in view of his concerns over the treatment of migrants when returned to Libya. [16962/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): As outlined in my

response to the Parliamentary Question earlier this month to which you refer, Operation Sophia has played a decisive role in improving the overall maritime security in the Central Mediterranean. Operation Sophia is primarily a security operation, designed to disrupt the traffickers business model and counter oil and weapons smuggling, rather than a humanitarian operation. The Operation has so far contributed to the apprehension of 151 suspected smugglers and traffickers and removed approximately 550 boats from criminal organisations availability. Because of its presence in the area, it has also contributed to over 300 Safety of Life at Sea events and rescued almost 45,000 migrants.

Where migrants have been rescued by Operation Sophia, they have been transferred to Italian ports of embarkation under agreements with the Italian authorities in relation to Operation Triton and provided for in the Operation Sophia mission operations documentation. No migrants rescued by Operation Sophia were returned to Libya.

I have stated on a number of occasions in this House that the reports of ill treatment of migrants and refugees in Libya is a cause of concern to me and to my colleague, An Tánaiste and Minister for Foreign Affairs and Trade, Mr. Simon Coveney, T.D.. The conditions in Libyan detention centres has informed the approach taken by Ireland and the EU in response to the migrant crisis across a number of EU and UN initiatives, including Operation Sophia. On joining this operation, Ireland imposed a caveat with the Operation Commander that Ireland would only disembark rescued migrants into Italy.

On Operation Sophia, a decision was adopted by the European Council on 29th March to extend the mandate of Operation Sophia for 6 months with a temporary suspension of its naval assets while Member States continue working on a solution related to disembarkation.

The Operation mandate will continue to be implemented through strengthening surveillance by air assets as well as reinforcing training support to the Libyan Coastguard and Navy.

Ireland will therefore not be committing Naval assets to the mission at this time, while 5 Defence Forces personnel continue to participate on the mission at across both the Operational and Force Headquarter.

It should be noted that although the deployment of Naval assets to Operation Sophia has been suspended, Member States have highlighted the importance of continuing to work closely with the Libyan authorities and international organisations to improve the protection of refugees and migrants in Libya.

Defence Forces Strength

29. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence his views on whether the 8.1% turnover or churn in the Defence Forces is crippling the service; and if he will make a statement on the matter. [16837/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): In 2018, the overarching turnover of personnel in the Permanent Defence Force was just below 8.1%. The average turnover rate since 2002 was 6.3% with a peak of 8.58% in 2012. This level of turnover, or higher, is often seen in other military organisations.

This overarching turnover level does not illustrate important underlying trends. As the rate of turnover within a military organisation can differ across functional areas, the impact of turnover can vary accordingly. As I have previously outlined, particular challenges exist in certain specialist areas, for example pilots. I understand that this has proved challenging for many

military forces internationally and it is not unique to Ireland.

As the Deputy will be aware, the Public Service Pay Commission has been tasked with examining recruitment and retention issues in the Defence sector. Detailed statistics have been provided to assist them in this regard. I look forward to reviewing their findings in due course.

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

Question No. 30 answered with Question No. 27.

Permanent Structured Co-operation

31. **Deputy Paul Murphy** asked the Taoiseach and Minister for Defence his plans for Ireland to participate in further PESCO projects; if so, the details of those projects; and if he will make a statement on the matter. [16958/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): Ireland's participation in PESCO was agreed by Government and approved by Dáil Éireann prior to the Council Decision establishing PESCO on 11 December 2017. As a participant in PESCO, Ireland is required to participate in one PESCO project.

There are currently 34 PESCO Projects that are being developed covering areas such as training, land, maritime, air, cyber, and joint enabling. The initial list of 17 projects to be developed under PESCO was established in the Council Decision on 6 March 2018 and the second list of 17 additional projects was established in the Council Decision on 19 November 2018.

Ireland is currently a participant in two PESCO projects - (1) The European Union Training Mission Competence Centre and (2) Upgrade of Maritime Surveillance from the initial list of PESCO Projects, and have observer status on a further eight PESCO projects - six from the initial list and two from the second list.

The third round of PESCO project proposals is expected to be launched in May 2019. Following an assessment and selection process by the PESCO secretariat in collaboration with the participating Member States, it is anticipated that the selection of the third phase of PESCO projects will take place in September 2019. It is during this period that Ireland will make the determination as to whether to participate in further PESCO projects.

Brexit Preparations

32. **Deputy Niamh Smyth** asked the Taoiseach and Minister for Defence his plans for the reinstatement of troops in the Border counties in view of Brexit; and if he will make a statement on the matter. [16650/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): As part of a whole of Government approach, my Department continues to engage in forward planning with the other Departments involved in addressing all issues relevant to the UK's decision to leave the European Union. This engagement involves the identification of key strategic, operational and policy issues arising from Brexit.

As I have outlined previously, the UK's decision to leave the EU does not of itself give rise

to additional border control requirements. Furthermore, the avoidance of a hard border on the island is fundamental to the Withdrawal Agreement reached last November between the EU and the UK Government, and there can be no change to the commitments made in that Agreement. While the UK Government has so far been unable to secure parliamentary approval for the Agreement, the EU has been very clear that the Withdrawal Agreement, including the back-stop, will not be reopened. The Government is not preparing for a hard border and Ireland and the EU are at one on this. As such, there are no plans for further troop deployments to border counties.

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

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

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

Defence Forces Operations

33. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence if members of the Defence Forces performed aid-to-civil-power duties for an aircraft (details supplied); and if they participated in the arrest or detention of two peace activists that were attempting to inspect the aircraft. [16807/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): The Department of Justice and Equality and An Garda Síochána have primary responsibility for the internal security of the State. Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of Aid to the Civil Power (ATCP) which, in practice, means to assist An Garda Síochána when requested to do so.

Since 5th February 2003, the Gardaí have requested support from the Defence Forces at Shannon Airport on occasion. The decision to seek support from the Defence Forces is an operational matter for An Garda Síochána.

I can confirm that An Garda Síochána did not request assistance from the Defence Forces to perform Aid to the Civil Power duties for an aircraft (details supplied) at Shannon Airport on the 17th March.

Defence Forces Medicinal Products

34. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence his views on the fact that members of the Defence Forces deployed in Mali are prescribed Mefloquine as a routine anti-malaria drug; and if he will make a statement on the matter. [16968/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): EU Training Mission (EUTM) Mali is part of a wider EU effort in support of international peace and security in the wider Sahel region. The mission is being undertaken at the request of the Malian Government and has the support of a UN Security Council Resolution.

I am advised that there are three anti-malarial drugs, namely Lariam (Mefloquine), Mal-aron and Doxycycline which continue to be used in the Defence Forces. I have indicated on many occasions that the use of anti-malarial drugs is a medical matter that should be decided by qualified medical professionals. In the Defence Forces these are decisions for highly qualified Medical Officers, having regard to the specific circumstances of the mission and the individual member of the Defence Forces.

Given that there is litigation pending in relation to these matters which is being managed by the State Claims Agency, the Deputy will appreciate that it would be inappropriate for me to comment. However, I wish to assure the Deputy that the health and welfare of the men and women of the Defence Forces is a key priority for me and for the Military Authorities.

Middle East Issues

35. **Deputy Mick Wallace** asked the Taoiseach and Minister for Defence his views on whether the recognition of Israeli sovereignty over the Golan Heights by the President of the United States of America may affect the UN mission in the Golan Heights and involvement by the Defence Forces in same; and if he will make a statement on the matter. [16895/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): The issues arising from the recognition by the President of the United States of America of Israeli sovereignty over the Golan Heights is a matter for the Department of Foreign Affairs and Trade.

The Tánaiste and Minister for Foreign Affairs & Trade made clear in a statement of 25th March, 2019, that Ireland, along with the rest of the international community, continues to regard the Golan Heights as Syrian territory occupied by Israel.

There is no reason to expect that this decision by the United States should affect the position of Irish troops in the United Nations Disengagement Observer Force (UNDOF) mission on the Golan Heights.

Permanent Structured Co-operation

36. **Deputy Seán Haughey** asked the Taoiseach and Minister for Defence the details of the participation by members of the Defence Forces in a PESCO project in Mali; if he is satisfied that this participation does not compromise the traditional policy of military neutrality; and if he will make a statement on the matter. [16999/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): The Defence Forces are not participating on a PESCO project in Mali. The Defence Forces are participating in the EU Training Mission in Mali. The purpose of this mission is to train the Malian armed forces and support the Government in Mali is asserting sovereign control over its national territory. The mission is undertaken in accordance with the provisions of the Defence (Amendment) Act 2006. It is also supported under a resolution of the UN Security Council. It does not in any way compromise Ireland's traditional policy of military neutrality.

PESCO is a capability development mechanism which is provided for under the EU treaties.

It is not a mechanism for launching crisis management or peace-keeping operations. Ireland's participation in PESCO was agreed by Government and approved by Dáil Éireann prior to the Council Decision establishing PESCO on 11 December 2017. As a participant in PESCO, Ireland is required to participate in one PESCO project. It is important to note that participation in each project is on an "opt in" basis and is therefore entirely voluntary.

Ireland, and therein the Defence Forces, is currently a participant on two PESCO projects - (1) The German led European Union Training Mission Competence Centre and (2) the Greek led Upgrade of Maritime Surveillance Project. Both projects are from the initial round of PESCO Projects. We also have observer status on a further eight PESCO projects - six from the initial round and two from the second round.

Permanent Structured Cooperation, PESCO has no implications for Ireland's policy of military neutrality.

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

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

Army Barracks

37. **Deputy Robert Troy** asked the Taoiseach and Minister for Defence his views on the rumour that the artillery unit is to be moved to Dublin from Custume Barracks by the end of 2021 with up to 250 members in this unit. [17105/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): I can confirm that there are no plans to relocate 2 Brigade Artillery Regiment from its current location at Custume Barracks, Athlone.

I am satisfied that the current Army structures optimise the capacity of the Defence Forces to continue to fulfil all of the roles assigned by Government.

Defence Forces Contracts

38. **Deputy Robert Troy** asked the Taoiseach and Minister for Defence the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17111/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): I have been advised by my officials that neither the Department of Defence nor the Defence Forces have, to date, awarded any contracts to PJ McLoughlin & Son, Contractor, Longford in the past seven years.

Defence Forces Transport

39. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which transport provisions for troops going abroad or returning therefrom can be relied upon; and if he will make a statement on the matter. [17168/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): In the past year the planned rotation of troops to and from the United Nations Disengagement Observer Force (UNDOF) mission has been delayed on two occasions. I regret the impact that these delays had for the Defence Forces personnel and their families.

The rotation of Defence Force personnel serving in UNDOF and the United Nations Interim Force in Lebanon (UNIFIL) missions happens twice yearly, in April/May and October/November. In accordance with agreed arrangements, the United Nations is responsible for making transport arrangements for the rotation of troops in April/May, while the Department is responsible for the October/November rotations. This involves the dedicated charter of a civilian aircraft for each movement of troops, which is arranged by the Department by way of a tender competition in line with public procurement regulations. When smaller numbers of personnel are travelling to and from missions, transport is generally by way of scheduled commercial flights.

The UNDOF contingent is operating in a very challenging region where there can never be complete certainty on transit routes and where the administrative procedures relating to the transit of military personnel are complex and cut across a number of jurisdictions. Approvals for the transit of foreign military forces, in a congested conflict zone, involve many governmental layers, and are, therefore, not without hazard. While every effort is made to secure the necessary clearances on time, we do not have control over these and rely on the good offices of the States through which we are transiting. We will continue to engage with these States. However, given all the variables, it is not possible to guarantee rotation dates at this time with the requisite certainty, and personnel will be advised of this uncertainty when deploying in future.

Defence Forces Personnel Data

40. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the degree to which the membership of the Defence Forces continues to be replenished; and if he will make a statement on the matter. [17169/19]

44. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the number of members of the Army, Naval Service and Air Corps that have retired or resigned in the past two years; the extent to which they have been replaced; and if he will make a statement on the matter. [17173/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): I propose to take Questions Nos. 40 and 44 together.

The table shows the number of personnel who were discharged over the past two years and the number of new personnel inducted for the same period.

Year	2017	2018
Discharges	742 (of which 209 Trainees)	731 (of which 139 Trainees)
Inductions	751	61

Discharges include personnel who left for a variety of reasons including on age grounds, at end of contract and voluntary discharges. Included in this number is the number of trainees who

exited prior to completion of their initial training (shown in brackets).

Inductions include general service recruits, cadets, apprentices and direct entry posts.

There are significant recruitment opportunities currently available in the Defence Forces, at both enlisted and officer level, for eligible individuals who wish to have a rewarding and positive career in service to the State.

For 2019, an intake of some 800 personnel across a range of recruitment streams is anticipated.

Defence Forces Equipment

41. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the degree to which military and technical equipment throughout the Defence Forces receives regular maintenance and updating; and if he will make a statement on the matter. [17170/19]

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

Maintenance of Defence Forces military and technical equipment is a key element to ensuring operational capability is maintained to the highest level. All equipment is subject to rigorous and regular testing and monitoring to identify where such maintenance requirements, both essential and routine are needed.

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

The mid-life upgrade programme for the Army's fleet of eighty MOWAG Armoured Personnel Carriers which is currently underway at a cost of of €55m plus VAT will extend the utility of the fleet and provide greater levels of protection, mobility and firepower. Additionally, twenty-four 4 x 4 Armoured Utility Vehicles were acquired in 2017, and in 2018 delivery was taken of ten new armoured logistic vehicles. These measures at a combined cost of €10m plus VAT will provide essential force protection overseas.

There is also continuous investment in the non-armoured vehicle fleet. In 2018, 20 minibuses, 22 saloons, 61 logistics vehicles and 2 recovery vehicles were purchased for the Defence Forces, and funding is provided on an on-going basis for the required maintenance of vehicles in the military transport fleet, both at home and overseas. A tender competition for the replacement of the Army's fleet of ¾ tonne 4x4 vehicles is currently underway, and planning is also underway for the replacement of the fleet of troop carrying vehicles in the coming years.

The Government is currently investing in updating the Air Corps fleet of aircraft with the replacement of the existing five Cessna aircraft with three larger and more capable fixed wing utility Pilatus PC 12 aircraft at a cost of €30m plus VAT which are being equipped for ISTAR (Intelligence, Surveillance, Target Acquisition and Reconnaissance). It is expected that the three

aircraft will be delivered by 2020. Planning is also in progress to replace the CASA Maritime Patrol aircraft and a tender competition is currently underway in this regard.

The on-going Naval Service ship replacement programme is evidence of the Government's commitment to investment in the Naval Service. Three new Offshore Patrol Vessels were delivered between 2014 and 2017 with a fourth, to be named the LÉ George Bernard Shaw, delivered in late 2018, and due to be commissioned later this month. In addition, a Programme to extend the life of the P50 class vessels operated by the Naval Service, LÉ Roisín and LÉ Niamh, has recently commenced. Planning is also underway for the replacement of the current Naval Service flagship LÉ Eithne with a multi role vessel.

With regard to Defence Forces communications systems, there is continued investment in the development of suitable network enabled communications in order to meet the challenges of an increasingly complex operational environment.

The examples given, whilst not exhaustive, demonstrate my commitment to update and upgrade the Defence Forces equipment and capability, within the financial envelope available. In accordance with the National Development Plan, the capital allocation for Defence has been increased to €106 million for 2019, an increase of €29 million. The National Development Plan provides for a total of €541 million for Defence over the period 2018-2022. This level of capital funding will allow the Defence Organisation to undertake a programme of sustained equipment replacement and infrastructural development across the Army, Air Corps and Naval Service as identified and prioritised in the Defence White Paper and builds on the significant investment programme over recent years.

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

Defence Forces Data

42. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the strength of the Army, Naval Service and Air Corps reserves; and if he will make a statement on the matter. [17171/19]

43. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the degree to which regular training is made available to the Army, Naval Service and Air Corps reserves; and if he will make a statement on the matter. [17172/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): I propose to take Questions Nos. 42 and 43 together.

The Reserve Defence Force (RDF) is comprised of the First Line Reserve, the Army Reserve (AR) and the Naval Service Reserve (NSR). The Government appreciates the service of the Reserve Defence Force and recognises its importance in contributing to Ireland's defence capability. The White Paper on Defence is clear that there is a continued requirement to retain and develop the RDF and confirms that its primary role is to augment the Permanent Defence Force (PDF) in crisis situations.

The strength of the Reserve Defence Force, as of 28 February 2019, is set out below:

Service	Total Effective Personnel
Army Reserve	1634

Service	Total Effective Personnel
Naval Reserve	125
First Line Reserve	288

In order to facilitate the voluntary nature of Reserve Service and to maximise attendance of Reserve personnel, training continues to be organised both in and out of normal working hours, at weekends and during academic and traditional holiday periods.

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

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

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

Question No. 44 answered with Question No. 40.

Defence Forces Operations

45. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the Army, Naval Service and Air Corps continues to receive specialist training to deal with emergencies; and if he will make a statement on the matter. [17174/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): In accordance with the Framework for Major Emergency Management, primary responsibility for responding to emergencies caused by severe weather events, such as storms and flooding, rests with the three designated principal response agencies, namely, the relevant Local Authority, An Garda Síochána, and the Health Service Executive. The Defence Forces provide the fullest possible assistance to the appropriate Lead Department in the event of a natural disaster or emergency situation in its Aid to the Civil Authority role. The Defence Forces retains a wide range of specialist skills which can be deployed in such circumstances.

Primary responsibility for the internal security of the State rests with the Department of Justice and Equality and An Garda Síochána. Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of Aid to the Civil Power (ATCP) which, in practice, means to provide assistance and support to An Garda Síochána when requested to do so. The Defence Forces retains a wide range of specialist skills which can be deployed in such circumstance.

There is on-going and close liaison between An Garda Síochána and the Defence Forces regarding security matters, including ATCP deployments and a wide variety of military training activities are specifically designed to counter or respond to possible security emergencies.

Regular coordination and liaison meetings also take place between the Defence Forces and An Garda Síochána in relation to ATCP issues.

I can confirm that the Defence Forces keep their operational plans and response capabilities for dealing with a wide range of threats and emergencies under constant review. It is my priority as Minister with responsibility for Defence to ensure that the operational capacity of the Defence Forces is maintained to the greatest extent possible to enable the Defence Forces to carry out their roles both at home and overseas.

Defence Forces Training

46. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the Naval Service and Air Corps are likely to have access to upgraded training facilities and equipment to undergo extra surveillance work likely in the aftermath of Brexit; and if he will make a statement on the matter. [17175/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of aid to the civil power and the civil authorities. The Defence Forces at all times keep operational plans under constant review and there will continue to be ongoing close liaison between An Garda Síochána and the Defence Forces regarding security matters, including through regular coordination and liaison meetings.

Defence Forces training is designed to enable Defence Forces personnel address all potential calls on them arising from changes in the security situation on island within the framework of any roles assigned to them by Government, including aid to the civil power and aid to the civil authorities. Prudent planning in relation to all security situations which may require a Defence Forces response is part and parcel of the day to day operations of the Defence Forces and, as such, is addressed within existing resources.

Should a situation arise beyond the contingent requirement for Defence Forces deployment already provided for in the Defence vote, this will be addressed in the normal course within the budgetary discussions on defence funding.

Defence Forces Remuneration

47. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the steps he has taken to ensure that all branches of the Defence Forces have ready access to pay and service conditions comparable to those alongside whom they may be deployed on overseas missions; and if he will make a statement on the matter. [17176/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): Rates of pay and conditions of employment in the Defence Forces have traditionally been set by, amongst other things, reference to levels of pay across the various sectors of the Irish public service. Basic pay is just an element of the overall remuneration package for members of the Permanent Defence Force. In addition to basic pay a range of duties attract additional allowances.

Overseas Peace Support Allowance is paid to members of the Permanent Defence Force participating in overseas military operations on direction of the Government. Overseas Armed Peace Support Allowance is paid in addition to the Overseas Peace Support Allowance to members of an armed contingent of the Permanent Defence Force, which has been dispatched for

overseas military operations. These allowances are paid tax free.

Certain overseas appointments attract expense related allowances to ensure that Military Staff are not “out of pocket” as a consequence of necessarily incurred expenses in the discharge of their duties while living abroad. These expenses include a Cost of Living Allowance associated with a higher cost of living index at the post abroad, a Local Post Allowance and a rent allowance, where applicable.

Defence Forces Personnel Data

48. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which gender balance continues to be maintained with the Defence Forces; and if he will make a statement on the matter. [17177/19]

Minister of State at the Department of Defence (Deputy Paul Kehoe): As of 28 February 2019, the strength of the Permanent Defence Force stood at 8,857 Whole Time Equivalent (WTE) personnel. Of this some 6.7%, or 596 personnel, were female broken down as follows:

- Army: 498 Female Personnel
- Air Corps: 31 Female Personnel
- Naval Service: 67 Female Personnel

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

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

In line with these policies and commitments, a number of initiatives have been implemented to increase the level of female participation in the Defence Forces. For example:

- Special consideration is paid to women as a target group for recruitment and within the general recruitment framework. There are specific initiatives which focus on potential female recruits such as female-focused advertising, visits to female schools by Defence Forces personnel, creation of female specific recruitment videos and targeted social media advertising.

- The introduction of best practices in recruitment such as the adjustment of physical standards for female applicants and a balanced composition between men and women on recruitment and selection boards.

- A Gender Advisor has been appointed to promote gender equality policies and training within the Defence Forces. The Defence Forces are committed to gender equality and employ a gender perspective in all policies and regulations.

- A Defence Forces Women’s Network has also been established with the aim of increasing the participation of female personnel at all levels of the organisation. The Network allows women to identify any actual or perceived barriers to participation, which then feed into wider HR retention policies.

Over the lifetime of the White Paper on Defence, further projects will be progressed to ensure the development and promotion of strategies that continue to support increased female participation in the Defence Forces.

Departmental Contracts Data

49. **Deputy Robert Troy** asked the Tánaiste and Minister for Foreign Affairs and Trade the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17115/19]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney): My Department has not awarded contracts to the company concerned over the past seven years.

Insurance Coverage

50. **Deputy Bríd Smith** asked the Minister for Finance his plans to introduce legislation to protect consumers in dealing with insurance companies specifically in cases in which the companies are refusing businesses insurance cover without adequate explanation or refusing to explain the reason for refusals especially in situations in which the business has been a customer for many years; and if he will make a statement on the matter. [16990/19]

Minister for Finance (Deputy Paschal Donohoe): In replying to this question, I am making the assumption that the Deputy is seeking the introduction of a Declined Cases type agreement similar to that found for the motor sector. However, it is important to point out that unlike third party motor insurance, employer and public liability insurance is not a compulsory requirement in Ireland, and therefore there is no legal requirement to have such cover in place unlike motor insurance which is necessary in order to drive a motor vehicle.

In addition, neither I, as Minister for Finance, nor the Central Bank of Ireland can interfere in the provision or pricing of insurance products. These matters are of a commercial nature, and are determined by insurance companies based on the risks they are willing to accept. As such a Declined Cases agreement proposal is likely to have little effect, as insurers would simply price at what they consider the appropriate level for a particular risk. Consequently, if there was an area where there was a significant level of claims, the price charged would likely reflect this and in many cases might be prohibitive cost wise for such businesses. Another difficulty with such a proposal is that insurers generally operate in niche areas of the business market based on their risk appetite and their understanding of these areas. Therefore, forcing insurers to take on risks outside of their expertise may result in them leaving the market and it may also discourage new entrants to the Irish market. On this basis, I believe such a proposal could be counterproductive over the longer term and not in the best interest of the customer.

Notwithstanding this, the Government is acutely aware of the difficulties that the cost and availability of liability insurance is having on businesses across the country and every effort is being made to implement the recommendations of the second Personal Injuries Commission Report in order to address the awards level differential between this country and England and Wales. It is hoped that once this is done, there should be a significant positive impact on pricing.

VAT Registration

51. **Deputy Joan Burton** asked the Minister for Finance the number of primary schools registered for value added tax in each of the years 2015 to 2018; if his Department has a policy in relation to primary schools registering for VAT; and if he will make a statement on the matter. [17043/19]

52. **Deputy Joan Burton** asked the Minister for Finance the number of post-primary schools registered for value added tax in each of the years 2015 to 2018; if his Department has a policy in relation to post-primary schools registering for VAT; and if he will make a statement on the matter. [17044/19]

53. **Deputy Joan Burton** asked the Minister for Finance the number of third-level institutions registered for value added tax in each of the years 2015 to 2018; if his Department has a policy in relation to third-level institutions registering for VAT; and if he will make a statement on the matter. [17045/19]

Minister for Finance (Deputy Paschal Donohoe): I propose to take Questions Nos. 51 to 53, inclusive, together.

I am informed by the Revenue Commissioners that the number of institutions registered for Value Added Tax between 2015 and 2018 is provided in the table below. These figures represent the number of live VAT registrations at 31 December for each year in question.

Year	Primary	Post-primary	Third-level
2015	2,127	577	63
2016	2,220	569	61
2017	2,311	585	63
2018	2,398	591	64

Schools, whether primary, post primary or third level, are generally not required to register for VAT in respect of the provision of education. Schools may however, in accordance with legislation, be required to register for VAT in respect of additional activities carried out by them, for example:

- where they are required to account for VAT on the receipt of construction services;
- where they acquire goods from outside the State with a value exceeding €41,000 in any twelve-month period;
- where they are in receipt of services from outside the State;
- where they provide services other than educational services, such as the provision of canteen facilities and exceeds the services turnover threshold for VAT registration (currently €37,500); or
- where they supply goods, such as sales through a school shop, and the turnover from such sales exceed the goods threshold for VAT registration (currently €75,000).

Legal Costs

54. **Deputy Pearse Doherty** asked the Minister for Finance the cost to date and the anticipated final cost of the appeal in a case (details supplied); and if he will make a statement on the matter. [17046/19]

Minister for Finance (Deputy Paschal Donohoe): The cumulative cost to date in respect

of the entire appeal and recovery in the Apple case is in the order of €7.1 million (including VAT). This includes all legal costs, consultancy fees and other associated costs. These fees have been paid by the Department of Finance, Revenue Commissioners, NTMA, Central Bank of Ireland, Attorney General's Office and Chief State Solicitor's Office.

This case has involved a significant degree of legal and technical complexity and additional expertise has been engaged where required. With regard to future anticipated costs, as it is and will continue to be an important issue for the State, it will continue to be appropriately resourced.

State Aid

55. **Deputy Pearse Doherty** asked the Minister for Finance the way in which the amount in the escrow account set up on foot of the EU Commission state aid ruling in a case (details supplied) has varied since its establishment; if there is a net average monthly cost or gain accruing to the fund including income and expenses; and if he will make a statement on the matter. [17047/19]

Minister for Finance (Deputy Paschal Donohoe): Notwithstanding that the Government profoundly disagrees with the Commission's analysis in the Apple State aid case, the full recovery of the alleged State aid from Apple has been completed with approximately €14.3 billion deposited into the Escrow Fund. The funds will remain in the Escrow Fund pending a final determination in the European Courts over the validity of the Commission's Decision. The ultimate owner of the Escrow Fund will be determined at that point.

The arrangements in the Escrow Framework Deed include the agreement that all claims of ownership and access to these vast sums of money is suspended until the European Courts have concluded proceedings that the Government and Apple have brought. In general terms, all income/expenses, including any gains or losses will accrue to the Escrow Fund.

The 2018 accounts for the Escrow Fund are in the process of being compiled and will subsequently be audited by the Office of the Comptroller and Auditor General.

Departmental Contracts Data

56. **Deputy Robert Troy** asked the Minister for Finance the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17114/19]

Minister for Finance (Deputy Paschal Donohoe): My Department has no record of awarding a State contract to the company named during the past seven years.

Real Estate Investment Trusts

57. **Deputy Róisín Shortall** asked the Minister for Finance the loss to the Exchequer on an annual basis of the favourable tax treatment currently offered to REITs; and the breakdown of the value by each type of tax benefit. [17130/19]

58. **Deputy Michael McGrath** asked the Minister for Finance the number of REITs in existence here each year since 2013; the number of residential property units held by these funds

in each year since 2013; his plans for changes to the tax structure for these funds to remove the incentive of buying up large numbers of residential properties to rent thus penalising first-time buyers; and if he will make a statement on the matter. [17184/19]

Minister for Finance (Deputy Paschal Donohoe): I propose to take Questions Nos. 57 and 58 together.

Finance Act 2013 introduced the regime for the operation of Real Estate Investment Trusts (REITs) in Ireland. The function of the REIT framework is not to provide an overall tax exemption but rather to facilitate collective investment in rental property by removing a double layer of taxation which would otherwise apply on property investment via a corporate vehicle.

Property rental income and gains arising are exempt from tax within the REIT and are taxed at the investor level when distributed. The legislation requires that 85% of all property income profits be distributed annually to shareholders. The REIT is subject to corporation tax on income and gains not arising from the property rental business of the REIT.

I am advised by Revenue that due to the obligation to maintain taxpayer confidentiality it does not disclose information in circumstances where the number of cases is so small that it might facilitate identification of the taxpayers involved. As this is the case with Real Estate Investment Trusts (REITs), it is not possible for Revenue to provide the data requested. However I would note that REITs are required to be publicly listed companies and as a result they publish a wide range of detailed information including financial reports and details of their property portfolios.

I am aware of concerns expressed in relation to purchases of residential properties by large-scale investors and the potential consequences for first-time buyers. However it is also acknowledged that insufficient supply is a primary driver of price pressures in the housing market and it is my understanding that REITs are engaged in the development of projects for long-term rental, thereby contributing to the overall supply of property. I therefore do not currently have plans to change the REIT tax structure. However the Deputy will be aware that I committed that my officials would undertake a review of the impact of REITs and Irish Real Estate Funds (IREFs) on the residential property market, with a report to be presented to the Tax Strategy Group this summer, and work is ongoing in this regard.

Cycle to Work Scheme

59. **Deputy Róisín Shortall** asked the Minister for Finance his plans to extend the cycle to work scheme in order that more of the costs associated with cargo bikes are met under the scheme. [17186/19]

Minister for Finance (Deputy Paschal Donohoe): I am informed by Revenue that the cycle to work scheme provides an exemption from tax on the first €1,000 of expenditure incurred by an employer in connection with the provision of a bicycle or safety equipment to an employee or director. The bicycle must be for the employee/director's personal use in undertaking the whole or part of the journey to or from work. Safety equipment includes helmets, lights, bells, mirrors and locks but does not include child seats or trailers.

The scheme applies to a pedal cycle, tricycle and a pedelec. A pedelec means a bicycle or tricycle which is equipped with an electric motor (with a maximum continuous rated power of 0.25 kilowatts) which cuts out when a speed of 25 kilometres per hour is reached, or sooner if the cyclist stops pedalling the bicycle or tricycle.

It is assumed that the reference to “cargo bikes” by the Deputy means a bicycle specifically designed to carry a load. Such a bicycle would qualify under the cycle to work scheme, assuming all of the required conditions are satisfied.

Further information on the cycle to work scheme can be found on Revenue’s website, available here .

Office of Public Works Projects

60. **Deputy Joan Burton** asked the Minister for Public Expenditure and Reform the cost of the ongoing strategic review for the Phoenix Park to date; and the anticipated cost upon completion. [17051/19]

Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran): The strategic review of the visitor experience at the Phoenix Park was commissioned by OPW with grant funding of €300,000 from Fáilte Ireland (accounting for 75% of the cost of the project) and OPW is match funding this with €100,000. €286,176 has been expended to date on the project.

Tax Rebates

61. **Deputy Tom Neville** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 150 of 11 December 2018, if funding will be provided to the club (details supplied); and if he will make a statement on the matter. [17096/19]

Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran): I am advised by my Office that it is a matter for Local Authorities, in the first instance, to assess and address problems of coastal erosion in their areas. Where necessary, Local Authorities may put forward proposals to relevant central Government Departments, including the OPW, for funding of appropriate measures depending on the infrastructure or assets under threat.

I would point out that the Minor Flood Mitigation Works & Coastal Protection Scheme is not a grant scheme for individual property or home owners and all proposals for works and funding must come from the local authority. The applications must also demonstrate that specific economic, social and environmental criteria, including a cost benefit ratio, are met.

My Office, the Office of Public Works, received an application from Limerick City and County Council for funding for the area mentioned in the Deputy’s question under the Minor Flood Mitigation Works and Coastal Protection Scheme. OPW requested further information from the Council in August 2018 which has since been received. In order to complete assessment, however, some areas of clarification have been requested and are still awaited.

Departmental Contracts Data

62. **Deputy Robert Troy** asked the Minister for Public Expenditure and Reform the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17119/19]

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): I wish to

advise the Deputy that my Department has never awarded a contract to the company named in the question.

School Transport Eligibility

63. **Deputy Martin Ferris** asked the Minister for Education and Skills the reason a child (details supplied) who lives within the school catchment area and attends a school is not being accommodated on a school bus; and if he will make a statement on the matter. [17067/19]

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.

There are currently over 117,500 children, including over 13,000 children with special educational needs, transported in over 5,000 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres annually.

The purpose of the Primary 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.

Under the terms of the Scheme, children are eligible for transport where they reside not less than 3.2 kilometres from and are attending their nearest national school as determined by the Department/Bus Éireann, having regard to ethos and language

Children who are not eligible for school transport, but who complete the application process on time, are considered for spare seats that may exist after eligible children have been facilitated; such seats are referred to as concessionary seats.

Bus Éireann has advised that to date no application for school transport has been received for the child referred to by the Deputy.

Families wishing to avail of school transport services for the 2019/20 school year should ensure that their applications are submitted online at www.buseireann.ie. The closing date for receipt of applications for the 2019/20 school year is Friday 26th April 2019.

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

School Funding

64. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the status of two applications for funding by a school (details supplied) in County Kerry; and if he will make a statement on the matter. [16991/19]

Minister for Education and Skills (Deputy Joe McHugh): I can confirm to the Deputy that the school in question has submitted an application, to my Department, for capital funding under the 'Additional School Accommodation Scheme'.

The application is currently under assessment, as soon as this process has been completed my Department will be in direct contact with the school authority concerned.

The school has also applied for funding under the Emergency Works scheme. The applications in this respect have been refused as being outside the terms of the Scheme. However, I

can inform the Deputy that projects of this type may be appropriate for delivery via the Summer Works Scheme. It is open to the school authority to apply for Summer Works funding which is currently open for applications.

Special Educational Needs Staff

65. **Deputy Jan O’Sullivan** asked the Minister for Education and Skills if a SNA that has taken a career break in order to undertake further study is eligible to work during their career break in the same way a teacher on a career break can carry out substituting duties; and if he will make a statement on the matter. [17008/19]

Minister for Education and Skills (Deputy Joe McHugh): Special Needs Assistants are recruited specifically to assist in the care of pupils with disabilities, who have additional and significant care needs, in an educational context. They may be appointed to a special school or a mainstream school to assist school authorities in making suitable provision for a pupil or pupils with special care needs.

In June 2012, my Department, following consultation with the School Management Bodies and the relevant Trade Unions, issued a Career Break Scheme for Special Needs Assistants in Recognised Primary and Post-Primary Schools, the provisions for which are contained in Circular Letter 22/2012 which is available on my Departments website.

Paragraph 1.2 of the Circular states:

“The main objectives of this scheme below which are not exhaustive, is for employers, wherever possible to facilitate applicants in the areas of:

- Personal Development
- Education (including teacher training)
- Public Representation
- Childcare/Dependent care
- Self-employment”

The Career Break Scheme therefore is applicable to Special Needs Assistants who wish to pursue further education.

Paragraph 7.1 of the Circular states:

“The taking up of regular paid employment of any kind elsewhere in the State while on career break would be contrary to the objectives of the scheme and shall lead to refusal of an application or withdrawal of approval already given”.

Schools Building Projects Status

66. **Deputy Micheál Martin** asked the Minister for Education and Skills the progress made to replace and renovate a school (details supplied) in County Cork following the fire that engulfed the school over three years ago; and if he will make a statement on the matter. [17010/19]

Minister for Education and Skills (Deputy Joe McHugh): The project referred to by

the Deputy is currently in architectural planning. The school will be delivered under the Department's Design & Build Programme. This delivery programme uses a professional external Project Manager to progress the project through the relevant stages of architectural planning, tendering and construction in the shortest possible timeframe.

The design is being progressed in preparation for the planning application which will be the next key step in the progression of the project. It is intended that Planning Permission will be lodged with in the second quarter of 2019.

The project when complete will provide a new 500 pupil post primary school including a 2 classroom Special Education Needs (SEN) Base.

Special Educational Needs Service Provision

67. **Deputy Catherine Murphy** asked the Minister for Education and Skills if home schooling for a child (details supplied) will be expedited; if his attention has been drawn to the issue; and if he will make a statement on the matter. [17019/19]

Minister for Education and Skills (Deputy Joe McHugh): The National Council for Special Education (NCSE) is responsible for planning, coordinating and advising on education provision for children with special educational needs.

The Council ensures that schools in an area can, between them, cater for all children who have been identified as needing special class placements.

The NCSE's team of locally based Special Education Needs Organisers (SENOs) are available to assist and advise parents whose children have special needs and identify available placements. They also support and advise schools in this area.

Parents who are experiencing difficulties in locating a school placement, should contact their local SENO.

In circumstances, where the NCSE local SENO confirms that there is no school placement available for a child with Special Educational Needs, my Department's Home Tuition Grant Scheme will provide funding towards the provision of 20 hours tuition per week as an interim measure until a placement is available.

I understand that an incomplete application for home tuition was recently submitted to the Special Education Section of my Department. My officials have advised the applicant in question to make contact with their local SENO in order to progress the application further.

As the Deputy's question relates to a particular child with special needs, I have referred the question to the NCSE for their direct reply.

Schools Building Projects Status

68. **Deputy Kevin O'Keeffe** asked the Minister for Education and Skills the status of the commencement of building works as a school (details supplied). [17021/19]

Minister for Education and Skills (Deputy Joe McHugh): The project referred to by the Deputy is currently in architectural planning. The school will be delivered under the Department's Design and Build Programme. This delivery programme uses a professional external

Project Manager to progress the project through the relevant stages of architectural planning, tendering and construction in the shortest possible timeframe.

The design is being progressed in preparation for the planning application which will be the next key step in the progression of the project. It is intended that Planning Permission will be lodged with in the second quarter of 2019.

The project when complete will provide a new 500 pupil post primary school including a 2 classroom Special Education Needs (SEN) Base.

Schools Administration

69. **Deputy Brendan Howlin** asked the Minister for Education and Skills the estimated cost of providing release time for administrative and management purposes of one day per week for each teaching principal of a primary school; his plans to bring this about in view of the increased workload and demands on principal teachers; and if he will make a statement on the matter. [17022/19]

Minister for Education and Skills (Deputy Joe McHugh): Since my appointment as Minister for Education and Skills I have met with a number of Teaching Principals, including at the recent IPPN conference, and I appreciate the pressures they face. In Budget 2019, school leadership is again supported with an additional release day for teaching principals in primary schools and a further four additional release days for teaching principals in schools with special classes. These additional release days - 18, 24, and 30 depending on the size of the school - will be effective from 1st September 2019.

This builds on measures in previous budgets, including €0.4 million made available in Budget 2018 to fund almost 4600 additional release days for teaching principals in primary schools. This funding provided an increase in the number of release days available to teaching principals in the 2018/19 school year to 17, 23 or 29 days depending on the size of the school.

Enabling teaching principals to have one release day per week would cost an estimated €7.5m per annum. Any additional increase in the number of release days will be considered as part of the next annual budgetary process.

The Primary Education Forum was established in September 2018 and aims to support the planning and sequencing of change in the primary school sector and to exchange information on the intent and impacts of the actions in the Action Plan for Education in order to look for synergies and opportunities to streamline implementation and address workload issues.

Membership represents key personnel from the Department, school management, and representatives of school leadership and representatives of teachers, with the Forum akin to a working group in scale.

Through adopting this approach, my Department and partners have already agreed to make several changes to the pace and sequence of planned reforms. These include the decision to re-schedule the implementation of the Primary Mathematics Curriculum to give teachers the time to expand on their understanding and engage more fully with the new curriculum and to allow for further supports to be developed for teachers. Also, I took the decision to pace the commencement of the Education (Admission to schools) Act 2018 by initially focusing on regulations relating to the essential key features of the Act and there was agreement to consult with the sector on the regulations to be put in place alongside the commencement of the remaining sections of the Act.

Teacher Data

70. **Deputy Brendan Howlin** asked the Minister for Education and Skills the main categories of teacher absence in primary schools for which substitute cover is not provided for; the cost of providing for substitute cover in each such category; and if he will make a statement on the matter. [17023/19]

Minister for Education and Skills (Deputy Joe McHugh): The information requested by the Deputy is not readily available. We will forward this to the Deputy as soon as possible.

Tax Data

71. **Deputy Joan Burton** asked the Minister for Education and Skills his views on the response to Parliamentary Questions Nos. 233 to 235, inclusive, of 15 January 2019 and the level of non-compliance with RCT within the education sector specifically the number of educational bodies funded by the State which are not registered to operate the relevant contracts tax system; and if he will make a statement on the matter. [17040/19]

72. **Deputy Joan Burton** asked the Minister for Education and Skills if capital payments are made to educational bodies that are not registered to operate the relevant contracts tax system; and if he will make a statement on the matter. [17041/19]

Minister for Education and Skills (Deputy Joe McHugh): I propose to take Questions Nos. 71 and 72 together.

My Department makes capital payments to school authorities, including Educational and Training Boards (ETBs), in relation to projects delivered under the School Building Programme and various grants such as the Minor Works Grant Scheme. Under tax law, a school authority is regarded by the Revenue Commissioners as the “Principal Contractor” for tax purposes when it is delivering a building project. My Department advises a school authority of this at the time the grant for the works is being approved. Schools are also advised that the Revenue Commissioners has published a guidance document for school management authorities in this matter which is available on both my Department’s website and the Revenue Commissioners’ website.

The Department-funded Financial Services Support Unit (FSSU), which operates in the Primary, Community, Comprehensive and Voluntary Secondary Sectors, is an important source of advice and support for schools on financial governance matters including tax compliance including RCT requirements.

The main requirement for a school authority to meet its obligations when delivering a school building project is to register with the Revenue Commissioners’ online system and to follow the Revenue Commissioners’ guidance in relation to deducting and paying over tax, where this arises, for the contractor carrying out the works.

It is a central principle that all bodies in receipt of Exchequer funding should be fully compliant with tax regulations and it is a core responsibility of the boards of these bodies to ensure such compliance.

The stipulations of the Code of Practice for Governance of State Bodies in respect of taxation apply in the Department’s aegis bodies. More generally, the provisions regarding tax clearance for bodies in receipt of grant funding are set out in the appropriate circulars issued by the Department of Public Expenditure and Reform, namely circular 13/2014 (management and accountability of grants) and circular 44/2006 (tax clearance procedures - grants, subsidies and

similar type payments).

With respect to schools, the Department has issued a circular to all management authorities (circular 51/2013) on tax compliance. This circular set out the Department's expectation that all schools should be exemplary in respect of compliance with taxation obligations and drew their attention to relevant Revenue documentation. In the ETB sector, the bodies are subject to audit by the ETB Internal Audit Unit and are externally audited by the Comptroller and Auditor General.

Capital payments for projects undertaken by higher education institutions are made through the Higher Education Authority (HEA). An institution must confirm that it is tax compliant before a payment is made by the HEA.

To enhance awareness of tax issues across the education sector, the Department has arranged periodic seminars in conjunction with Revenue. The last such seminar was held in December 2017.

With respect to suppliers of goods and services, the Department validates suppliers via the Revenue eTax Clearance system on a regular basis.

State Bodies Code of Conduct

73. **Deputy Joan Burton** asked the Minister for Education and Skills his plans to ensure bodies funded by his Department are compliant with the tax system; and if he will make a statement on the matter. [17042/19]

Minister for Education and Skills (Deputy Joe McHugh): It is a central principle that all bodies in receipt of Exchequer funding should be fully compliant with tax regulations and it is a core responsibility of the boards of these bodies to ensure such compliance.

The stipulations of the Code of Practice for Governance of State Bodies in respect of taxation apply in the Department's aegis bodies. More generally, the provisions regarding tax clearance for bodies in receipt of grant funding are set out in the appropriate circulars issued by the Department of Public Expenditure and Reform, namely circular 13/2014 (management and accountability of grants) and circular 44/2006 (tax clearance procedures - grants, subsidies and similar type payments).

With respect to schools, the Department has issued a circular to all management authorities (circular 51/2013) on tax compliance. This circular set out the Department's expectation that all schools should be exemplary in respect of compliance with taxation obligations and drew their attention to relevant Revenue documentation. Furthermore, the Financial Services Support Unit (FSSU), which operates in the Primary, Community, Comprehensive and Voluntary Secondary Sectors, is an important source of advice and support for schools on financial governance matters including tax compliance. In the ETB sector, the bodies are subject to audit by the ETB Internal Audit Unit and are externally audited by the Comptroller and Auditor General.

To enhance awareness of tax issues across the education sector, the Department has arranged periodic seminars in conjunction with Revenue. The last such seminar was held in December 2017.

With respect to suppliers of goods and services, the Department validates suppliers via the Revenue eTax Clearance system on a regular basis.

School Placement

74. **Deputy Catherine Murphy** asked the Minister for Education and Skills the arrangements that will be made to provide a school place for a child (details supplied); the options being considered in relation to the matter; and if he will make a statement on the matter. [17066/19]

Minister for Education and Skills (Deputy Joe McHugh): The National Council for Special Education (NCSE), an independent agency of my Department, is responsible for planning, coordinating and advising on education provision for children with special educational needs. This includes taking account of the flow of students from primary into post primary. The Council ensures that schools in an area can, between them, cater for all children who have been identified as needing special class placements.

Individual school boards of management are responsible for the establishment of special classes. It is open to any school to make application to the NCSE to establish a special class.

From time to time, the NCSE identifies local areas where additional special class provision is required. In those circumstances, Special Educational Needs Organisers (SENOs) work with the schools and families concerned to resolve the issues involved. This process is ongoing and the NCSE are actively engaging with schools in relation to establishing ASD classes where there is an identified need for the 2019/2020 school year.

When the NCSE sanction a special class in a school, the school can apply to my Department for capital funding to reconfigure existing spaces within the school building to accommodate the class and/or to construct additional accommodation.

Special Education Needs Organisers (SENOs) who are locally based are available to assist and advice parents whose children have special needs. They also assist and advice schools in making decisions in this area.

As the Deputy's question relates to placement for a particular child, I have referred the question to the NCSE for their direct reply.

Oireachtas Joint Committee Reports

75. **Deputy Thomas Byrne** asked the Minister for Education and Skills the actions he has taken on foot of a recommendation of the Oireachtas Joint Committee on Climate Action that his Department should by the end of 2019, in consultation with the National Council for Curriculum and Assessment and other relevant experts, review the curriculums for primary and secondary education for coverage and accuracy to ensure that students are fully literate on climate change and its potential impact. [17070/19]

Minister for Education and Skills (Deputy Joe McHugh): I have recently met with my colleague The Minister for Communications Climate Action and the Environment, Richard Bruton TD to discuss the Oireachtas Committee Report and the Governments Climate Action Plan.

In 2018, the NCCA undertook an audit of the curriculum at primary and post-primary levels to look at the potential for learning and teaching related to education for sustainable development. Many of the opportunities identified related to the areas of climate change and climate action. The findings of the audit will inform major reviews of curricula currently underway at primary and senior cycle levels and more specific reviews of particular subjects and curriculum areas on an ongoing basis. The NCCA audit is at the link below

NCCA Audit of ESD in the Curriculum published in June 2018:

https://www.ncca.ie/media/3573/esdreport_final_june2018.pdf.

Student Grant Scheme Eligibility

76. **Deputy Danny Healy-Rae** asked the Minister for Education and Skills if he will review and increase the amount permitted by SUSI for a student applicant's earning from holiday employment (details supplied); and if he will make a statement on the matter. [17078/19]

Minister for Education and Skills (Deputy Joe McHugh): The assessment of means under the Student Grant Scheme is based on gross income from all sources, with certain social welfare and health service executive payments being exempt.

In the assessment of means, a deduction can be made for "Holiday Earnings" earned by the applicant from employment outside of term time but within the reference period for the assessment of income for student grant purposes.

The value of the Holiday Earnings income disregard was increased from €3,809 to €4,500 under the Student Grant Scheme 2016.

Any proposal to further increase this threshold must be considered in the context of not adversely impacting upon retention rates/the student's ability to primarily focus on successfully completing his/her studies.

It is anticipated that the Student Grant Scheme 2019 and associated Regulations will be published shortly.

School Patronage

77. **Deputy Jan O'Sullivan** asked the Minister for Education and Skills his plans to open up consideration of divestment of a national school to provide a multid denominational option for persons in north County Tipperary; and if he will make a statement on the matter. [17101/19]

Minister for Education and Skills (Deputy Joe McHugh): As the Deputy will be aware, the Programme for Government includes a commitment of reaching 400 multi-/non-denominational schools in Ireland by the year 2030. The Schools Reconfiguration for Diversity Process is aimed at assisting in achieving this target by transferring existing schools from denominational to multi-/non-denominational patronage in line with the wishes of the school community.

The process is composed of two separate and distinct phases - the Identification Phase and the subsequent Implementation Phase. The first Identification Phase of the phase 1 pilot process is nearing completion for 16 initial areas nationwide.

Identification Phase

In the Identification Phase, each of the country's 16 Education and Training Boards (ETBs) have selected an initial pilot area within their district where they consider, based on census data and local knowledge, there is likely to be an oncoming demand for more diversity of patronage within the local educational provision. In the case of Tipperary ETB, the area selected is Roscrea. Surveys of parents of pre-school children have been carried out in these areas by the relevant City/County Childcare Committee on behalf of the ETBs. ETBs, having analysed the

survey results, then draw up comprehensive reports detailing the outcomes of the surveys in relation to each of the 16 pilot areas. This forms the basis of discussions with the most prevalent patron/landowner in the area, which is the Catholic Bishop or Archbishop in most cases, concerning the transfer of patronage of an existing school(s) to meet that demand.

The response of the Bishop to any identified oncoming demand for greater diversity of school patronage in the area is included in the report prepared by the ETB, for submission to my Department.

As it currently stands, most of the Identification Phase reports from these 16 initial areas have been finalised and it is envisaged that the reports will be published on my Department's website www.education.ie in the first half of this year.

Implementation Phase

Following the publication of the first round of reports, it is intended that the Schools Reconfiguration for Diversity process will move into the Implementation Phase.

It is intended that the Implementation Phase would involve the existing patron of the majority of schools in each area, i.e., the relevant Catholic Archbishop or Bishop, consulting with their local school communities on accommodating the oncoming demand for a greater diversity of patronage among the schools in their area.

Draft protocols for the Implementation Phase are at an advanced stage of development and consultation with Catholic Church representatives is ongoing.

I recently had a very constructive meeting with Irish Episcopal Conference representatives in relation to a number of matters including Reconfiguration. The Bishops reiterated their commitment to the Reconfiguration process. Further engagement is planned in this regard and I look forward to working positively with the Bishops on this matter in a spirit of continued partnership.

Early Movers

Separately to the main Schools Reconfiguration for Diversity Process, there is also a possibility for school communities to directly engage with their patron regarding transfer of patronage to a multi-denominational patron. For example, the 'early movers' provision fast-tracks patronage reassignment. The first 'early mover' reconfiguration has successfully taken place, with Two-Mile Community National School in Kerry opening in September 2017. Any school which is seeking a transfer of patronage under the 'early movers' provision should contact their school patron directly.

Departmental Contracts Data

78. **Deputy Robert Troy** asked the Minister for Education and Skills the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17112/19]

Minister for Education and Skills (Deputy Joe McHugh): The information requested by the Deputy is provided in the table.

County	Roll Number	School	Contract Start Date	Current position
Cavan	70380I	Breifne College, Cootehill Road, Cavan Town	25/04/2016	Completed
Galway City	19795A	Tirellan Heights N S	05/06/2012	Completed
Kildare	15040T	Mercy Convent Primary School, Naas	08/05/2017	On-going
Longford	20124G	Edgeworth- stown N.S..	28/05/2013	Completed
Louth	20258E	Gaelscoil an Bhriadán Feasa, Mill Road, Mornington	15/02/2016	Completed
Mayo	91461C	Ballyhaunis CS, Ballyhaunis	18/12/2015	Completed
Meath	19813W	St Dymrna's N.S., Kildalkey	12/06/2017	Completed
Westmeath	17327D	Curraghmore NS, Mullingar	18/09/2017	On-going

Student Grant Scheme Eligibility

79. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if a person (details supplied) can apply for reapproval of a higher education grant if and when they resume their studies; and if he will make a statement on the matter. [17159/19]

Minister for Education and Skills (Deputy Joe McHugh): I wish to advise the Deputy that my officials contacted SUSI regarding this case. SUSI has advised that it has no record of the student in question making an application for a student grant.

Under the terms of the Student Grant Scheme, grant assistance is awarded to students attending an approved course in an approved institution who meet the prescribed conditions of funding, including those relating to nationality, residency, previous academic attainment and means.

The decision on eligibility for a student grant is a matter, in the first instance, for SUSI to determine.

Under Article 26(7) of the Student Grant Scheme 2018, a student who, having commenced an approved course, wishes to defer his or her grant during the course of his or her studies must obtain the prior approval of the awarding authority. Such student's eligibility will be reassessed on re-commencement of the course in order to ensure compliance with the relevant scheme.

It is open to any applicant to apply for grant assistance in the future, subject to the terms and conditions of the relevant Student Grant Scheme.

School Placement

80. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills when a school place will be available for a person (details supplied); and if he will make a statement on the matter. [17167/19]

Minister for Education and Skills (Deputy Joe McHugh): The National Council for Special Education (NCSE) is responsible for planning, coordinating and advising on education provision for children with special educational needs.

The Council ensures that schools in an area can, between them, cater for all children who have been identified as needing special class placements.

The NCSE's team of locally based Special Education Needs Organisers (SENOs) are available to assist and advise parents whose children have special needs and identify available placements. They also support and advise schools in this area.

Parents who are experiencing difficulties in locating a school placement, should contact their local SENO.

As the Deputy's question relates to placement for a particular child, I have referred the question to the NCSE for their direct reply.

Garda Deployment

81. **Deputy Eugene Murphy** asked the Minister for Justice and Equality if the position of Garda sergeant in Strokestown Garda station, County Roscommon has changed from a permanent to a roving position; if so, when the change occurred; the reason for the decision; and if he will make a statement on the matter. [16987/19]

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

I am informed by the Commissioner that in regard to the deployment of Garda personnel, a distribution model is used which takes into account all relevant factors including population, crime trends and the policing needs of each individual Garda Division. Where a deficiency in resources is identified the matter is considered fully and addressed accordingly. In addition, as you will appreciate, in order to deliver an effective policing service, it is essential that Garda management has the flexibility to deploy Garda resources to meet operational policing needs and address critical issues as they arise. For this reason, the number of Gardaí available in any one Garda Station on a particular day is subject to the operational requirements of the overall Division.

In this regard, the Deputy will be aware that Strokestown Garda Station forms part of the Castlerea District. The Garda strength of the Castlerea District on 31 March 2019, the most recent date for which figures are available, was 90, including 18 Sergeants and 1 Inspector, of whom 4 Gardaí and 1 Sergeant are assigned to the Strokestown Garda station.

When appropriate, the work of local Gardaí is supported by a number of Garda national units such as the National Bureau of Criminal Investigation, the Armed Support Units, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime

Bureau.

Since the reopening of the Garda College in September 2014, almost 2,600 recruits have attested as members and have been assigned to mainstream duties nationwide, 18 of whom have been assigned to the Roscommon/Longford Division.

The Government has increased the budget by for An Garda Síochána to €1.76 billion for 2019, which includes provision for the recruitment of up to 800 Gardaí this year. The Commissioner has informed me that he plans to recruit a total of 600 trainee Gardaí in 2019 and he also intends to recruit 600 Garda Civilian Staff. This Garda Staff recruitment will allow the Commissioner to redeploy a further 500 fully trained Gardaí from administrative duties to frontline policing in 2019.

I believe that the injection of this large number of experienced officers into the field, along with the new recruits, will be really beneficial in terms of protecting communities. This and on-going recruitment will clearly provide the Commissioner with the resources needed to deploy increasing numbers of Gardaí to deliver a visible effective and responsive policing service to communities across all Garda Divisions including the Roscommon/Longford Division.

Mobile Telephony Use

82. **Deputy Gerry Adams** asked the Minister for Justice and Equality if he will consider introducing or supporting legislation to ensure that proof of identity is required for the purchase of mobile phones (details supplied); and if he will make a statement on the matter. [17091/19]

Minister for Justice and Equality (Deputy Charles Flanagan): As the Deputy may be aware, proposals to register all customers of mobile phone services were considered in the mid-2000s by what is now the Department of Communications, Climate Action and Environment which concluded that such a proposal would be unlikely to solve the illegal and inappropriate use of mobile phones by persons determined to use the technology for illegal activity.

They also concluded that there is a risk that such measures could lead to the emergence of a black market for fraudulently registered or stolen SIM cards. Furthermore, there would be significant data protection issues associated with such a proposal. In light of these findings, I understand that there are no plans under consideration at present to make it mandatory for persons to need to register for mobile phone services.

With respect to the harm caused by drug related crime more generally, this is something that is of great concern to me and every effort is being made to tackle this issue. An Garda Síochána play a key role in ensuring that individuals who threaten the welfare and well-being of the communities they serve are brought to justice. All Gardaí have a responsibility in the detection and prevention of crime, whether it be drug related crime or otherwise. Tackling drugs and organised crime remains a core focus of An Garda Síochána.

The Government is committed to ensuring that An Garda Síochána have sufficient resources to carry out their important work and, as such, funding in this area has been very significant in recent years, in particular through the accelerated programme of Garda recruitment. This will enable An Garda Síochána to enhance policing services in communities nationwide. Investment in this area has resulted in additional personnel being assigned to the Specialist Bureaus that come within the ambit of Special Crime Operations, including the Garda National Drugs and Organised Crime Bureau.

I would like to assure the Deputy that my Department and the Government is fully commit-

ted to supporting An Garda Síochána in their efforts to tackle all forms of criminal activity, with a particular focus on the safety of our citizens.

Departmental Contracts Data

83. **Deputy Robert Troy** asked the Minister for Justice and Equality the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17118/19]

Minister for Justice and Equality (Deputy Charles Flanagan): My Department has not awarded any State contracts to the company detailed in the period in question.

I have asked that the agencies which fall under the remit of this Department respond to you directly on the question raised.

Student Visas Applications

84. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a person (details supplied) can renew their student visa enabling them to study and work part-time; and if he will make a statement on the matter. [17149/19]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the details supplied by the Deputy are insufficient for the purposes of establishing the immigration status of the person concerned.

I am further informed that it is open to the person concerned to write to Unit 1, Domestic Residence and Permissions Division, INIS, 13-14 Burgh Quay, Dublin 2 setting out the nature of their request including a full colour photocopy of their national passport and any other documentation they consider relevant to their circumstances.

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

85. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a person (details supplied) can obtain residency permission to remain and-or stamp 4 or equivalent; and if he will make a statement on the matter. [17150/19]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that a request from the person concerned for permission to reside in the State on Stamp 4 conditions was received on 30 January, 2019.

INIS wrote to the person concerned on 30 January and 8 April, 2019 seeking further docu-

ments. It remains open to the person concerned to provide the information to Unit 2, Domestic Residence and Permissions Division, 13/14 Burgh Quay, Dublin 2. The request will be given detailed consideration upon receipt of a response.

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

86. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if stamp 4 will be considered in the case of a person (details supplied); and if he will make a statement on the matter. [17151/19]

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 applied on 20/09/2016 for a residence card as a family member of an EU citizen under the provisions of the European Communities (Free Movement of Persons) Regulations 2015 and Directive 2004/38/EC of the European Parliament and of the Council. They stated at that time that they were the spouse of a citizen of Croatia.

This application was refused on 22/05/2017 as INIS was not satisfied that the EU citizen in this case, was exercising their EU Treaty Rights in the State through employment, self-employment, the pursuit of a course of study, involuntary unemployment, or the possession of sufficient resources in accordance with Regulation 6(3) of the 2015 Regulations.

The person concerned requested a review of that decision on 26/05/2017, which is currently under consideration. INIS confirm that they have received documentation from the person concerned in respect of their review and that they will correspond with the applicant should further information or documentation be required. The person concerned has been provided with a temporary permission to remain in the State on a Stamp 4 basis until 05/09/2019.

Applications are dealt with in strict chronological order, and a decision will issue to the person concerned in due course. Although it is not possible at the present time to provide a definitive date by which a determination will be made in this case, there will be no avoidable delay in completing same.

Queries in relation to the status of individual immigration cases may be made directly to INIS 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 INIS is, in the Deputy's view, inadequate or too long awaited.

Immigration Status

87. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if stamp 4 or permission to remain will issue in the case of a person (details supplied); and if he will make a

statement on the matter. [17152/19]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that there is no record of a request for the person concerned to reside in this State on Stamp 4 conditions. However, the person concerned was granted permission to reside in the State on Stamp 1 conditions, as the holder of a general employment permit, until 19 December, 2019.

I am further informed that is open to the person concerned to apply for permission for specified Non-EEA family members to reside with him in the State subject to compliance with the relevant criteria as set out in the INIS Policy Document on Non-EEA Family reunification. It should be noted that holders of a general employment permit may apply for family reunification after they have resided in the State for a period of 12 months. Further information on the relevant criteria can be found on the INIS website (<http://www.inis.gov.ie/en/INIS/Family%20Reunification%20Policy%20Document.pdf/Files/Family%20Reunification%20Policy%20Document.pdf>).

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

88. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current and potential residency status in the case of a person (details supplied); and if he will make a statement on the matter. [17153/19]

Minister for Justice and Equality (Deputy Charles Flanagan): I have been informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the information provided by the Deputy is not sufficient to establish the correct identity of the individual concerned in order to provide a response on the matter.

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

89. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when stamp 4 will be updated in the case of a person (details supplied); and if he will make a statement on the matter. [17154/19]

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 applied on 12/10/2010 for a residence card as a family member of an EU citizen under the

provisions of the European Communities (Free Movement of Persons) Regulations 2006 and Directive 2004/38/EC of the European Parliament and of the Council. They stated at that time that they were the spouse of a citizen of Portugal who was exercising EU Treaty Rights in the State. This application was refused on 19/04/2011.

On 10/05/2011 the person concerned sought a review of the decision to refuse their application. They were informed on 16/08/2011 that their review had been successful. The applicant was provided at that time with permission to remain in the State on a Stamp 4EUFam basis for a period of five years - from 16/08/2011 to 16/08/2016.

The person concerned applied on 06/09/2016 to retain their permission to reside in the State. However, they were advised on 15/07/2017 that their application had been refused. They were informed at that time that the right of a third country national family member to accompany or join an EU citizen in a host Member State, is a derived right dependent on the EU citizen residing in the State in exercise of their EU Treaty Rights in accordance with the provisions of the Regulations and the Directive.

INIS was satisfied, based on the information available, that the EU citizen had departed the State in 2013 and, as such, the EU citizen had ceased to exercise EU Treaty Rights in the State in accordance with the provisions of the Regulations and Directive at that time. As the Union citizen had not been exercising EU Treaty Rights in the State in accordance with the provisions of Regulation 6(3)(a) of the Regulations since 2013, the applicant's derived right of residence under Regulation 6(3)(b) of the Regulations ceased from that time also.

The person concerned requested a review of that decision on 13/11/2017, which is currently under active consideration. INIS will correspond with the person concerned should further documentation, information, or clarification be required. I am informed by INIS that a decision will issue to the person concerned in the coming weeks.

Queries in relation to the status of individual immigration cases may be made directly to INIS 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 INIS is, in the Deputy's view, inadequate or too long awaited.

Immigration Status

90. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a person (details supplied) can have their child join them; and if he will make a statement on the matter. [17155/19]

Minister for Justice and Equality (Deputy Charles Flanagan): I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that there is insufficient information supplied by the Deputy in order to establish the immigration status of the person in question.

I am further informed that it is open to the person concerned to write to Domestic Residence and Permissions Division Unit 5, INIS, PO Box 12695, Dublin 2, setting out their current circumstances. Alternatively the person may email INISdefacto@justice.ie for further information on how to proceed.

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

91. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in the assessment of the case of a person (details supplied); and if he will make a statement on the matter. [17156/19]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, in response to a notification pursuant to the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned has submitted written representations.

The position in the State of the person concerned will now be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and all other applicable legislation. All representations submitted will be fully considered in advance of a final decision being made.

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

92. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in the determination of the case pursuant to section 3 of the Immigration Act 1999 (as amended) in the case of persons (details supplied); and if he will make a statement on the matter. [17161/19]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, in response to a notification pursuant to the provisions of Section 3 of the Immigration Act 1999 (as amended), the persons concerned have submitted written representations.

The position in the State of the person concerned will now be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and all other applicable legislation. All representations submitted will be fully considered in advance of a final decision being made.

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.

Naturalisation Applications

93. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if provision will be made to facilitate a person (details supplied); if alternative provision will be made to facilitate their application for naturalisation; and if he will make a statement on the matter. [17162/19]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that there is no record of an application for a certificate of naturalisation from the person referred to by the Deputy, who currently has permission to reside in the State until 29 May 2019.

As the Deputy will appreciate, the granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements, not only within the State but also at European Union level, and it is important that appropriate procedures are in place to preserve the integrity of the process.

All persons making an application for a certificate of naturalisation are required to provide satisfactory evidence of their identity and nationality. This is usually in the form of a currently valid passport and may include other original supporting documents, such as a previously held or out of date passport, birth certificate and marriage certificate.

In rare circumstances where an applicant cannot produce their current passport, or a previous passport, birth certificate or other supporting documents the applicant will be required to provide a full explanation. Such explanation should, where possible, be supported by satisfactory evidence that they have attempted to obtain such documentation and correspondence from the relevant authorities or embassy responsible for the issuing of passports and birth certificates in their country, clearly stating the reasons the documentation cannot be provided. The Irish Naturalisation and Immigration Service (INIS) will consider the explanation given and, if satisfied it is for reasons genuinely beyond the applicant's control, may suggest alternative means to the person to assist in establishing their identity and nationality.

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

94. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when a person (details supplied) will qualify for a stamp 4 update; and if he will make a statement on the matter. [17164/19]

Minister for Justice and Equality (Deputy Charles Flanagan): As the Deputy is aware, if an application for asylum or subsidiary protection has been made in the State, for confidentiality reasons it is not the practice to comment on such applications and the applicant or his legal representative should contact either the International Protection Office (IPO) or the Inter-

national Protection Appeals Tribunal (IPAT) directly, as appropriate.

The IPO may be contacted either by email to info@ipo.gov.ie, by telephone to the IPO Customer Service Centre at 01 6028008 or in writing to Customer Service Centre, International Protection Office, 79-83 Lower Mount Street, Dublin 2. The International Protection Appeals Tribunal may be contacted either by email to info@protectionappeals.ie, by telephone at 01-4748400 (or Lo-Call 1890 201 458), or in writing to Corporate Services Division, The International Protection Appeals Tribunal, 6-7 Hanover Street East, Dublin D02 W320.

Following the commencement of the International Protection Act 2015 on 31 December 2016, new arrangements for the investigation and determination of applications for international protection (refugee status and subsidiary protection) and cases involving permission to remain in the State have been introduced. Such applications are now processed, as part of a single application procedure, by the International Protection Office (IPO) which has replaced the Office of the Refugee Applications Commissioner (ORAC) from that date. The staff of that Office (the Chief International Protection Officer and International Protection Officers) are independent in the performance of their protection functions.

For your information, on 27 February 2017, the Chief International Protection Officer, following consultation with the United Nations High Commissioner for Refugees (UNHCR), published a statement on the Prioritisation of Applications under the International Protection Act 2015 which is available on the website of the International Protection Office (www.ipo.gov.ie).

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

Naturalisation Eligibility

95. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in the determination of eligibility for naturalisation in the case of a person (details supplied); and if he will make a statement on the matter. [17165/19]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, as indicated in my response to the Deputy's Parliamentary Question No. 112 of 21 February 2019, the processing of the application for a certificate of naturalisation from the person referred to by the Deputy is ongoing. On completion of the necessary processing the application will be submitted to me for decision as expeditiously as possible. Should further documentation be required it will be requested from the applicant in due course.

As the Deputy will appreciate, the granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements, not only within the State but also at European Union level, and it is important that appropriate procedures are in place to preserve the integrity of the process.

It is recognised that all applicants for citizenship would wish to have a decision on their application without delay. The nature of the naturalisation process is such that, for a broad range of reasons, some cases will take longer than others to process. In some instances, completing the necessary checks can take a considerable period of time.

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

Naturalisation Eligibility

96. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in the determination of eligibility for naturalisation in the case of person (details supplied); and if he will make a statement on the matter. [17166/19]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the processing of the application for a certificate of naturalisation from the person referred to by the Deputy is ongoing. On completion of the necessary processing the application will be submitted to me for decision as expeditiously as possible. Should further documentation be required it will be requested from the applicant in due course.

As the Deputy will appreciate, the granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements, not only within the State but also at European Union level, and it is important that appropriate procedures are in place to preserve the integrity of the process.

It is recognised that all applicants for citizenship would wish to have a decision on their application without delay. The nature of the naturalisation process is such that, for a broad range of reasons, some cases will take longer than others to process. In some instances, completing the necessary checks can take a considerable period of time.

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

Workplace Relations Services

97. **Deputy Bríd Smith** asked the Minister for Business, Enterprise and Innovation the number of actions taken by the WRC enforcement section on foot of the refusal by an employer to fulfil an award made to an employee after a WRC hearing or an adjudication in each of the years 2016 to 2018. [16993/19]

98. **Deputy Bríd Smith** asked the Minister for Business, Enterprise and Innovation the reason the WRC has decided not to take action to enforce its own findings in a case in which an employer claims they did not receive documentation regarding a hearing; if such defences by employers are routinely accepted by the WRC as a defence when an employer has lost a hearing adjudication decision; and if she will make a statement on the matter. [16994/19]

Minister of State at the Department of Business, Enterprise and Innovation (Deputy

Pat Breen): I propose to take Questions Nos. 97 and 98 together.

If an Employer/Respondent fails to comply with a decision of an Adjudication Officer of the Workplace Relations Commission (WRC), or a decision of the Labour Court arising from an appeal of an Adjudication Officer's decision, within the prescribed time, an application may be made to the District Court in accordance with section 43 of the Workplace Relations Act 2015 for an order directing the Respondent to carry out the decision. The application can be made by the following:

- The complainant concerned;
- The WRC;
- A Trade Union, with consent of the employee; or
- An excepted body of which the employee/complainant is a member.

In the case of an Adjudication Officer's decision, the application to the District Court can be made after a period of 56 days has elapsed from the date the decision was issued to the parties. A period of 42 days must have elapsed from the date the Labour Court decision was issued to the parties before the application can be made in respect of that decision. The application must be made to a judge of the District Court in which the Respondent concerned ordinarily resides. Failure to comply with an order of the District Court is a criminal offence under section 51 of the Workplace Relations Act 2015. A person found guilty of such an offence, shall be liable on summary conviction, to a class A fine or imprisonment for a term not exceeding 6 months or both. It is open to a complainant who has received a decision from an Adjudication Officer which has not been appealed, to make an application for enforcement of this decision in the District Court.

The WRC has discretion, having regard to resources, capacity available, cost and the circumstances of a case, to accept a request to make an application to the District Court on behalf of the complainant for an order directing the Respondent to comply with the decision. In exercising that discretion, the WRC has regard to the matters set out in the **Criteria for Enforcement** contained in the Guidance Notes to the Application Form for making such requests. This is available at the following link.

https://www.workplacereactions.ie/en/Complaints_Disputes/Enforcement/.

In 2016 a total of 43 decisions were enforced following an application by the WRC to the District Court with 85 and 66 completed in 2017 and 2018 respectively.

In the case the Deputy has referred to, the Complainant, when completing the initial complaint application form, had not correctly identified the legal entity they were raising the complaint against. This is a very important requirement and the necessity to do so is emphasised in the complaint form. Complainants are instructed to check details on the Companies Registration website before completing the complaint form.

The case was referred to the Legal Proceedings Committee of the WRC for a decision as to the appropriateness of seeking an order in the District Court. In the circumstances, obtaining an enforcement order was not possible.

Industrial Relations

99. **Deputy Bríd Smith** asked the Minister for Business, Enterprise and Innovation her

plans to grant access to An Garda Síochána and other representative groups in the Defence Forces or those that represent retired employees access to the industrial relations machinery of the State under the Industrial Relations (Amendment) Act 2015; and if she will make a statement on the matter. [16989/19]

Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen): The Industrial Relations (Amendment) Bill 2018 was published on 20 July 2018. The purpose of this Bill is to facilitate access by An Garda Síochána to the services of the WRC and Labour Court by amending the definitions to capture members of the Garda Síochána as ‘workers’ and the Garda Commissioner as ‘employer’ for the purposes of section 23 the Industrial Relations (Amendment) Act 1990. This Bill is expected to shortly commence Committee Stage in the Dáil.

Any decision to seek access to the services of the Workplace Relations Commission (WRC) and the Labour Court by the Defence Forces is a matter for the Minister for Defence.

Access to the industrial relations machinery of the State is governed by the definition of “worker” in Section 23 of the Industrial Relations Act 1990, which provides, inter alia, that a “worker” means any person aged 15 years or more who has entered into or works under a contract with an employer.

In addition, Section 3 of the Industrial Relations Act 1946 provides that a dispute between a worker and an employer only arises if it is connected with the employment, non-employment or the terms of the employment or with the conditions of employment of any person.

Where a person is retired they cannot have a dispute concerning their employment or non-employment. However, a matter which arose prior to an individual’s retirement and which was referred to the Workplace Relations Commission or Labour Court prior to the individual’s retirement can be investigated.

Access for individual former employees to the industrial relations machinery of the State under the Industrial Relations Acts, where they have not referred their claim prior to their retirement, was extended by the Industrial Relations (Amendment) Act 2015. This was done by means of an amendment to Section 26 of the Industrial Relations Act 1990. Such access is limited to 6 months from the date employment ceased. This may be extended to a further 6 months if reasonable cause is shown.

IDA Ireland

100. **Deputy Alan Kelly** asked the Minister for Business, Enterprise and Innovation when the new advance factory locations for inward investment will be announced; and if she will make a statement on the matter. [17061/19]

Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys): The IDA’s €150m Regional Property Programme (RPP) is designed to provide property solutions for overseas companies considering investing or expanding in Ireland. As part of Budget 2019, I announced an additional €10 million in funding for the RPP. These increased resources will enable the IDA to develop new buildings as part of the next phase of the Programme in Dundalk, Monaghan, Athlone, Waterford, Limerick, Galway and Sligo.

As the IDA’s record 2018 results demonstrated, significant progress has been made in terms of generating new foreign direct investment-driven employment opportunities outside of Dublin. In fact, 58% of all IDA client-supported employment is now located outside the capital. I

am confident that the next phase of the RPP will help us increase that percentage even further in the years ahead.

Work Permits Eligibility

101. **Deputy John McGuinness** asked the Minister for Business, Enterprise and Innovation if she will consider changes to the work permit system to allow healthcare assistants and other categories of healthcare professionals to be recruited abroad and to be treated more favourably by the work permit rules in view of the shortage of qualified personnel here as highlighted by the nursing home operators; and if she will make a statement on the matter. [17085/19]

Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys): The State's general policy is to promote the sourcing of labour and skills needs from within the workforce of the State and other EEA states. Where specific skills prove difficult to source within the State and EEA, the employment permits system offers a conduit into the Irish labour market for non-EEA nationals with in-demand skills and is operated as a vacancy led system.

The system is managed through the operation of the Critical Skills Occupations List and the Ineligible Occupations List (previously known as the Highly Skilled Eligible Occupations List and the Ineligible Categories of Employment List), for the purposes of granting an employment permit. The Lists are subject to twice-yearly review which is predicated on a formalised and evidence-based process and involves consideration of the research undertaken by the Skills and Labour Market Research Unit (Solás), the Expert Group of Future Skills Needs (EGFSN), the National Skills Council, and input by relevant Government Departments in addition to the public consultation phase. Submissions to the review process are also considered by the Economic Migration Policy Interdepartmental Group chaired by DBEI and which includes the Department of Health.

In order to have an occupation considered for adding to or removing from the Occupations Lists, there would need to be a clear demonstration that recruitment difficulties are solely due to shortages across the EEA and not to other factors such as salary and/or employment conditions. Organisations in the sector would need to provide the necessary evidence to substantiate their claims.

Healthcare assistants are currently on the Ineligible Occupations List. Following completion of the most recent review, the role of Healthcare Assistant was not proposed for amendment at this time. The views of the lead policy Government Department for the sector, in this case, the Department of Health, are an important part of the decision-making process. Officials of that Department have advised the sector of the need for further evidence, demonstrating genuine efforts to recruit across the EEA. In particular the sector needs to engage with the Department of Employment Affairs and Social Protection who have responsibility for EURES the (European Employment Services), and who are well positioned to help sectors to recruit from within the EEA.

The next review process to consider changes to the lists of occupations is scheduled to commence with a new public consultation phase over the next few weeks with any changes proposed based on the evidence considered, for implementation soon after.

Departmental Contracts Data

102. **Deputy Robert Troy** asked the Minister for Business, Enterprise and Innovation the

State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17107/19]

Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys): My Department has not awarded any contracts to the company in question in the past seven years.

UK Parliamentary Committee Report

103. **Deputy Billy Kelleher** asked the Minister for Business, Enterprise and Innovation her views on requiring large accountancy firms to separate audit functions from non-audit business further to a parliamentary report in the UK. [17145/19]

104. **Deputy Billy Kelleher** asked the Minister for Business, Enterprise and Innovation her views on audit proposals (details supplied) as proposed in the UK. [17146/19]

Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys): I propose to take Questions Nos. 103 and 104 together.

I understand that the Deputy is referring to a UK Parliamentary Committee Report on the Future of Audit. It would be inappropriate for me to comment on a Report concerning activities in another jurisdiction.

Competition Law

105. **Deputy Billy Kelleher** asked the Minister for Business, Enterprise and Innovation the EU and domestic regime pertaining to competition policy; and the sanctions available to the national regulator for breaches of competition law. [17147/19]

Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys): The Competition and Consumer Protection Commission (“CCPC”) was established on 31 October 2014 under section 9 of the Competition and Consumer Protection Act 2014, following the amalgamation of the Competition Authority and the National Consumer Agency. One of the CCPC’s principal statutory functions as a competent authority is to investigate suspected breaches of EU and Irish competition law (i.e. Article 101 and Article 102 of the Treaty on the Functioning of the European Union (“TFEU”), and section 4 and section 5 of the Competition Act 2002, as amended, (the “Competition Act 2002”), respectively). ComReg was empowered as a competent authority for competition law under the Communications Regulation (Amendment) Act 2007, specifically in relation to the electronic communications sector.

At the conclusion of an investigation into a suspected breach of Irish or EU competition law, the competent authority may form the view that an infringement of either section 4 or section 5 of the Competition Act 2002 (and/or Article 101 or Article 102 TFEU) has occurred. It may then decide to initiate civil or criminal proceedings in the courts against the undertaking(s) and individuals (including company directors and managers) involved. In Irish law, the power to impose financial sanctions for breaches of competition law is reserved exclusively to the criminal courts.

Section 14A of the Competition Act 2002 sets out the two possible civil sanctions available. The competent authority may seek a declaration of illegality (i.e. a court ruling that a particular arrangement or behaviour is unlawful) and/or an injunction (i.e. a court ruling requiring a particular arrangement or behaviour to be terminated).

The Competition Act 2002 provides that all infringements of competition law are potentially criminal in nature and section 8 of the Competition Act 2002 sets out the possible criminal sanctions. If a summary criminal prosecution is brought for breach of competition law, the District Court may impose fines of up to €5,000 on the business or individual concerned and/or a prison sentence of up to 6 months on an individual. On conviction on indictment for competition law offences, the Central Criminal Court may impose fines of up to €5 million or 10% of annual turnover on a business or individual. In the case of ‘hardcore’ breaches of competition law, the Central Criminal Court can impose a term of imprisonment of up to 10 years on an individual. In addition, section 839 of the Companies Act 2014 (in conjunction with the Companies Act 2014 (Section 839) Regulations 2016 (S.I. No. 147 of 2016)) provides that individuals convicted on indictment for a competition law offence are automatically disqualified from acting or being appointed as a director or other officer, auditor, receiver, liquidator or examiner, or being in any way concerned in the management of a company for a period of five years after the date of conviction (or for such other period as the court may order).

In addition to seeking the civil and criminal sanctions described above, negotiated compliance agreements can be sought by the competent authority pursuant to section 14B of the Competition Act 2002. This mechanism provides that a party under investigation may offer binding commitments or undertakings to the competent authority to allay its competition concerns and thereby bring the investigation to a close. The commitments are then made an order of the High Court, breach of which exposes the responsible party to contempt of court.

Directive (EU) 2019/1 of the European Parliament and of the Council of 11 December 2018 to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market was published in the Official Journal of the EU on 14 January 2019. Known as the ECN+ Directive, it has to be transposed by 4th February 2021 and will give the competent authorities additional enforcement powers and will necessitate the introduction of non-criminal fines for breaches of EU competition law.

Work Permits Applications

106. **Deputy Bernard J. Durkan** asked the Minister for Business, Enterprise and Innovation if an application for a work permit will be reconsidered in the case of a person (details supplied); and if she will make a statement on the matter. [17157/19]

Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys): The Employment Permits Section of my Department inform me that the named individual applied for a General Employment Permit on 9th January 2019. On 1st April 2019, this application was refused for the following reasons:

- Failure to carry out a Labour Market Needs Test which is a requirement for this permit type as the job on offer is not listed on the Critical Skills Occupation List (previously known as Highly Skilled Eligible Occupations List);
- The applicant did not provide the required Revenue documentation;
- Photograph provided was not the same size and form as a passport photograph; and
- Failure to provide a copy of a signed declaration by the prospective employer stating that it will ensure the prospective employee has access to suitable accommodation and training (including language training).

In addition to being informed of the decision to refuse this application and being provided

with the reasons for this decision, the applicant was also informed that she had twenty-eight days to request a review of this decision. My officials inform me that, to-date, no such request has been received.

A refusal to grant an employment permit does not preclude an applicant from submitting another application for an employment permit. Such an application should comply with all of the legislative requirements for the particular employment permit type.

In order to assist with the application process, the Department has produced a suite of information including details on how to carry out the Labour Market Needs Test and a “Checklist document for Horticultural Workers, Meat Processing Operatives and Dairy Farm Assistants” which, if followed, should result in the granting of an employment permit. This information can be found in the Employment Permits section of my Department’s website at www.dbei.gov.ie

General Medical Services Scheme

107. **Deputy Kevin O’Keeffe** asked the Minister for Health if his attention has been drawn to the fact that patients with a medical card in an area (details supplied) are being charged for services which should be free of charge for persons with a medical card. [16983/19]

Minister for Health (Deputy Simon Harris): Under the terms of the current GMS contract, GPs are required to provide eligible patients with ‘all proper and necessary treatment of a kind usually undertaken by a general practitioner and not requiring special skill or experience of a degree or kind which general practitioners cannot reasonably be expected to possess.’ There is no provision under the GMS GP contract for persons who hold a medical card or GP visit card to be charged for medical services provided under the contract.

As this question relates to a service matter, I have arranged for it to be referred to the Health Service Executive for investigation and direct reply to the Deputy.

Hospitals Car Park Charges

108. **Deputy Seán Haughey** asked the Minister for Health if the promised review into car parking charges in hospitals has been completed; if national guidelines to regulate car parking fees in hospitals will be introduced; and if he will make a statement on the matter. [16984/19]

Minister for Health (Deputy Simon Harris): In March 2018, I requested the HSE to carry out a review of hospital car parking charges, with the aim of establishing clear national guidelines in this area.

The HSE report on Hospital Car Parking Charges has been submitted to the Department of Health and is currently under consideration in collaboration with the HSE. The report will be published in due course.

Hospital Waiting Lists

109. **Deputy Michael Healy-Rae** asked the Minister for Health when a MRI scan will be carried out for a person (details supplied); and if he will make a statement on the matter. [16985/19]

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.

Dental Services Provision

110. **Deputy Tony McLoughlin** asked the Minister for Health if the reason a school (details supplied) has not been allocated a dentist for the provision of dental services for children under 16 years of age that attend the school will be investigated; and if he will make a statement on the matter. [16986/19]

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.

General Practitioner Services

111. **Deputy Martin Kenny** asked the Minister for Health if his attention has been drawn to the fact that general practitioner surgeries in counties Sligo and Leitrim have put up signs stating blood tests are taking one month to process due to staff shortages (details supplied) in Sligo University Hospital; the way in which he plans to address the issue; and if he will make a statement on the matter. [16988/19]

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 reply to the Deputy directly.

Patient Safety

112. **Deputy Alan Kelly** asked the Minister for Health the status of a further external review of the case of a person (details supplied). [16992/19]

Minister for Health (Deputy Simon Harris): As the Deputy will be aware, I am concerned about this incident and remain committed to conducting an external and independent review, so that I can be assured that any patient safety risks are identified and addressed, and that any learnings are disseminated across the health service so that such an event can be avoided in the future

My Department is continuing to engage with the relevant parties to ensure that a further review now takes place. These engagements have been positive and productive, and it is my ex-

pectation that this matter will be further progressed in the near future.

Long-Term Illness Scheme Coverage

113. **Deputy Seán Haughey** asked the Minister for Health if he will establish a registry for persons suffering from fibromyalgia; if fibromyalgia can be added to the long term illness list; and if he will make a statement on the matter. [16997/19]

Minister for Health (Deputy Simon Harris): The LTI Scheme was established under Section 59(3) of the Health Act 1970 (as amended).

The conditions covered by the LTI are: acute leukaemia; mental handicap; cerebral palsy; mental illness (in a person under 16); cystic fibrosis; multiple sclerosis; diabetes insipidus; muscular dystrophies; diabetes mellitus; parkinsonism; epilepsy; phenylketonuria; haemophilia; spina bifida; hydrocephalus; and conditions arising from the use of thalidomide. Under the LTI Scheme, patients receive drugs, medicines, and medical and surgical appliances directly related to the treatment of their illness, free of charge.

There are no plans to extend the list of conditions covered by the Scheme at this time. However, I wish to inform the Deputy that it is proposed that the LTI Scheme would be included as part of a review of the basis for existing hospital and medication charges, to be carried out under commitments given in the Sláintecare Implementation Strategy.

The establishment of a Registry of patients suffering from fibromyalgia is a service matter and as such this PQ has been referred to the Health Service Executive for attention and direct reply to the Deputy.

Hospital Waiting Lists

114. **Deputy Michael Healy-Rae** asked the Minister for Health the further length of time a person (details supplied) must wait for treatment; and if he will make a statement on the matter. [17001/19]

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 Waiting Lists

115. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an operation for a person (details supplied); and if he will make a statement on the matter. [17006/19]

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.

Disability Services Provision

116. **Deputy Brian Stanley** asked the Minister for Health when a person (details supplied) will receive the required services and intervention. [17007/19]

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.

Health Services Staff Data

117. **Deputy John Brassil** asked the Minister for Health the number employed in whole-time equivalent terms for staff categories (details supplied) by CHO in tabular form. [17009/19]

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

Healthcare Infrastructure Provision

118. **Deputy Jonathan O'Brien** asked the Minister for Health if a post-project review has been compiled and published for the primary care bundle PPP as per the public spending code. [17020/19]

Minister for Health (Deputy Simon Harris): Large capital projects, such as the primary

care centres provided by public private partnership, will be subjected to a post-project review. Post-project reviews should be undertaken once sufficient time has elapsed to allow the project to be properly evaluated in respect of costs and benefits. The timing of post project reviews will depend on the nature of the project i.e. the period required to observe the expected benefits.

As the Health Service Executive is responsible for the management and delivery of health-care infrastructure projects including the primary care centres delivered through public private partnership, I have asked the HSE to respond to you directly in relation to this matter.

Hospital Appointments Status

119. **Deputy James Browne** asked the Minister for Health when an appointment will be made for a child (details supplied) in WUH; and if he will make a statement on the matter. [17027/19]

Minister for Health (Deputy Simon Harris): Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, a standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, since January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

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

Services for People with Disabilities

120. **Deputy Louise O'Reilly** asked the Minister for Health if his attention has been drawn to the fact that children in north County Dublin are waiting up to three years for early intervention; his views on whether the HSE should dispense with the use of the term early intervention in view of the length of the delays; and if he will make a statement on the matter. [17029/19]

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.

HSE Staff Data

121. **Deputy Louise O'Reilly** asked the Minister for Health the role of the HSE Job Evaluation Board for clerical grades in jumping applications from category 5 to be evaluated before category 4; if his attention has been drawn to the fact that basic grade clerical officers have been working way in excess of their grade and pay scale for a number of years, yet they are continuously being told that their applications to the HSE Job Evaluation Board for clerical grades are being mislaid or subject to financial constraints or other; and if he will make a statement on the matter. [17030/19]

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

Cannabis for Medicinal Use

122. **Deputy Louise O'Reilly** asked the Minister for Health further to Parliamentary Questions No. 301 of 2 April 2019, the rules in relation to the nominating of a licence holder to collect their prescribed medicinal cannabis product; and if a distribution company could be nominated to collect the prescribed medication and deposit at a nominated pharmacy in view of the HPRA position (details supplied) that a pharmacy can hold a licence and be supplied with cannabis based medication. [17031/19]

Minister for Health (Deputy Simon Harris): As the deputy is aware, it is open to a registered medical practitioner to apply for a Ministerial licence under the Misuse of Drugs Acts 1977 to 2016. Such a licence, if granted, enables them to legally import, possess, prescribe, supply, and administer the Schedule 1 controlled drug - cannabis - for the patient named on the licence.

Licence holders can nominate a representative to collect the patients prescribed cannabis product on their behalf if, for example, the patient is not able to do this personally. At the time of applying for the Ministerial licence the applicant must provide the details of the nominated person who will be collecting the prescribed product on the patient's behalf. That nominated person's name will then be included on the licence for this purpose. This is a matter for the patient and their prescriber.

Article 6 of the Misuse of Drugs Designation Order also provides for a pharmacist, for the purpose of his or her profession or business, to possess and supply drugs specified in Schedule 1, including cannabis, under a licence issued by the Minister for Health.

Should the pharmacist wish to procure a cannabis product from a supplier in another country, they should make contact with the relevant competent authority in that country to ensure that the product supplier and / or distributor is appropriately authorised to handle that cannabis product.

Ambulance Service

123. **Deputy Lisa Chambers** asked the Minister for Health if he will supply Ballinrobe, County Mayo with an ambulance base; the reason the town does not already have a base; and if he will make a statement on the matter. [17039/19]

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

Hospital Waiting Lists

124. **Deputy Peadar Tóibín** asked the Minister for Health his plans to ensure a person (details supplied) has their operation for tonsillectomy; the number of persons on waiting lists for tonsillectomy in each county; the average wait in each county; and the longest wait in each county. [17050/19]

Minister for Health (Deputy Simon Harris): Reducing waiting time for patients for hospital operations and procedures is a key priority for Government. Budget 2019 announced that the Government has further increased investment in tackling waiting lists, with funding to the National Treatment Purchase Fund (NTPF) increasing from €55 million in 2018 to €75 million in 2019.

The joint Department of Health/HSE/NTPF Scheduled Care Access Plan 2019 was published recently and sets out measures to improve care for patients waiting for scheduled care in 2019 by reducing wait times for inpatient/day case treatment and outpatient appointments. The plan will place a strong focus on a number of high-volume procedures, including tonsils. When combined with HSE activity, it is projected that the NTPF will be in a position to offer treatment to all clinically suitable patients waiting more than 6 months for one of these procedures.

The data requested by the Deputy is contained in the documents attached.

In relation to the operation for the person concerned, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

Average wait by County

Area of Residence	Average days waiting
Carlow	134
Cavan	174
Clare	283
Cork	95
Donegal	361
Dublin	127
Exception	227
Galway	122
Kerry	110
Kildare	227
Laois	97
Leitrim	357
Limerick	237
Longford	194
Louth	74
Mayo	183
Meath	110
Monaghan	181
Offaly	168
Roscommon	168
Sligo	340
Tipperary (North)	243

Area of Residence	Average days waiting
Tipperary (South)	180
Waterford (County)	129
Westmeath	136
Wexford	160
Wicklow	97

Tonsillectomy Waiting List by County

Row Labels	0-3 Months	3-6 Months	6-9 Months	9-12 Months	12-15 Months	15-18 Months	18+ Months	Grand Total
Carlow	1	2	1					4
Cavan	3		1			1		5
Clare	10	5	1	9	5	3	4	37
Cork	32	29	1			1		63
Donegal	24	22	15	9	4	1	30	105
Dublin	151	47	39	11	4	3	8	263
Exception	85	89	18	28	26	12	31	289
Galway	42	12	1	1		2	4	62
Kerry	12	4	1	1			1	19
Kildare	13	6	2	2	3		5	31
Laois	3	4	1					8
Leitrim	3	2	1	4	2	1	3	16
Limerick	28	5	2	4	16	5	5	65
Longford	7	1	1		1		1	11
Louth	14	2	1					17
Mayo	28	9	3		4		4	48
Meath	27	2	6	3	2			40
Monaghan	4						1	5
Offaly	8	6				1	1	16
Roscommon	10	2	2	2			1	17
Sligo	24	23	10	3	3	2	23	88
Tipperary (North)	14	3		5	3	3	4	32
Tipperary (South)	3	1					1	5
Waterford (County)	4	2		1				7
Westmeath	7			1			1	9
Wexford	7	1	2		1		1	12
Wicklow	17	6	1	2				26
Grand Total	581	285	110	86	74	35	129	1300

Nursing Homes Support Scheme Appeals

125. **Deputy Brendan Griffin** asked the Minister for Health the status of the review of the nursing home support scheme in respect of a person (details supplied); and if he will make a statement on the matter. [17052/19]

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 Complaints Procedures

126. **Deputy Martin Ferris** asked the Minister for Health the status of a complaint made by a person (details supplied) in relation to the circumstances of the delivery of their child at Kerry General Hospital; and if he will make a statement on the matter. [17055/19]

Minister for Health (Deputy Simon Harris): As this relates to the service at University Hospital Kerry, I have asked the HSE to reply to you directly.

Departmental Meetings

127. **Deputy Alan Kelly** asked the Minister for Health the dates and attendees since 1 May 2016 of meetings between his Department and the Department of Communications, Climate Action and Environment regarding the health benefits of a nationwide ban on smoky coal; and if he will make a statement on the matter. [17056/19]

Minister for Health (Deputy Simon Harris): There have been no meetings between my Department and the Department of Communications, Climate Action and Environment regarding the health benefits of a nationwide ban on smoky coal since 1 May 2016.

Ambulance Service

128. **Deputy Lisa Chambers** asked the Minister for Health the status of Mulranny ambulance base, County Mayo; the staff stationed there; and the number of days per week and hours per day the base is manned. [17058/19]

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

Hospital Appointments Status

129. **Deputy Sean Sherlock** asked the Minister for Health when a person (details supplied) will be given an appointment for urgent treatment. [17059/19]

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.

Medicinal Products Reimbursement

130. **Deputy Imelda Munster** asked the Minister for Health if he will instruct the HSE to reinstate the authorisation for Versatis Lidocane 5% medicated plasters to the medical card for a person (details supplied). [17062/19]

Minister for Health (Deputy Simon Harris): As the particular issue raised relates to an individual case, I have arranged for the question to be referred to the HSE for direct reply to the Deputy.

Hospital Staff Data

131. **Deputy Róisín Shortall** asked the Minister for Health the number of consultant gastroenterologist posts that have been advertised since 2018; the number of these posts that have been filled to date; and if he will make a statement on the matter. [17072/19]

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

General Practitioner Services

132. **Deputy Stephen Donnelly** asked the Minister for Health the estimated full year cost of the extension of free general practitioner care for children up to 12 years of age. [17073/19]

Minister for Health (Deputy Simon Harris): The Government intends to extend GP care without fees to all children aged between 6 and 12 years on a phased basis, starting in 2020. Legislative changes will be required to give effect to this extension.

It is not possible at this time to give an estimate of the cost of extending GP care without fees to this cohort of the population. The fees will be determined following consultations with GP representatives on the scope and content of the general practitioner service to be provided.

Following consultations with the relevant GP representatives, an appropriate fee for the provision of the service by GPs will be set under the Public Services Pay and Pensions Act 2017.

Legislative Measures

133. **Deputy Noel Rock** asked the Minister for Health the status of the general scheme of the assisted human reproduction Bill; when the Bill will be enacted; and if he will make a statement on the matter. [17074/19]

Minister for Health (Deputy Simon Harris): In October 2017, the Government approved the drafting of a Bill on assisted human reproduction (AHR) and associated areas of research, based on the published General Scheme of the Assisted Human Reproduction Bill 2017. The

General Scheme encompasses the regulation of a range of practices, including: gamete (sperm or egg) and embryo donation for AHR and research; surrogacy; pre-implantation genetic diagnosis (PGD) of embryos; posthumous assisted reproduction; and embryo and stem cell research. The Scheme also provides for the establishment of an independent regulatory authority for AHR.

The Joint Oireachtas Committee on Health is currently conducting a review of the General Scheme as part of the pre-legislative scrutiny process, which began in January of last year. The review is in progress and the Joint Committee intends to report thereon before the summer recess. The recommendations in the Committee's Report will be considered during the ongoing process of drafting this Bill in conjunction with the Office of the Attorney General and although it is not possible to give a definitive timeline for the enactment of this legislation, I wish to assure the Deputy that it is a priority for me and my Department.

The aim of the AHR legislation is to promote and ensure the health and safety of parents, others involved in the process (such as donors and surrogate mothers) and, most importantly, the children who will be born as a result of AHR. Consideration of the welfare and best interests of children born through AHR is a key principle underpinning the Scheme.

General Practitioner Contracts

134. **Deputy Stephen Donnelly** asked the Minister for Health the estimated cost in 2019 of the first phase of restoration of FEMPI for general practitioners; and the estimated full year cost of the restoration. [17075/19]

135. **Deputy Stephen Donnelly** asked the Minister for Health the estimated cost in 2020 of the second phase of restoration of FEMPI for general practitioners; and the estimated full year cost of the restoration. [17076/19]

Minister for Health (Deputy Simon Harris): I propose to take Questions Nos. 134 and 135 together.

I am pleased that we have been able to conclude an agreement with the IMO on a major package of GP contractual reforms which will benefit patients and make general practice a more attractive career option for doctors.

My Department, the HSE and the IMO have agreed a set of measures on the provision of new services, including a structured chronic disease programme, commencing in 2020, which will benefit over 430,000 medical card and GP visit card patients. A wide-ranging set of modernisation measures has also been agreed in the areas of eHealth, medicines management and multidisciplinary working.

In return for cooperation with these service developments and reforms, the Government will increase investment in general practice by approximately 40% (or €210 million) over the next 4 years. This will see significant increases in capitation fees for GPs who participate in the reform programme and the introduction of new fees and subsidies for additional services such as the chronic disease programme.

The estimated full year cost of implementing the reform and modernisation measures in 2019 is €27 million. An additional €38 million will be provided to meet the full year cost in 2020. In addition, €15 million will be provided in 2020 for the first phase of the roll out of the chronic disease programme.

Hospital Equipment

136. **Deputy John McGuinness** asked the Minister for Health the status of an application for the provision of a MRI scanner for St. Luke's Hospital, Kilkenny; if the funding will be provided in 2019; and if he will make a statement on the matter. [17087/19]

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

Hospital Transfers

137. **Deputy Alan Kelly** asked the Minister for Health the reason a patient transfer between UHL and the Mater Hospital on 4 April 2018 could not be completed by ambulance and had to be carried out by a family member; if this endangered the patient; his views on whether this was acceptable; and if he will make a statement on the matter. [17089/19]

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

Cancer Services Provision

138. **Deputy Bríd Smith** asked the Minister for Health if his attention has been drawn to the fact that the provision of breast clinic services in St. James's Hospital is being cut back; the steps he will take in relation to same; if his attention has been drawn to the fact that carriers of genetic braca 1 and 2 are having repeat visits and check-ups extended from once every six months to once every 12 months, that family history clinics are being closed and those attending are referred back to their general practitioners; his views on these cuts to the services; and the reason the services are being cut. [17094/19]

Minister for Health (Deputy Simon Harris): In parallel with the Rapid Access Clinic for Symptomatic Breast Disease in St James's Hospital, a Familial Breast Cancer Risk Assessment Service has evolved to provide a clinical service to women who are considered to be at higher than average risk of developing cancer in their lifetime. Due to increased referral rates to the symptomatic breast disease clinic, there were some restrictions on access to the familial service for a period in 2018.

Resources have since been provided to the hospital's breast services, including for additional radiology and pathology support. One of the hospital's two mammography machines was replaced and a third machine has recently been installed. Capacity for mammography has been a major part of the challenge in meeting demand for breast services in St James's. I am advised that the Familial Breast Cancer Risk Assessment Service at St James's Hospital is now restored.

Ambulance Service Provision

139. **Deputy Peter Burke** asked the Minister for Health the level of ambulance cover for County Longford, especially on Monday and Tuesday nights; if he will direct the HSE to review ambulance cover in the county once a facility (details supplied) opens in 2019 adding an additional 6,000 persons to the area when at maximum capacity; if the HSE is satisfied with

the level of cover for the county and region; and if he will make a statement on the matter. [17098/19]

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

HSE Properties

140. **Deputy Martin Kenny** asked the Minister for Health if a property (details supplied) has been disposed of; if so, the new owner of the property; if not, the position regarding the property; and if he will make a statement on the matter. [17099/19]

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

Mental Health Services Funding

141. **Deputy John Curran** asked the Minister for Health the relevant criteria with regard to minimum staffing requirements and service levels necessary for a jigsaw service to be funded by the HSE. [17104/19]

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

Departmental Contracts Data

142. **Deputy Robert Troy** asked the Minister for Health the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17116/19]

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

Hospital Appointments Delays

143. **Deputy Aengus Ó Snodaigh** asked the Minister for Health his views on whether a one to two year wait for a standard hospital appointment is acceptable (details supplied); if the process can be expedited; and if he will make a statement on the matter. [17124/19]

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 sched-

uled 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.

Obesity Strategy

144. **Deputy Róisín Shortall** asked the Minister for Health if a body has been appointed to monitor compliance and effectiveness of the Non-Broadcast Advertising and Marketing of Food and Beverages, including Sponsorship and Retail Product Placement: Voluntary Codes of Practice; and the reason for the delay. [17128/19]

Minister of State at the Department of Health (Deputy Catherine Byrne): Under the umbrella of the national oversight group, the Obesity Policy Implementation Oversight Group, work is being intensified on the development of the monitoring mechanism for the Codes of Practice on the Marketing and Advertising of Food and Non-Alcoholic Beverages. This has taken longer than anticipated with respect to determining the most robust monitoring mechanism to preserve the integrity of the implementation of the Codes for the benefit of public nutritional health and in line with the main objective of the Obesity Policy and Action Plan (OPAP) to deal with the problem of obesity. The progression of the development of guidelines to govern the implementation of these codes is also being conducted in tandem with the development of the robust monitoring mechanism.

Furthermore, my Department has engaged with industry representation on initiating a register of signatories to the Codes of Practice from the perspective of compiling a list of companies that would be signing up to the Codes. The development of guidance on the interpretation of the Codes will precede the development of this list.

My Department has engaged with industry both formally and informally in a number of areas of interest within the context of obesity. For example, and as the Deputy is aware, the Obesity Policy Implementation Oversight Group agreed to establish a sub-group for Reformulation. This sub-group has met on a number of occasions since being established and agreed their Terms of Reference. The Reformulation sub-group is technical in its work programme. The work of the sub-group will primarily set targets on reformulation of food and drink. It will also make recommendations on addressing reduction of portion sizes and on monitoring and validation procedures.

As part of its work, a workshop between the Reformulation sub-group and Food Sector Stakeholders comprised of, among others, industry on reformulation, has taken place on two separate occasions. These provided an important opportunity for detailed engagement with key Food Sector Stakeholders on the challenges and opportunities of reformulation in the interests of promoting the health and wellbeing of the population. And the work of the sub-group is now building on this engagement.

Hospital Waiting Lists

145. **Deputy Niamh Smyth** asked the Minister for Health the status of surgery for a person

(details supplied); and if he will make a statement on the matter. [17133/19]

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 Staff

146. **Deputy Stephen Donnelly** asked the Minister for Health the estimated full year cost of implementing the framework for safe nurse staffing and skill mix in all acute hospital settings; the number of additional nursing staff, that is, whole-time equivalent that would be required for the implementation of the framework in all acute hospital settings; the number of additional healthcare assistants, that is, whole-time equivalent required for same; and if he will report on the development of a national implementation plan for incremental roll out across hospitals. [17134/19]

Minister for Health (Deputy Simon Harris): The Framework for Safe Nurse Staffing and Skill mix sets out, for the first time in Ireland, a methodology to determine the appropriate number of nurses and healthcare assistants required for our medical/surgical wards.

Before I formally launched the Framework in April 2018 it was piloted in three sites. Results from the pilots were very positive with evidence of improvements in the quality of care such as reduction in nurse sensitive outcomes, a reduction in care left undone events, increases in staff and patient satisfaction, a reduction in length of stay and absenteeism and reduction in spend on agency costs.

The unique point of the Framework is that it determines the required nurse staffing and skill mix by matching the nursing resource to the type and number of patients on an individual ward and individual patients' needs. It is built on a rigorous methodology involving complex calculations of a number of elements, including the required nursing hours per patient day, patient acuity and dependency, bed occupancy, indirect nursing hours required, the skill mix required to meet patient needs, patient outcomes and staff and patient experience. As such accurate whole time equivalent requirements and associated costs will only be available when all medical and surgical areas are assessed as part of the implementation of the Framework.

The pilot sites did indicate that additional resources, both nursing and healthcare assistants, were required in those pilot sites. These were met through a mix of additional recruitment and agency conversion. Indicative average figures from one model 4 hospital in the pilot identified additional average recruitment as 2.5 whole time equivalent per ward. (1.1 Health Care Assistant and 1.4 Staff Nurse). This uplift was in addition to conversion of agency. This uplift is an average figure and the pilot demonstrated that some wards required no uplift, some required

a skill mix adjustment, some required Health Care Assistants only and some did require more than the 2.5 uplift.

The HSE is currently working on an implementation plan to rollout the Framework to all Model 4 hospitals. An essential part of the implementation is the acquisition and introduction of the supporting ICT system. The procurement process is at an advanced stage.

Medical Card Applications

147. **Deputy Bernard J. Durkan** asked the Minister for Health when a medical card will issue in the case of persons (details supplied); and if he will make a statement on the matter. [17163/19]

Minister for Health (Deputy Simon Harris): As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy.

General Practitioner Services

148. **Deputy Stephen Donnelly** asked the Minister for Health the number of children that will be in receipt of free general practitioner care if it is extended as proposed in 2020; and the net increase in the number of children covered resulting from the proposed change. [17189/19]

Minister for Health (Deputy Simon Harris): The Government intends to extend GP care without fees to children aged 6-12 on a phased basis, starting in 2020. Legislative changes will be required to give effect to this extension.

My Department is undertaking a detailed assessment over the coming months regarding the most appropriate approach to facilitate a phased expansion of GP care without fees, taking account of the number of children that will be eligible to benefit from this measure.

Organic Farming Scheme Payments

149. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine when payments will issue to a person (details supplied); and if he will make a statement on the matter. [17103/19]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The 2018 Organic Farming Scheme advance payment issued to the person named above on 18 December 2018 while the 2018 GLAS Scheme advance payment issued on 16 November 2018.

Payments for both schemes are fully up to date.

Departmental Contracts Data

150. **Deputy Robert Troy** asked the Minister for Agriculture, Food and the Marine the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17106/19]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): I wish to ad-

wise the Deputy that my Department has awarded no contracts to the named company over the past seven years.

Marine Institute

151. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 208 of 8 November 2018, if the tender has been awarded; and the status of the vessel. [17135/19]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The tender for the design of the new research vessel, to replace the current Celtic Voyager, was published on 6 November 2018 in the Official Journal of the European Union (OJEU).

Eight tender submissions were received by the deadline of 7th December and, following evaluation, the tender for vessel design has been awarded by the Marine Institute. I understand from the Marine Institute that the design process is currently underway.

Departmental Agencies Funding

152. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the funding allocated in 2019 to each specific State agency under his aegis, including Bord Bia, Bord Iascaigh Mhara, the National Milk Agency, Teagasc and the Marine Institute by current and capital funding in tabular form. [17136/19]

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

Agency	Capital Allocation 2019 €	Current Allocation 2019 €	Total Allocation - 2019 €
Bord Bia	0	46,619,000	46,619,000
Bord Iascaigh Mhara	12,100,000	26,193,000	38,293,000
National Milk Agency	0	0	0
Teagasc	9,150,000	132,082,000	141,232,000
Marine Institute	12,000,000	23,429,000	35,429,000
Horse Racing Ireland	11,100,000	56,100,000	67,200,000
Bord na gCon	44,000	16,756,000	16,800,000
Irish National Stud	0	0	0
Sea Fisheries Protec- tion Authority	400,000	13,395,000	13,795,000
Aquaculture Licens- ing Appeals Board	0	0	0
Coillte	0	0	0
Veterinary Council of Ireland	0	0	0

Beef Data and Genomics Programme

153. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 387 of 29 November 2017, the first and full year costs of the proposals in tabular form. [17137/19]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The Beef Data and Genomics Programme (BDGP) will provide suckler beef farmers with some €300 million of funding over the lifetime of the current Rural Development Programme. BDGP provides for payments to farmers for completion of actions which deliver accelerated genetic improvement in the national herd and improvement of its environmental sustainability. Currently 24,544 herds are included between BDGP I and II.

Payments to farmers under the BDGP are calculated on the basis of costs incurred or income foregone. Any increase to payment rates would therefore require farmers to undertake additional actions to justify any such increase. The scheme has been through a complex and difficult process of approval at EU level and it would not be possible to change payment rates for current participants in the manner suggested.

The information the Deputy requested is provided in the attached table.

BDGP Costs

Proposal	Cost of proposal	Remainder Cost @ 80	Total	Current BDGP Cost	Difference
1st 10 @150	53179940	22736240	75916180	45112750	30803430
1st 15 @150	58401380	16768880	75170260	45112750	30057510
1st 20 @150	62291070	12323520	74614590	45112750	29501840
1st 25 @150	65107380	9104880	74212260	45112750	29099510
1st 30@150	67150050	6770400	73920450	45112750	28807700
1st 10 @175	58253890	22736240	80990130	45112750	35877380
1st 15 @175	65340130	16768880	82109010	45112750	36996260
1st 20 @175	70618995	12323520	82942515	45112750	37829765
1st 25 @175	74441130	9104880	83546010	45112750	38433260
1st 30@175	77213325	6770400	83983725	45112750	38870975
1st 10 @200	63327840	22736240	86064080	45112750	40951330
1st 15 @200	72278880	16768880	89047760	45112750	43935010
1st 20 @200	78946920	12323520	91270440	45112750	46157690
1st 25 @200	83774880	9104880	92879760	45112750	47767010
1st 30@200	87276600	6770400	94047000	45112750	48934250

Beef Industry

154. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the progress to date for each of the action points agreed in the beef roundtable in November 2014 (details supplied); the details of each such action point that has been completed, not completed or is ongoing, respectively; and the revised deadlines for action points not delivered by the original timeframes in tabular form. [17138/19]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The Deputy refers to the key action points agreed by stakeholders at the Beef Roundtable meeting in November 2014.

The action points and progress to date under each action point as requested are available at the following link:

[Table].

Common Agricultural Policy

155. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the estimated annual cost and seven year cost if the Exchequer were to fill the deficit caused by the proposed cut to Ireland's pillar 1 direct payments and pillar 2 rural development programme allocations for the next CAP programme post-2020 following the publication of the 2018 MFF proposals for the 2021-2027 period; and the maximum co-financing rate permitted for member states under pillar 2 for the amount of national exchequer funding to a RDP over a full CAP window. [17140/19]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The negotiations on the EU's Multiannual Financial Framework (MFF) for the period 2021-2027 - which will be decided by Ministers for Finance and Heads of Government - are ongoing, and are running in parallel with the negotiations on the post-2020 Common Agricultural Policy (CAP). Agreement on the budgetary allocations is not expected to be achieved until Autumn 2019.

I have been very firm in my view that I do not accept the proposed 5% cut to the CAP budget post-2020, and there is consensus on this issue amongst my Member State colleagues. I have been strongly advocating for the CAP budget to be restored to current levels for the EU 27 for the next programming period, and I will continue to work towards achieving this objective until agreement on the MFF post- 2020 proposals has been reached.

Pillar I direct payments are a core feature of the CAP, and are fully funded by the EU budget. The cut in Pillar I funding for Ireland based on the current MFF proposals is approximately €47m per annum. These payments cannot be co-financed by Member States. With regard to the maximum co-financing rate for Pillar 2, the Commission proposals outline a maximum EAFRD contribution rate of 43%, down from the current rate of 53%. Until the MFF proposals are agreed, it will not be clear what the precise financial implications for the CAP schemes will be. Based on the proposals, Commissioner Hogan has indicated previously that some €47 million per annum in additional national funding would be required for Ireland to make up the proposed shortfall under Pillar II funding, and my Department would concur with that estimate.

Schools Healthy Living Strategies

156. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if he has spoken to his ministerial colleagues regarding content in the green schools content regarding meat and dairy consumption for children. [17141/19]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The Green Schools Programme is a positive and important initiative for schools. However, I have concerns regarding the suggestions contained within the Climate Action Teacher Resources pack regarding reductions the consumption of meat and dairy products. These suggestions appear inconsistent with the Food Pyramid guidelines in Healthy Ireland, the national framework for action to improve health and wellbeing.

The Healthy Ireland Food Pyramid, published by the Department of Health, recommends that children aged 9-18 years of age consume five portions of dairy each day, given the importance of calcium during this life stage to support the development of healthy bones and teeth. Red meat, poultry, fish, eggs, beans and nuts also provide protein essential for growth and repair, and they are also the main source of iron for healthy blood. Two servings a day from this food shelf are recommended in the Healthy Ireland Food Pyramid.

My Department runs the EU School Milk Scheme in national schools, in conjunction with the National Dairy Council. This scheme is carefully aligned with the Department of Health guidelines, and with the European Commission, which funds the School Milk Scheme with the objective of cultivating healthy eating habits at an early age. My officials are actively engaged in the on-going cross-Government collaboration on Healthy Ireland initiatives.

Departmental Expenditure

157. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the reason there is a €41 million unspent allocation for 2018 in his Department (details supplied). [17142/19]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The major areas involved in the €41m underspend for my Department in 2018 cover a number of areas including Forestry administration expenditure, Bord Iascaigh Mhara and Market Supports Operational Costs. This accounts for less than 3% of the total gross expenditure provision for my Department in 2018.

The information requested by the Deputy is currently being compiled and will be forwarded without delay.

Beef Industry

158. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his views on clubs (details supplied) and similar initiatives for the beef sector in the future. [17143/19]

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): The Club referred to by the Deputy is an integrated calf-to-beef programme that was announced by a dairy processor in collaboration with a meat company in early April. The programme is a commercial arrangement between both organisations and their respective suppliers. I understand that the overarching objective is to improve the economic, environmental and social sustainability of calf-to-beef production in Ireland, with benefits for both dairy and beef farmers.

I fully support such collaborative initiatives that aim to drive the sustainability, viability, and long-term future development of both the beef and dairy sectors. I look forward with interest to following the progress of this initiative and would encourage the industry to consider how it can deliver more certainty to farmers about the price they receive for their stock.

Broadband Service Provision

159. **Deputy Alan Kelly** asked the Minister for Communications, Climate Action and Environment when broadband will be brought to Kilcommon, Thurles, County Tipperary; and if

he will make a statement on the matter. [17060/19]

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): In April 2017 my Department published an updated version of the National Broadband Plan (NBP) High Speed Broadband Map. This is available at www.broadband.gov.ie. The map shows the areas targeted by commercial operators to provide high speed broadband services and the areas that will be included in the State Intervention Area under the National Broadband Plan. The Map is colour coded and searchable by address/Eircode:

- The AMBER area represents the parts of the country where commercial operators have no plans to build high speed broadband networks. Premises in the AMBER area will be provided with high Speed Broadband through a State Intervention.

- The BLUE area represents those areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services.

- The LIGHT BLUE area represents eir's commercial rural deployment plans to rollout high speed broadband to 300,000 premises as part of a Commitment Agreement signed with my Department in April 2017.

There are 23 premises in Kilcommon. 91% (21) fall within the AMBER area and will be served under the State led Intervention, while 9% (2) of premises are in a BLUE area and are, or will be, served by commercial providers.

The procurement process to appoint a bidder for the State intervention network is now at the final stage. I will bring a recommendation to Government in the coming weeks.

In the event any premises categorised as BLUE in Kilcommon are experiencing difficulty in obtaining a high speed broadband service, I advise they contact the NBP customer service team at broadband@dcae.gov.ie directly, providing their name, phone number, email address and Eircode, as well as details of any issues they are experiencing getting connected.

For those premises currently awaiting access to high speed broadband, practical initiatives will continue to be addressed through the work of the Mobile Phone and Broadband Taskforce to address obstacles and improve connectivity in respect of existing and future mobile phone and broadband services.

Under this Taskforce, engagement between telecommunications operators and local authorities through Local Authority Broadband Officers is continuing. These Broadband Officers are acting as single points of contact in local authorities for their communities. The appointment of these officers is already reaping rewards in terms of ensuring a much greater degree of consistency in engagements.

Broadband Service Provision

160. **Deputy Danny Healy-Rae** asked the Minister for Communications, Climate Action and Environment when persons (details supplied) will receive broadband; if they will be included in this phase of the roll out; and if he will make a statement on the matter. [17063/19]

161. **Deputy Danny Healy-Rae** asked the Minister for Communications, Climate Action and Environment if a business within 200 metres of the route scheduled for broadband can be considered to be included in this phase of the roll out for same (details supplied); the way in which the routes are decided; and if he will make a statement on the matter. [17093/19]

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): I propose to take Questions Nos. 160 and 161 together.

The premises referenced by the Deputy are both in the AMBER area on the National Broadband Plan (NBP) High Speed Broadband Map, which is available on my Department's website at www.broadband.gov.ie. The AMBER areas represent the target areas for the proposed State led Intervention under the NBP. This intervention is the subject of an ongoing procurement process.

The procurement process to appoint a bidder for the State intervention network is now at the final stage. I will bring a recommendation to Government in the coming weeks.

The Deputy makes reference to both premises being located close to a commercial deployment of high speed broadband. This deployment is part of eir's commercial roll out of high speed broadband to 300,000 predominantly rural premises, in line with a Commitment Agreement signed with my Department in April 2017.

eir's rural investment in high speed broadband is a privately funded commercial undertaking and is not part of the State Intervention network. Although the deployment is monitored under the terms of the Commitment Agreement, it is not funded by the State and it is not planned, designed or directed by my Department in any capacity.

Decisions made by private telecommunication operators relating to the roll out and siting of infrastructure to provide high speed broadband services throughout Ireland are undertaken on a commercial basis. I have no statutory role or function in such commercial decisions of private operators, and therefore cannot direct operators regarding infrastructure installation or delivery of services.

For those premises currently awaiting access to high speed broadband, practical initiatives will continue to be addressed through the work of the Mobile Phone and Broadband Taskforce to address obstacles and improve connectivity in respect of existing and future mobile phone and broadband services.

Under this Taskforce, engagement between telecommunications operators and local authorities through Local Authority Broadband Officers is continuing. These Broadband Officers are acting as single points of contact in local authorities for their communities. The appointment of these officers is already reaping rewards in terms of ensuring a much greater degree of consistency in engagements.

Departmental Contracts Data

162. **Deputy Robert Troy** asked the Minister for Communications, Climate Action and Environment the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17109/19]

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): My Department has not awarded any contract to the supplier named in the Question over the past seven years.

Environmental Policy

163. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and

Environment his plans in relation to the elimination of single use plastics; and when particular types of single use plastics will be banned. [17188/19]

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): A new EU Directive on the reduction of the impact of certain plastic products on the environment is due to be finalised and published shortly. This Directive, once transposed into Irish law, will enable me to ban the following plastic items from being placed on the market from 2021:

- Cotton bud sticks
- Cutlery
- Plates
- Stirrers
- Straws
- Sticks for balloons
- Expanded polystyrene food containers
- Expanded polystyrene cups and beverage containers.

In addition to this, the Government has decided that Government Departments would not purchase single-use plastic cups, cutlery and drinking straws from 1 January 2019. This decision was extended to all public bodies and commercial state agencies under the aegis of Ministers with effect from 1 April 2019.

Waste Management Data

164. **Deputy Brendan Ryan** asked the Minister for Communications, Climate Action and Environment if he will provide information (details supplied) regarding landfill waste management sites. [17194/19]

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): Queries in relation to the acceptance of waste at landfills since 2010 are best directed to the Environmental Protection Agency who licence and monitor such sites and also compile waste statistics. Appendix E of the National Waste Report 2010 sets out the number of landfills accepting waste that year and is available to view at https://www.epa.ie/pubs/reports/waste/stats/EPA_NWR_2010.pdf Queries in relation to the schedule for decommissioning of operational landfills are a matter for individual landfills and will be dependent on a number of factors, including planning and licensing legislation.

Waste management planning, including with regard to infrastructure provision, is the responsibility of local authorities under Part II of the Waste Management Act, 1996 (as amended). Under section 60(3) of that Act, I am precluded from exercising any power or control in relation to the performance, in specific cases, by a local authority of their statutory functions under the Act. However, my Department has and will continue to engage with the three Regional Waste Management Planning Lead Authorities and other environmental regulatory bodies in relation to waste management policy. In that context, I understand that there are currently 4 landfills currently accepting municipal waste, and that this will likely decrease to 3 before year end:

- Ballynagran, Co Wicklow
- Drehid, Co Kildare
- Killconnell, Co. Galway (expected to close in 2019)
- Knockharley, Co Meath

Waste Management

165. **Deputy Brendan Ryan** asked the Minister for Communications, Climate Action and Environment if he will provide the Environmental Protection Agency's regulations governing bird control requirements on landfill waste management sites and insofar as such bird control regulations pertain to concerns for the interests of and or the protection of public health and safety (details supplied). [17195/19]

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): The Waste Management Act 1996 and the Waste Management (Licensing) Regulations 2004 govern the process under which waste licences are applied for and maintained. Once granted, each waste licence defines the nature of environmentally acceptable activities that can take place at a waste facility. This is done by the conditions of the licence which are set by the Environmental Protection Agency. I have no function in relation either to the setting of operating conditions or to their enforcement at a waste licensed facility, and under section 60(3) of the Waste Management Act 1996, the Minister is precluded from exercising any power or control in relation to the performance by the Environmental Protection Agency, in particular circumstances, of a statutory function vested in it. Accordingly, queries with regard to bird control at landfills should be directed to the Agency.

The licences of individual landfills, which include (where appropriate) bird control conditions to control nuisance, are available to view online at www.epa.ie

Environmental Protection Agency

166. **Deputy Brendan Ryan** asked the Minister for Communications, Climate Action and Environment if he will provide information regarding a project (details supplied). [17197/19]

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): Under its establishing legislation, the Environmental Protection Agency (EPA) has a statutory role in relation to the co-ordination of environmental research in Ireland. The Agency receives an annual allocation from the Vote of my Department in respect of this research strategy. Under the Environmental Protection Agency Act 1992, as amended, the EPA is independent in performing its day-to-day statutory functions and, accordingly, I have no role in this matter. However, I understand that further information on the project in question, if required, can be obtained directly on request to the Agency.

Motor Tax Exemptions

167. **Deputy Peter Burke** asked the Minister for Transport, Tourism and Sport if health vehicles are exempt from motor tax (details supplied). [16995/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The Finance (Excise Duties) (Vehicles) Act 1952 provides for an exemption from motor tax for ambulances. Motor tax legislation does not define an ambulance further.

The decision in relation to the granting of an exemption from motor tax for an ambulance is a matter for the local motor tax office concerned, within the parameters of the legislative framework.

National Convention Centre

168. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport if a post-project review has been compiled and published for the National Convention Centre PPP as per the public spending code. [17018/19]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin): As the Deputy will be aware, the National Convention Centre opened in August 2010. Its first five years in operation were considered “ramp up” years to allow the Centre to build its brand and market position and become fully operational.

The guidelines for post project reviews under the Public Spending Code do not explicitly set out a minimum number of years before such a review should be conducted, but after examination of the project my officials have taken the view that given the nature of the business there would be greater value in conducting a post project review when sufficient operational evidence existed following the “ramp up” period, as otherwise the costs and benefits could be subject to external factors and random fluctuation. Bearing this in mind, my Department is currently in the process of collating and examining the relevant documentation with a view to assessing whether sufficient and appropriate data now exists to conduct a post-project review of the performance of the National Conference Centre on the basis of the intended outputs and outcomes.

Road Projects

169. **Deputy Alan Kelly** asked the Minister for Transport, Tourism and Sport his plans to fund the Thurles bypass in 2019 or 2020; if funding will be provided for this project; and if he will make a statement on the matter. [17071/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and securing capital funding in relation to the national roads programme. Under the Roads Acts 1993-2015 and in the context of delivering the Government’s commitments arising out Project Ireland 2040, the planning, design, and construction, including the distribution of funding for individual national roads, is a matter for TII in conjunction with the local authorities concerned.

Noting the above position, I have referred the question to TII for a direct reply. Please advise my private office if you do not receive a reply within 10 working days.

Coast Guard Services

170. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport the number of landings made by the coast guard helicopter for both training and operational reasons at the site of the airstrip at Cluain Leacht an Abba near Cleggan, Connemara in each of the past

three years; and if he will make a statement on the matter. [17079/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): Since 2015 the IRCG have landed at Cleggan Airfield 11 times. Both the Coast Guard and the Galway Fire Service use the airfield as an embarkation point for transporting fire fighters to the islands of Inishboffin and Inishturk. Of the 11, 4 landings were due to taskings and 7 landings for training with the Coast Guard and Fire Service.

Coast Guard Services

171. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport the permanent facilities available to the west Connemara Coast Guard at the airstrip at Cluain Leacht an Abba, Cleggan, County Galway; if showers, toilets and electricity are available at the site; and if he will make a statement on the matter. [17080/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): Cleggan Coast Guard currently operate out of the historic rocket house which does not have those facilities. The provision of a permanent Coast Guard base there is part of the Coast Guard's multi-annual building programme. This programme is funded by my Department and delivered through the OPW as project managers. This project is a priority for the Coast Guard.

Coast Guard Services

172. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport the progress made with the provision of a permanent Coast Guard base at Cluain Leacht on Abba as promised; when the facility will be completed; and if he will make a statement on the matter. [17081/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The provision of a permanent Coast Guard base at Cluain Leacht on Abba is part of the Coast Guard's multi-annual building programme. This programme is funded by my Department and delivered through the OPW as project managers. This project is a priority for the Coast Guard.

Coast Guard Services

173. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport his plans to discuss the provision of permanent lighting at the airstrip at Cluain Leacht on Abba, near Cleggan in Connemara with the Minister for Culture, Heritage and the Gaeltacht to assist the night time landing of Coast Guard and medivac ambulances there; and if he will make a statement on the matter. [17082/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I understand that the Coast Guard has not received any such request. The Coast Guard, through CHC, provides for patient transfers and other aeromedical support services to the HSE National Ambulance Service (NAS) on an 'as available' on request basis.

Road Projects

174. **Deputy Sean Sherlock** asked the Minister for Transport, Tourism and Sport the estimated costs of a project (details supplied). [17088/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. Under the Roads Acts 1993-2015, the planning, design, procurement and construction of individual national roads is a matter for TII in conjunction with the local authorities concerned. As part of TII's above remit, TII's role includes appraising estimated costs for projects.

The Department of Public Expenditure and Reform's (D/Per) Public Spending Code (PSC) and my Department's Capital Appraisal Framework (CAF) provides the framework for assessing road capital projects and where projects are in excess of 100 million, Government approval is required before contracts may be awarded.

My Department is currently in receipt of a revised Business Case (BC) for the Dunkettle interchange and the BC is currently being reviewed by my Department's Strategic Research and Analysis Division (SRAD). The BC will then be forwarded to D/Per for further review and if the project meets the requirements of the CAF and the PSC, Government approval for the project will be sought.

In terms of the estimated costs for the project, I have referred your question to TII for a more detailed and direct reply on this specific issue. Please advise my private office if you do not receive a reply within 10 working days.

Road Projects

175. **Deputy Alan Kelly** asked the Minister for Transport, Tourism and Sport the funding being provided in 2019 or planned for 2020 for the Thurles inner relief road; and if he will make a statement on the matter. [17090/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The improvement and maintenance of regional and local roads is the statutory responsibility of the relevant local authority in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from the Council's own resources supplemented by State road grants. Each local authority is the contracting authority for the purpose of implementation of regional and local road improvement projects.

The National Development Plan (NDP), which has been developed by Government to underpin the successful implementation of the new National Planning Framework (NPF), provides the strategic and financial framework for a number of Strategic Regional and Local Roads Strategic roads projects for the period from 2018 to 2027.

The Thurles Inner Relief Road is included amongst a number of regional and local road schemes that were identified as being at various stages of Project Appraisal. Given the many competing demands, the scope for progressing an additional pipeline of projects within the plan will be assessed as the NDP progresses.

The preliminary design for Thurles Inner Relief Road is complete and planning approval was granted for the scheme in July 2014.

In accordance with the Public Spending Code and the Department's Common Appraisal Framework the project requires preliminary and detailed appraisal. Preliminary appraisal is

initially required to be submitted by the sponsoring agency (Road Authority) to the Department for approval. As the project cost is in excess of €5m a detailed appraisal will then be required to be prepared and submitted to the Department's Road Division and Strategic Research and Analysis Division (SRAD) for approval.

Following DTTaS's confirmation that the Project Appraisal Proposals complies with the Public Spending Code and the Common Appraisal Framework, the scheme can then be considered for progression to the next phase of implementation and subject to adequate availability of funding.

The first essential step is that a preliminary appraisal for this project is submitted to the Department by Tipperary County Council. Progression beyond that stage will depend on the quality of the appraisal, the overall availability of funding and the quality of the business cases relating to other proposed projects from around the country.

Departmental Contracts Data

176. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17121/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The information requested by the Deputy is currently being collated by my officials and will be forwarded to the Deputy within 10 working days.

Airport Security

177. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question Nos. 307 and 308 of 4 April 2019, the reason an executive summary of the report cannot be published on the competence of the IAA after a recent oversight audit on security matters which are of essential importance to the public interest; if his attention has been drawn to the fact that an appeal will be made to the Office of the Information Commissioner if a summary is not forthcoming; and if he will make a statement on the matter. [17122/19]

Minister for Transport, Tourism and Sport(Deputy Shane Ross): The report to which the Deputy refers is a recent European Commission inspection of the Irish Aviation Authority, which is the Appropriate Authority in the State under EC Regulation No 300/2008 on common rules in the field of civil aviation security.

This report is classified as EU Restricted which means that the disclosure of the information contained could be disadvantageous to the EU or one or more of its member states.

It includes findings that identify security issues specific to individual regulated entities. Hence the reports content is restricted so as not to enable such details be released into the public domain.

I am unable to comment further on the report or its contents.

Public Transport

178. **Deputy Eamon Ryan** asked the Minister for Transport, Tourism and Sport the estimated cost to provide free nationwide public transport to persons in full-time education. [17178/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The National Transport Authority (NTA) has responsibility for public transport fares and I have therefore forwarded the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive responses within ten working days.

Roads Maintenance

179. **Deputy Eamon Ryan** asked the Minister for Transport, Tourism and Sport the amount spent on road maintenance in each year since 1992 by local, regional and national roads. [17179/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The improvement and maintenance of regional and local roads is the statutory responsibility of the relevant local authority in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from the Council's own resources supplemented by State road grants. Details of the regional and local road grant allocations and payments to local authorities are outlined in the regional and local road grant booklets which are available in the Dáil Library.

The tables included in the payment and allocation booklets outline expenditure by type of grant programme. Most of the expenditure allocated for regional and local roads under the National Development Plan is being directed towards road maintenance and renewal. For example, this year Exchequer funding of €483 million is being invested and €65 million of that is for the Strategic and Specific road improvement programmes. It is also the case that, within the amount of €65 million, that €15.6 million earmarked for the smaller scale road improvement schemes includes provision for bridge rehabilitation and safety schemes.

As regards national roads, within its annual budget, allocations to individual local authorities is a matter for Transport Infrastructure Ireland (TII). I have, therefore, referred the Deputy's Question to TII for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

Transport Infrastructure Ireland Data

180. **Deputy Eamon Ryan** asked the Minister for Transport, Tourism and Sport the new road infrastructure projects contractually committed to or under construction; and the cost of each. [17180/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme under the National Development Plan (NDP). Under the Roads Acts 1993-2015, the planning, design and construction of individual national roads is a matter for Transport Infrastructure Ireland (TII) in conjunction with the local authorities concerned.

Noting the above position, I have referred your questions to TII for a direct reply. Please advise my private office if you do not receive a reply within 10 working days.

The improvement and maintenance of regional and local roads is the statutory responsibility of the relevant local authority in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from the Council's own resources supplemented by

State road grants. Each local authority is the contracting authority for the purpose of implementation of regional and local road improvement projects.

Under the National Development Plan, my Department is committed at present to providing grant funding towards the cost of 12 capital road improvement schemes. As indicated previously to the Deputy, the status and current estimated cost for each of these schemes is set out in the table below.

Name of Project	Total Cost of Project €m	Brief Description of Current Status of Project	Project Completion Date
R407 Sallins By Pass	57	At Construction.	2020
Coonagh to Knocka- lisheen	52	At land acquisition stage & preparation of tender documents	2022
Athy Southern Dis- tributor Road	34	At land acquisition stage and advance works	2023
Shannon Crossing/ Kilalloe Bypass/ R494 Upgrade	62	At land acquisition stage, site investiga- tion and detailed design	2023
Eastern Garavogue Bridge and Approach Road (DTTaS ele- ment)	20	Land acquisition, advance works and preparation of con- tract documents.	2022
Adamstown & Nan- gor Road Upgrades	18	At Construction stage	2019
Sligo Western Dis- tributor Road (DT- TaS element)	15	At Construction stage	2020
R498 Latteragh realignment	15	At planning stage	2022
Tralee Northern Re- lief Road	11	At Detailed Ap- praisal	2021
Portlaoise Southern Distributor Road	7	At Construction	2019
Laytown to Bettys- town Link Road	5	At planning stage	2020
Dingle Relief Road	4	At Construction stage	2019

Public Transport Data

181. **Deputy Eamon Ryan** asked the Minister for Transport, Tourism and Sport the public transport projects contractually committed to or under construction; and the cost of each. [17181/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The information sought by the Deputy is available on the Department of Public Expenditure and Reform's on-

line “Investment Projects and Programmes Tracker” at:

www.per.gov.ie/wp-content/uploads/Investment-Projects-and-Programmes-Tracker-2018-Revised-version-8th-March-2019.xlsx.

Public Transport

182. **Deputy Eamon Ryan** asked the Minister for Transport, Tourism and Sport the investigation carried out of the investment and operational support which would be needed to establish an integrated public transport service providing a level of service comparable to the best systems in other European countries; and if he will provide documents resulting from this research. [17182/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): As the Deputy is aware the National Transport Authority (NTA) has a statutory responsibility to develop a Transport Strategy for the Greater Dublin Area. The most recent Strategy, which incorporates plans for both infrastructural and service developments, was approved by the then Minister in early 2016. The Strategy must be reviewed every six years and work on that review will commence in 2020.

In relation to the 4 other cities, the NTA is working in close co-operation with relevant local authorities in developing and implementing a transport strategy for each of these cities. Galway City Council published its Strategy in 2016, Cork local authorities expect to publish a draft Cork Metropolitan Area Transport Strategy shortly, while consultations on both Limerick and Waterford transport strategies are expected to commence later in 2019.

Noting the NTA’s responsibility in the matter, I have referred the Deputy’s question to the NTA for a more detailed reply. Please contact my private office if you do not receive a reply within 10 days.

Bus Services

183. **Deputy Peadar Tóibín** asked the Minister for Transport, Tourism and Sport when the 115A bus morning and evening peak period through service will be reinstated as promised by the NTA in November 2018; and if he will make a statement on the matter. [17183/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): The issue raised is an operational 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.

National Transport Authority

184. **Deputy Róisín Shortall** asked the Minister for Transport, Tourism and Sport if it is a statutory requirement of the National Transport Authority to attend local authority meetings on transport if they are requested to do so. [17185/19]

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I am aware that the National Transport Authority (NTA) is always willing to facilitate attendance at meetings of local authorities whenever possible. I am advised for instance that the Chief Executive of the

NTA recently attended meetings of Wicklow and Kildare County Councils. However, there is no statutory requirement of the NTA to attend local authority meetings.

Section 42 of the Dublin Transport Authority Act 2008 requires the NTA to “keep itself informed of the policies, objectives, resolutions and guidelines of any public authority, the functions of which have, or may have, a bearing on the matters with which the Authority is concerned.”

Children in Care

185. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the proportion of children in care that received criminal charges while in the care of the State in each of the years 2016 to 2018. [16996/19]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): Tusla, the Child and Family Agency, does not collate national data in respect of children in care and their involvement in the criminal justice system. Information regarding individual children in care would be known to the child’s social worker, team leader, principal social worker and foster carer or residential care staff, and would inform the child’s care and placement plan.

Oberstown Detention Centre collates information about children in care who are detained there. I have been informed by Tusla that they engage with Oberstown Detention Centre to ensure that all children/young people who are detained in Oberstown, and known to Tusla, receive appropriate support and intervention.

Departmental Contracts Data

186. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17108/19]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): My Department has awarded no contracts to this company to date.

Tusla, the Adoption Authority of Ireland and Oberstown Children Detention Campus have also confirmed that they have held no contracts with this company.

I have referred the question to the Ombudsman for Children’s Office and asked them to provide the information sought directly to the Deputy.

UN Conventions Ratification

187. **Deputy Róisín Shortall** asked the Minister for Children and Youth Affairs the reason for the continued delay in the State ratifying the second optional protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; and the rationale for the State not ratifying the protocol. [17127/19]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): I am firmly committed to the ratification of the Second Optional Protocol to the United Nations Convention on the Rights of the Child. To date, ratification has been pending to ensure that all of the

necessary arrangements are in place to comply with the obligations of the Optional Protocol. The recent enactment of the Criminal Law (Sexual Offences) Act 2017 and the Criminal Justice (Victims of Crime) Act 2017 constitute key steps on the pathway to the ratification of the Optional Protocol and fulfil a number of its requirements.

My Department has recently completed a substantive review of Ireland's compliance with the Optional Protocol's provisions, which has been submitted to the Office of the Attorney General for its advice. Once approved, I will seek Government approval to ratify the Optional Protocol at the earliest opportunity.

Dog Licences

188. **Deputy Louise O'Reilly** asked the Minister for Rural and Community Development if his attention has been drawn to a survey (details supplied); his views on the potential loss of revenue in view of the low rate of dog licences paid for in comparison to the level of dog ownership indicated by the survey; and if he will make a statement on the matter. [17012/19]

Minister of State at the Department of Rural and Community Development (Deputy Seán Canney): I am aware of the industry survey by pet food manufacturers in Ireland which is referenced by the Deputy.

Information supplied by local authorities to my Department for 2017 shows that the number of individual dog licences issued was nearly 200,000 and the number of licences issued for having more than one dog was over 800. Information relating to the number of people who own a dog but do not have a dog licence is not available in my Department.

It is a legal requirement for all dog owners to have a dog licence. In 2018, to make it easier to purchase a licence, local authorities rolled out a new online system for the purchase of dog licences. Licences can now be purchased online, at Post Offices or at local authority offices. This initiative demonstrates the commitment of local authorities to driving efficiencies and modernising to meet the needs of citizens. Furthermore, I understand that mobile access and reporting facilities, which will assist detection and evasion, will be enabled for the local authority dog warden service later this year.

Under the Control of Dogs Acts, local authorities are responsible for licensing services in their areas and my Department is not involved in this operational activity.

Rural Regeneration and Development Fund

189. **Deputy Eoin Ó Broin** asked the Minister for Rural and Community Development if material changes to proposals approved under category 1 require approval; and reapplication; and if it is acceptable to proceed with amended proposals on condition of meeting the relevant fund criteria regarding the Rural Regeneration and Development Fund. [17034/19]

Minister for Rural and Community Development (Deputy Michael Ring): The first call for applications for the Rural Regeneration and Development Fund closed at the end of September. €1 billion is committed to the Fund over a 10 year period to support rural economic development and help build strong communities. €315m is allocated to the Fund for 2019-2022.

There was an excellent response from all across the country, with 280 applications received. A total of 84 projects were successful under the first call - 38 Category 1 projects and 46 Category 2 projects - and support of €86m was allocated from the Rural Regeneration and

Development Fund. The combined value of the projects, taking account of matched funding provided from other sources, totals €117m.

As part of the application process, which was competitive in nature, lead parties were required to set out a detailed project proposal. Project proposals were thereafter subject to a comprehensive evaluation process, involving assessment by my Department under the oversight of an independent Project Advisory Board, established to assist in making recommendations on the suitability of applications for funding. Recommendations were identified based on the assessment undertaken, the observation of Board members, and the extent to which project proposals aligned with the objectives of the Fund.

Successful applicants enter into a contractual arrangement with the Department to deliver as planned. Funding is in principle and subject to completion of final due diligence and oversight of any emerging procurement costs. It is a condition of the approved funding that it must be used solely for the activities set out in the project proposal. If a case were to arise in which a material change was proposed in respect of a project which was selected for funding, my Department should be notified immediately. My Department would then engage with the lead party for the project and formulate an appropriate course of action based on full knowledge of the circumstances.

Departmental Contracts Data

190. **Deputy Robert Troy** asked the Minister for Rural and Community Development the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17120/19]

Minister for Rural and Community Development (Deputy Michael Ring): I can confirm that my Department has not awarded any State contracts to the company in question since the Department was established in July 2017.

Departmental Budgets

191. **Deputy Jonathan O'Brien** asked the Minister for Rural and Community Development the projects and initiatives that will be affected in 2019 as a result of the €3 million adjustment of the further revised estimates in the 2019 vote of his Department. [17123/19]

Minister for Rural and Community Development (Deputy Michael Ring): The Further Revised Estimates 2019 for the Department of Rural and Community Development provided for an adjustment from €55 million to €52 million for the Rural Regeneration and Development Fund (RRDF).

Under Project Ireland 2040, the Government has committed €1 billion to the RRDF over a 10 year period to support rural economic development and to help build strong communities. The RRDF is a multiannual programme, with the National Development Plan providing for an allocation of €315 million over the four year period 2019 to 2022.

Whilst each annual allocation remains to be confirmed as part of the annual budgetary process, the €315 million allocation for the period 2019-2022 remains unchanged. Therefore, no projects will be adversely impacted by the re-profiling required in 2019.

In total 84 projects have been allocated funding of €86 million under the first funding call. Together with match funding, this will enable projects worth €117 million to be delivered across

the country. I expect to be in a position shortly to launch a second call for applications under the RRDF. The funding allocation remains available to deliver these and future projects over the coming years.

Public Participation Networks

192. **Deputy Róisín Shortall** asked the Minister for Rural and Community Development the statutory requirements for local authorities in relation to development of and support of public participation networks; and the percentage of the State currently covered by a PPN. [17187/19]

Minister of State at the Department of Rural and Community Development (Deputy Seán Canney): Section 46 of the Local Government Reform Act 2014 provides the legislative basis which gives effect to the Framework for Public Participation and the Public Participation Networks (PPNs). This Act, which amends section 127 of the Local Government Act 2001, requires each local authority, in accordance with general policy guidelines issued by the Minister, to adopt a Framework for Public Participation in Local Government for the purposes of promoting, developing and implementing a coherent and integrated approach to participation in decision-making processes of the local authority.

General guidelines on the operation of PPNs were issued by the Department in 2014, followed by a number of Departmental Circular Letters and a PPN User Guide in 2016, which is currently being reviewed.

PPNs have been established in all local authority areas. Some are more firmly established than others, largely reflecting the timing of set-up arrangements, the recruitment of resource workers and the formation of the various groupings required for PPNs to function. Nonetheless, substantial progress has been made in the ongoing development of PPNs since their initial establishment, with over 15,000 member groups recorded nationally at the end of 2018. I am aware that Limerick PPN is not currently operational and my officials are working closely with Limerick City and County Council to have the PPN re-established as soon as possible.

Since 2015, up to €50,000 has been provided annually by my Department in respect of each PPN, provided this was supplemented by a minimum of €30,000 from the local authorities' own resources. Other supports provided by the local authorities include the provision of office accommodation and equipment, reimbursement of PPN representatives' expenses for those members who sit on local authority boards or committees and a contribution towards the cost of the recruitment of a PPN Support Worker in 2019, to assist the PPN Resource Worker.

In addition, two local authority officials represent the local authority sector on the National PPN Advisory Group, which advises and supports the Department in relation to the ongoing development of PPNs.

State Pensions

193. **Deputy Seán Haughey** asked the Minister for Employment Affairs and Social Protection when the review of State pensions paid to pensioners that took time out to care for children will be completed; when increases in the rate of payment due to these pensioners will be awarded; and if she will make a statement on the matter. [17000/19]

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

Since late September 2018, my Department has been examining the social insurance records of approximately 90,000 pensioners, born on or after 1 September 1946, who have a reduced rate State pension contributory entitlement based on post Budget 2012 rate-bands. These payments are being reviewed under a new Total Contributions Approach (TCA) to pension calculation which includes provision for homecaring periods.

Wherever possible, reviews will be processed based on information already held by the Department. Where additional information is required about gap periods in a person's social insurance record, a written request will issue. Over 36,900 requests for information have been issued.

Reviews commenced from 13 February 2019, the day after I signed the necessary Regulations which, together with provisions in the Social Welfare, Pensions and Civil Registrations Act 2018, allows the increased payments to be made. As at 2 April 2019, 13,915 reviews have been completed and review outcomes issued. The remaining review outcomes will issue as individual reviews are completed.

Regardless of when a review is conducted, where an increase in payment is due, the person's rate of payment will be adjusted without delay and arrears issued backdated to 30 March 2018, or the person's 66th birthday if later. Where a person's rate does not increase following a review, the person will continue to receive their existing rate of payment.

It will take a number of months to complete the reviews due to the numbers involved and the individual nature of social insurance records. This work will continue until all identified pensioners receive their review outcome.

I hope this clarifies the matter for the Deputy.

Pensions Reform

194. **Deputy John Brady** asked the Minister for Employment Affairs and Social Protection the rationale for the decision to increase the pension age to 67 years of age in 2021 and 68 years of age in 2028; and if she will make a statement on the matter. [17003/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): It is well known that people are living longer lives. For example, based on CSO figures, a 65 year old man in 1996 would have had life expectancy of 13.8 years (i.e. they could expect, on average, to live to 78.8), whereas by 2011 this had increased to 17.7 years, an increase of over 28%. Over the same period, the life expectancy of a 65 year old woman increased from 17.4 years to 20.6, an increase of over 18%. In other words, average life expectancy rose by over 23% in a period of just 15 years. These changes are obviously very positive, but it is equally obvious that they result in significantly increased pension costs, if people continue to retire aged 65.

As a result of this demographic trend, the number of State pension recipients is increasing year on year. This has significant implications for the future costs of State pension provision which are currently increasing by approximately €1 billion every 5 years, and more when recent rate increases are taken into account. For example, the cost of my Department's pension payments rose from €7.1 billion in 2016 to €7.75 billion in 2018, an increase of €650m (or 9.2%) in 2 years. For comparison, the Consumer Price Index rose by 0.5% in the 2-year period from January 2016 to January 2018, and by 1.1% in the period from December 2016 to December 2018.

This trend is not expected to cease. In the coming decades, the ratio of people of working

age to pensioners is set to halve, from about five workers for each pensioner, to about two and a half workers per pensioner. This clearly has significant implications for the viability of the state pension system, based as it is on a pay-as-you-go basis.

The purpose of changes to the State pension age is to make the pension system more sustainable in the context of increasing life expectancy. If there is no change in State pension age, the proportion of a person's life spent in retirement will increase to levels where current workers will no longer be able to support current pensioners.

This sustainability is vital, if the current workers, who fund State pension payments through their PRSI, are to receive a pension themselves when they reach retirement age. Therefore, the Social Welfare and Pensions Act 2011 provided that State pension age will be increased gradually to 68 years. This began in January 2014 with the abolition of the State pension (transition) which was available to people aged 65 who had retired and who satisfied the PRSI qualifying conditions. This standardised the State pension age for all at 66 years (it was already 66 for non-contributory pensioners, and for contributory pensioners who worked to 66 or older). This will increase to 67 in 2021 and to 68 in 2028. The savings from these increases will assist in maintaining the sustainability of the overall state pension system, and make it more feasible for the rate of payment to grow in line with prices and/or average earnings in the future.

Jobseekers Benefit is payable subject to the person satisfying the general scheme conditions. This entitlement is normally paid for 9 months (234 days) for people with 260 or more PRSI contributions paid and for 6 months (156 days) for people with fewer than 260 PRSI contributions paid. Arrangements are in place to provide that jobseekers whose benefit expires in their 65th year can generally continue to be paid benefit up until pensionable age (currently their 66th birthday) provided they satisfy the necessary contribution conditions. The jobseekers schemes are kept under review and any further changes, including entitlement beyond the 66th year, will be considered in that context.

It is important to remember that there is no legally mandated retirement age in the State, and the age at which employees retire is a matter for the contract of employment between them and their employers. While such a contract may have been entered into with a retirement date of 65, in the context of the previous State pension arrangements, there is no legal impediment to the employer and employee agreeing to increase the duration of employment for one or more years, if both parties wish to do so. In this regard, the Workplace Relations Commission has produced a Code of Practice on Longer Working and the Irish Human Rights and Equality Commission (IHREC) has published guidance material for employers on the use of fixed-term contracts beyond normal retirement age.

I hope this clarifies the matter for the Deputy.

JobPath Data

195. **Deputy John Brady** asked the Minister for Employment Affairs and Social Protection the number of persons that have been referred to JobPath for a second and third time. [17004/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): The Department of Employment Affairs and Social Protection provides a range of activation supports catering for long-term unemployed jobseekers and those most distant from the labour market to secure and sustain full-time paid employment. These supports include the JobPath service.

My Department selects clients for the JobPath service by means of a random selection pro-

cess. Protocols for selection currently preclude the selection of anyone who has already completed 52 weeks with the JobPath service within the previous four months. If, however, at the end of this period the jobseeker has not engaged in other activation supports and services, they then become eligible for selection for a subsequent period of activation on the JobPath service. This is necessary to ensure that they continue to receive a case management service.

To date, just over 23,900 jobseekers have commenced a second engagement period with the service, having previously availed of the service and 92 people have commenced a third engagement period.

Jobseekers referred for a subsequent referral will start working with a Personal Advisor who will review their development during their previous engagements with the service and together they will prepare a new personal progression plan to build on that progress. The actions and tasks agreed will be based on their previous engagements, with particular focus on any remaining barriers preventing the person from moving into full-time suitable employment.

Public Sector Pensions

196. **Deputy Peter Burke** asked the Minister for Employment Affairs and Social Protection the reason a person (details supplied) has not received increases to their pension; and if she will make a statement on the matter. [17005/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): The information requested by the Deputy refers to Public Sector Pensions. This is therefore not a matter for my Department and is proper to the Department of Public Expenditure and Reform. The Deputy should raise this matter with my colleague, the Minister for Public Expenditure and Reform.

Community Employment Schemes Supervisors

197. **Deputy Róisín Shortall** asked the Minister for Employment Affairs and Social Protection the steps she is taking to address the fact that community employment scheme supervisors have not received a pay rise in over ten years; and if she will make a statement on the matter. [17015/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): CE scheme supervisors are employees of private companies in the community and voluntary sector that receive public funding. They are not employees of my Department or public servants.

The current agreement for public servants is an agreed approach to the continued unwinding of the FEMPI legislation and does not provide for a pay increase.

The Deputy should note that, in the past, CE supervisors benefitted from pay increases linked to all phases of Benchmarking, Sustaining Progress (Parts 1 and 2) and Towards 2016 (all 4 phases). They were not subject to any pay reductions under the Financial Emergency Measures in the Public Interest (FEMPI).

European Labour Authority

198. **Deputy Brendan Howlin** asked the Minister for Employment Affairs and Social Pro-

tection her plans to seek the location of the new European labour authority here; the resources that will be committed to the campaign to achieve same; and if she will make a statement on the matter. [17026/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): In February, the European Commission, the European Parliament and the Council reached a provisional agreement on the Commission's proposal to establish a European Labour Authority (ELA). The ELA, will amongst other things, support Member States in providing information and services to citizens and business and facilitate cooperation and exchange of information between Member States, and support them through concerted and joint inspections in order to fight abuse, fraud and undeclared work.

This is a very important initiative with now only the location of the seat remaining to be decided.

Amongst the selection criteria is the number of agencies which already have their seat in the applicant Member State, the intention being that those with no such agencies would be preferred. In addition, priority will be given to Member States which acceded to the EU in or after 2004.

In light of this prioritisation of newer Member States and the fact that Ireland already hosts the European Foundation for the Improvement of Living and Working Conditions (Eurofound) the Government is not submitting a bid to host the seat of this organisation.

The location of the seat will be decided by a vote at the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) meeting which I will attend in Luxembourg on 13 June.

Invalidity Pension Applications

199. **Deputy Robert Troy** asked the Minister for Employment Affairs and Social Protection if an invalidity pension application by a person (details supplied) will be expedited. [17032/19]

Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath): The gentleman referred to has been awarded invalidity pension with effect from 21 February 2019. Payment will issue to his nominated post office on 25 April 2019. Any arrears due from 21 February 2019 to 24 April 2019 (less any overlapping social welfare payment) will issue as soon as possible. The gentleman in question was notified of this decision on 09 April 2019.

I hope this clarifies the matter for the Deputy.

Social Insurance

200. **Deputy Brendan Griffin** asked the Minister for Employment Affairs and Social Protection her plans to reform social protection for the self-employed; and if she will make a statement on the matter. [17054/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): The Programme for Government includes a commitment to introduce an enhanced PRSI scheme for the self-employed as part of the Government's policy of making work pay and encouraging self-employment and entrepreneurship. Making progress on this commitment has been one of my key priorities since becoming Minister.

Self-employed workers, who earn €5,000 or more in a contribution year, are liable for PRSI at the class S rate of 4%, subject to a minimum annual payment of €500. This provides them with access to the following benefits: State pension (contributory), widow's, widower's or surviving civil partner's pension (contributory), guardian's payment (contributory), maternity benefit, adoptive benefit, paternity benefit and treatment benefit (from March 2017). The treatment benefit scheme includes dental and optical benefits such as free eye and dental exams and contributions towards the cost of hearing aids.

In addition entitlement to invalidity pension was extended to the self-employed from December 2017. For the first time this gives the self-employed access to the safety-net of income supports if they become permanently incapable of work as a result of illness or disability, without having to go through a means test.

In Budget 2019 I was pleased to announce that jobseeker's benefit will be extended to the self-employed towards the end of 2019.

All these improvements to entitlements are a real advance in the level of cover available to the self-employed and were introduced without an increase in the PRSI charge for this group.

I trust this clarifies the matter for the Deputy.

Job Initiatives

201. **Deputy Maureen O'Sullivan** asked the Minister for Employment Affairs and Social Protection if the Seetec service is the most relevant service for professional actors. [17069/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): All Jobseekers on the Live Register must be capable of, available for and actively seeking full time employment, they are also required to engage with the Department's activation services. The Social Welfare (Consolidated) Act 2005, as amended, specifies that participation in activation meetings is mandatory.

JobPath is an employment activation service that supports people who are long-term unemployed, including those working part time and those at risk of becoming long-term unemployed, to secure and sustain full-time paid employment. For those long term unemployed jobseekers with very limited employment options available within a specialised field in their local area, they may be required to broaden the search to a wider area or to other types of employment.

All long term unemployed jobseekers on the Live Register are eligible for selection for the JobPath service and clients are chosen by means of a random selection process.

JobPath provides an intensive personal service which focuses on the skills and experience of each person. In the case of clients already in part-time employment, or who take up a short term employment position, this personal service may focus on any options or opportunities to increase the level of employment in their current role, or look at possibilities in other areas. This may also involve some upskilling to equip the person to take up employment which has the possibility of providing a more sustainable income and a move away from a jobseekers payment. It is important therefore that jobseekers continue to engage with their JobPath provider.

Jobseekers referred to the JobPath service who are also working casually or in part-time positions will have all activities including meetings with their personal advisor scheduled around their work commitments and the JobPath contractors are required to be flexible in the provision of the service in that respect.

For those people who take up occasional work when engaged with JobPath, the service will offer in-work support and they will not be required to attend with their personal advisor until the employment ends.

If the Deputy has a concern regarding a particular individual, they should advise the person to contact their local Intreo Centre to discuss their specific circumstances.

I trust this clarifies matters for the Deputy.

Domiciliary Care Allowance Review

202. **Deputy Martin Heydon** asked the Minister for Employment Affairs and Social Protection the status of a survey carried out in 2018 by her Department of parents on domiciliary care allowance in relation to potentially increasing the disability allowance age from 16 to 18 years of age and extending the domiciliary care allowance age from 16 to 18 years of age; when a decision will be made on same; and if she will make a statement on the matter. [17102/19]

Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath): The Make Work Pay report was published in April 2017 following a commitment in the Comprehensive Employment Strategy for people with disabilities 2015-2024, and was undertaken in order to better identify how people with disabilities could be supported to achieve their employment ambitions.

The report made two recommendations (number 9 and 10) that addressed significant issues around the design of the main income supports schemes. These related to a proposed reconfiguration of the of DA (from the current starting age of 16 to 18 years) and an implementation of the principle of early engagement for young persons on Disability Allowance (DA) and on all illness and disability payments.

To fulfil a commitment made at the time of the report, a wide-ranging consultation exercise was conducted with persons with disabilities, their families and representative groups in relation to these recommendations. This consultation began in September 2017 and continued until June 2018. Outcomes from stakeholder submissions, four regional consultation events (held in Dublin, Cork, Sligo, and Limerick), and online questionnaires/survey were compiled. These outcomes were further considered by a key stakeholder focus group (this group comprises of persons with experience of disability issues, who also helped the Department with the design of the national consultation process).

The national consultation process gathered a large amount of material and a draft report has been prepared by my Department together with the key stakeholder focus group. I am considering the results of the consultation and have asked my officials to consider what implementation issues related to early engagement would need to be addressed before deciding on the next steps.

Departmental Contracts Data

203. **Deputy Robert Troy** asked the Minister for Employment Affairs and Social Protection the State contracts awarded to a company (details supplied) over the past seven years; and the contracts delivered according to the original contract. [17113/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): There were no contracts awarded by my Department over the past seven years to the company

detailed in the question.

Youth Unemployment

204. **Deputy Billy Kelleher** asked the Minister for Employment Affairs and Social Protection the estimated cost in the first year and the full year cost of a proposal (details supplied). [17144/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): The Youth Employment Support Scheme (YESS) was introduced on Monday 1st October 2018 and has been open to applications from that date.

The YESS is a work experience programme, specifically targeted at young jobseekers, but also other eligible cohorts, aged 18-24 years old where they have been out of work and in receipt of qualifying payment for at least 12 months. Clients in that age cohort who face significant barriers to employment are also eligible. In this context the scheme is specifically targeted at those young people who are not in employment, education or training and aims to provide participants with the opportunity to learn basic work and social skills in a supportive environment while on a work placement.

In considering eligibility for the scheme the Department's Case Officers would be supportive of any young person wishing to participate in the scheme. If there are any instances where a young client has been refused approval to participate on the basis of eligibility, the Deputy may wish to make me aware of the case so that it can be reviewed.

A budget of €5 million has been allocated to the YESS for 2019.

I trust this clarifies the matter for the Deputy.

Family Law Cases

205. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection if a person (details supplied) can rely on €30 per week maintenance payment as decided by the courts from their spouse that has left the area; and if she will make a statement on the matter. [17158/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): The issue of maintenance payments is first and foremost a private matter for the persons concerned, and if they cannot resolve the problem, then for the Courts Service through Family Law provisions.

My Department is responsible for implementing the Liability to Maintain Family Provisions provided for in Part 12 of the Social Welfare Consolidation Act 2005, as amended. The methods of assessment of the liable relative's ability to pay are specified in detail in Regulations S.I. 571 of 2006 and S.I. 142 of 2007 as amended. The Liability to Maintain Family provisions are completely separate to Family Law legislation.

My Department has no responsibility for decisions made by the Courts Service under Family Law legislation.

If the person is experiencing an urgent financial need she should contact my Department's community welfare service for assistance.

I hope this clarifies the matter for the Deputy.

Social Welfare Benefits Eligibility

206. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection when child benefit and-or one parent family allowance is payable in the case of a person (details supplied); and if she will make a statement on the matter. [17160/19]

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): The person concerned submitted a child benefit (CB) application on the 25th of January 2019. As she indicated on her application form that she had not entered employment since her arrival in Ireland her claim was disallowed as she did not meet the Habitual Residence Condition.

The person has since provided information to her local Intreo Centre - in relation to a One Parent Family (OFP) claim - to say that she had entered employment in Ireland since her arrival in November 2018.

A decision was made to award OFP based on the information from the statement that she had entered employment in Ireland following her arrival in the State in November 2018. However, subsequent enquiries have indicated that no employment is registered on Departmental records. In light of this, the decisions that the habitual residence condition was satisfied and to award OFP are being reviewed and the result of the review will be communicated to the person concerned and the Deputy in due course.

Her CB application is currently under review and correspondence issued to her on 9 April seeking clarification in relation to her stated employment. Once this information is received a decision will be made and also communicated to the person concerned.

I trust this clarifies the matter for the Deputy.

Housing Assistance Payment

207. **Deputy John Brady** asked the Minister for Housing, Planning and Local Government the reason a half-rate carer's payment is assessed as means under HAP but not under rent supplement in circumstances in which those being transferred from rent supplement to HAP are having their half-rate carer's payment assessed; and if he will make a statement on the matter. [17002/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): Applications for social housing support are assessed by the relevant local authority, in accordance with the eligibility and need criteria set down in section 20 of the Housing (Miscellaneous Provisions) Act 2009 and the associated Social Housing Assessment Regulations 2011, as amended. In order to be eligible for HAP support, a household must first qualify for social housing support and be placed on a housing list.

The Social Housing Assessment Regulations 2011 prescribe maximum net income limits for each local authority, in different bands according to the area concerned, with income being defined and assessed according to a standard Household Means Policy. The 2011 Regulations do not provide local authorities with any discretion to exceed the limits that apply to their administrative areas.

The income bands and the authority area assigned to each band were based on an assessment

of the income needed to provide for a household's basic needs, plus a comparative analysis of the local rental cost of housing accommodation across the country. It is important to note that the limits introduced at that time also reflected a blanket increase of €5,000 introduced prior to the new system coming into operation, in order to broaden the base from which social housing tenants are drawn, both promoting sustainable communities and also providing a degree of future-proofing.

Under the Household Means Policy, which applies to all local authorities, net income for social housing assessment is defined as gross household income less income tax, PRSI and the universal social charge. The Policy provides for a range of income disregards, including carer's allowance. Local authorities also have discretion to decide to disregard income that is temporary, short-term or once off in nature.

Public Sector Staff Recruitment

208. **Deputy Róisín Shortall** asked the Minister for Housing, Planning and Local Government the implications of circular letter EL 02/2011 in terms of persons in the public sector being recruited from outside the common recruitment pool (details supplied); if the issues of deterrence, unfairness and inequity which arise in terms of recruitment of experienced persons will be given consideration; the statutory instrument that allows the circular to set down this position; and if he will make a statement on the matter. [17011/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): Public sector employment policy is a matter for my colleague the Minister for Finance and Public Expenditure and Reform. In accordance with the Department of Finance Circular E100/8/82 of 23 December 2010, relating to "Starting Pay on Recruitment from Open Competitions", my Department issued Circular letter E.L. 02/2011 to local authorities. This circular outlines that offers of appointment, to persons, that are not serving local authority employees on or after 1 January 2011, must be at the minimum point of the relevant pay scale.

However, the circular includes a provision for exceptions to this overarching governing principle. Where a local authority chief executive is of the view that there are exceptional circumstances, justifying the offer of starting pay above the minimum, he/she may seek a specific sanction from my Department, in advance of any offer being made. My Department consults with the Department of Public Expenditure and Reform on such requests.

Defined Benefit Pension Schemes

209. **Deputy Mary Lou McDonald** asked the Minister for Housing, Planning and Local Government if a defined benefit pension scheme (details supplied) has been closed; and if he will make a statement on the matter. [17033/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): The Ervia defined benefit pension scheme is closed to new members. Historically, Ervia provided retirement benefits for the majority of its employees through defined benefit schemes. As part of a programme of pay and pension reform agreed with staff and unions, Ervia closed the defined benefit scheme to new entrants with effect from February 2014 and agreed, subject to Ministerial consent, to introduce a defined contribution scheme for new entrants. A PRSA scheme was offered to new entrants in the period following closure of the defined benefit scheme, until the defined contribution scheme was introduced following Ministerial approval. Ministerial approval was given in April 2016 and the scheme commenced on 30 August 2016.

Social and Affordable Housing

210. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government the measure for inflation used in the calculation of the public sector benchmark for the first bundle of public private partnership social housing agreed in March 2019. [17035/19]

217. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government if there was a risk adjustment included in the public sector benchmark exercise for the social housing PPP contract signed in March 2019. [17048/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I propose to take Questions Nos. 210 and 217 together.

A risk adjustment is included in the Public Sector Benchmark (PSB) for Bundle 1 of the Social Housing PPP Programme. This PSB was compiled in full accordance with Department of Finance and Department of Public Expenditure guidance. The guidance clearly states the public sector benchmark should include the whole life cost, including risk, to the Sponsoring Agency of procuring the project using traditional procurement.

With regard to the inflation rate that is included in the same Public Sector Benchmark, the most up to date Department of Public Expenditure and Reform guidance concerning the rates of inflation to be used when calculating public sector benchmarks is available at the following link: www.gov.ie/en/policy-information/1a0dcb-project-discount-inflation-rates/.

As the Deputy will be aware, it is not possible at the present time to release details of project specific risk adjustment or inflation indices as they are important components of the methodology used for costing public sector projects through the PSB.

Current policy is that the final PSB, or any elements thereof, is not made public during the tendering process, on the basis that revealing the amount that the State may pay for a service may impact the value for money achieved and the pricing behaviour of those submitting tender applications. As such, this is deemed to be commercially sensitive information.

This guidance also applies where it is intended to procure further similar projects in the near future. As part of the ongoing Social Housing PPP programme, tenders for Bundle 2 are currently being evaluated, and the process for Bundle 3 is due to commence shortly.

The Department of Public Expenditure and Reform has indicated that following the completion of the construction phase of a PPP, once an appropriate period of time has elapsed and the commercial sensitivity of the information on the project is no longer an issue (having regard also to any other similar PPP projects which may be in pre-procurement), the PSB should be made public.

Foreshore Licence Conditions

211. **Deputy Michael Collins** asked the Minister for Housing, Planning and Local Government if the licence granted to a company (details supplied) for the mechanical harvesting of kelp in Bantry Bay overrides all other licences operating in the area; if fishermen that leave their fishing equipment in the kelp cutting licence area do so at their own risk; and if he will make a statement on the matter. [17036/19]

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): The licence in question provides for the harvesting of kelp in specific areas of Bantry Bay in rotation. The areas to be harvested are outlined in the original application and supporting documentation which is available on my Department's website at www.housing.gov.ie/planning/foreshore/applications/bioatlantis-ltd.

The licence does not confer exclusive use of the areas and under the licence less than 1% of the Bay would be subject to harvest annually.

The harvesting method permitted under the licence entails applying moderate suction to draw the algae into the cutter, which is controlled by the use of sonar, ensuring that the cutting tool remains 25 centimeters above the seafloor or anything resting on it.

Wind Energy Guidelines

212. **Deputy Michael Fitzmaurice** asked the Minister for Housing, Planning and Local Government if there will be an increase to the mandatory minimum 500 metre setback distance for the construction of turbines nears homes in the near future; and if he will make a statement on the matter. [17057/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): My Department is currently undertaking a focused review of the 2006 Wind Energy Development Guidelines. The review is addressing a number of key aspects including sound or noise, visual amenity setback distances, shadow flicker, community obligation, community dividend and grid connections.

As part of the overall review, a strategic environmental assessment (SEA) is being undertaken on the revised Guidelines before they come into effect, in accordance with the requirements of EU Directive 2001/24/EC on the assessment of the effects of certain plans and programmes on the environment, otherwise known as the SEA Directive.

SEA is a process by which environmental considerations are required to be fully integrated into the preparation of plans and programmes which act as frameworks for development consent, prior to their final adoption, with public consultation as part of that process. My Department appointed SEA experts in December 2017 to assist in this regard.

These revised draft guidelines were to be published in Quarter 1 2019. However, there have now been some delays to the planned schedule, due to the recent publication of updated World Health Organisation (WHO) noise standards and the need to focus on certain Brexit-related planning issues. As part of the SEA process, there will be an 8 week public consultation on the revised draft Guidelines, together with the comprehensive environmental report with the aim of issuing the finalised Guidelines, following detailed analysis and consideration of the submissions and views received during the consultation phase, later in 2019.

When finalised, the revised Guidelines will be issued under Section 28 of the Planning and Development Act 2000, as amended. Planning authorities and, where applicable, An Bord Pleanála must have regard to guidelines issued under Section 28 in the performance of their functions generally under the Planning Acts. In the meantime, the current 2006 Wind Energy Development Guidelines remain in force.

Planning Issues

213. **Deputy Richard Boyd Barrett** asked the Minister for Housing, Planning and Local Government the process and timeline for the review of the strategic housing developments fast track planning; the way in which persons can make submissions on same; and if he will make a statement on the matter. [16998/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): The Planning and Development (Housing) and Residential Tenancies Act 2016 (the Act) introduced new streamlined arrangements to enable planning applications for strategic housing developments (SHDs) of 100 housing units or more or student accommodation or shared accommodation developments of 200 bed spaces or more, to be made directly to An Bord Pleanála (the Board) for determination.

The primary purpose of the SHD arrangements is to significantly speed up the planning decision-making process, thereby providing greater certainty for developers in terms of the timeframes within which proposals for such developments can be determined in the planning system, while also fully respecting the statutory requirements for consultation and having regard to observations submitted.

The Act provides that the SHD arrangements apply for an initial period of 3 years, until the end of 2019. Section 4(2)(a) of the Act provides that not later than 30 October 2019, the Minister shall review the operation and effectiveness of the SHD arrangements and lay before both Houses of the Oireachtas a report of the conclusions of the review. Arrangements for public engagement with the review process will be announced as part of the review.

Following the review, section 4(2)(b) of the Act provides that the arrangements may be extended for a further limited period of 2 years, up to the end of 2021 which coincides with the timeframe of Rebuilding Ireland.

Rental Sector Strategy

214. **Deputy Brendan Howlin** asked the Minister for Housing, Planning and Local Government the additional resources provided to each local authority to enable the implementation of new regulations on short-term lets; and if he will make a statement on the matter. [17024/19]

215. **Deputy Brendan Howlin** asked the Minister for Housing, Planning and Local Government the date on which the regulations on short-term lets will be implemented; and if he will make a statement on the matter. [17025/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I propose to take Questions Nos. 214 and 215 together.

Under Action 18 of the Strategy for the Rental Sector published in December 2016, a Working Group was established, involving representatives of all major public stakeholders with a policy interest in short-term lettings, to consider measures aimed at facilitating the short-term letting of accommodation within permanent residences (homesharing), protecting the existing stock of residential stock in areas of high demand, providing clarity in relation to the appropriate regulatory approach - from a planning perspective - for short term tourism related lettings while also recognising the important role of short-term lettings in the provision of tourist accommodation.

Having considered the Working Group's report as well as the recommendations in the report of the Joint Oireachtas Committee on Housing, Planning and Local Government on short-term lettings, I announced plans to regulate short term lettings.

As the proposals are primarily aimed at addressing the impact on the private rental market by the use of residential homes for short term tourism type letting, in areas of high housing demand, it is intended that the new provisions will only apply in areas designated as rent pressure zones (RPZs) under the Residential Tenancies Act 2004..

Under the proposed new arrangements, homesharing will continue to be permissible for a person's primary residence on an unrestricted basis. In addition, an annual cap of 90 days will apply for the renting out on a short-term basis of a person's entire home where it is their primary residence, with such short-term lets being restricted to periods of 14 days or less at a time. Where the 90 day threshold is exceeded, change of use planning permission will be required.

Furthermore, where a person owns a property that it not their principal private residence and intends to let it for short-term letting purposes, they will also be required to apply for a change of use planning permission unless the property already has a specific planning permission to be used for tourism or short-term letting purposes. It will be up to each local planning authority to consider such applications, having regard to guidance that will issue from my Department, taking account of housing demand pressures in the area concerned and other relevant factors such as cumulative impacts.

It is important to note that these proposed changes will not affect the operation of holiday homes as typically understood, or longer-term flexible type lettings including lettings to those coming to Ireland under temporary employment contracts or those moving employment location and who require temporary accommodation while seeking long-term accommodation etc.

The new arrangements are being introduced through the planning code and each planning authority's enforcement unit will be responsible for monitoring and enforcing these new requirements. Additional funding will be provided to support local authority enforcement of the new short-term letting arrangements and my Department will be engaging with the relevant local authorities in that regard.

It is intended that the proposed planning reforms will come into effect on 1 July 2019 and the primary legislative provisions required to underpin the proposals are currently progressing through the Houses of the Oireachtas through the Residential Tenancies (Amendment) (No. 2) Bill 2018. In addition, the necessary supporting planning regulations to further underpin the proposals are currently being finalised and details will be published in due course.

Traveller Accommodation

216. **Deputy Gerry Adams** asked the Minister for Housing, Planning and Local Government when the report of the expert group on Traveller accommodation programmes will be published; if the report will be brought to Dáil Éireann for debate or discussion; if all local authorities will be provided with the report in order to inform local Traveller accommodation programmes; and if he will make a statement on the matter. [17037/19]

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): In line with the commitment in Rebuilding Ireland, and reflecting the disappointing level of overall funding drawdown in recent years, the Housing Agency, in 2017, commissioned a review of funding for traveller-specific accommodation to date. This review had regard to targets contained in local authority TAPs and actual delivery, the current status of accommodation funded and funding provided for accommodation maintenance and other supports.

Following its consideration of the review, the National Traveller Accommodation Consul-

tative Committee recommended the establishment of an independent expert group to review the effectiveness, implementation and operation of legislation and to put forward proposals to improve delivery of Traveller accommodation nationally. The expert group was established in September 2018 and I understand it will submit a report to me shortly.

My Department will consider any recommendations made by the expert group to improve the delivery of Traveller accommodation nationally and to ensure that full use is made of the increased level of funding available for investment in Traveller accommodation. I would be happy to discuss the report with Members of the House at the appropriate time.

Question No. 217 answered with Question No. 210.

Home Loan Scheme

218. **Deputy Michael Healy-Rae** asked the Minister for Housing, Planning and Local Government the status of an application by persons (details supplied); and if he will make a statement on the matter. [17053/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): The Rebuilding Ireland Home Loan is provided by local authorities in accordance with the Housing (Rebuilding Ireland Home Loans) Regulations 2018, which broadly set out the eligibility criteria to avail of the loans as well as the obligations of the local authorities and duties of borrowers in respect of the Scheme. In accordance with the regulations, as Minister, I have issued a statutory credit policy which obliges each local authority to establish a credit committee to assess and decide on applications and an appeals mechanism for those who are not satisfied with a decision of the credit committee.

To support local authorities in operating the Scheme the Housing Agency provides a central assessment service to the authorities and makes recommendations to them in respect of each application submitted to it. The final decision on loan approval is a matter for each local authority and its credit committee to make on a case-by-case basis. Decisions on all housing loan applications must be made in accordance with the Regulations and the statutory credit policy, having regard to the recommendation of the Housing Agency, in order to ensure consistency of treatment for all applicants.

Under legislation, a local authority is independent in the performance of its functions and as Minister, I am precluded from exercising any power or control in relation to any individual case with which a housing authority is or may be concerned. I am therefore not in a position to comment on or deal with an individual case.

The person concerned should therefore contact the local authority to which they applied for the loan for an update in relation to their application.

Housing Data

219. **Deputy Alan Kelly** asked the Minister for Housing, Planning and Local Government the date, location and volume of units of all official openings for social housing schemes for local authority, approved housing bodies or other, or sod turnings he or other Ministers have partaken in since 1 May 2016, in chronological and tabular form. [17065/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):

The information sought is not readily available in the format requested and its compilation would involve a disproportionate amount of time and work. However, details of the official engagements attended by myself and the current Ministers of State in my Department, including events of the kind referred to, are published in the form of Ministerial Diaries on my Department's website at the following link:

www.housing.gov.ie/corporate/transparency-data/transparency-data.

Details of the official engagements of my predecessor, Simon Coveney, T.D. are archived but are also available on my Department's website at a separate link -

www.housing.gov.ie/search/archived/archived/category/corporate/sub-topic/diaries/sub-type/diary/topic/ministers/type/publications.

On the general issue of progress on the delivery of social housing build projects brought forward by local authorities and Approved Housing Bodies under Rebuilding, Ireland, my Department publishes quarterly updates in the form of a Construction Status Report, which includes project and project stage details across all local authority areas. The most recent report, which sets out the position at end 2018, is available on the Rebuilding Ireland website at the following link: <http://rebuildingireland.ie/news/minister-murphy-publishes-social-housing-construction-status-report-for-q4-2018/>.

Home Loan Scheme

220. **Deputy Danny Healy-Rae** asked the Minister for Housing, Planning and Local Government the status of the Rebuilding Ireland home loan scheme; when funding will be made available for the scheme to proceed (details supplied); and if he will make a statement on the matter. [17077/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): The Rebuilding Ireland Home Loan was launched on 1 February 2018 to replace the existing House Purchase and Home Choice Loan schemes, providing a new line of mortgage finance, including fixed rates over 25 to 30 years, to creditworthy first-time buyers who cannot access sufficient mortgage finance from commercial lender.

The HFA borrowed €200 million to fund the scheme, and it was estimated that the draw-down would be approximately €200 million over three years. Some criticism at the time was that insufficient loans were being approved and drawn down. However, as Minister I had made a commitment to seek further funding at an early stage, if necessary, given my belief in the scheme's potential.

The scheme has been more successful than anticipated, and by the end of January, €106m had been drawn down, accounting for 53% of the available funding, at a point at which €66m would have been more consistent with the expectation of a three year draw down period. By the end of March, draw downs have reached €127m.

My officials kept me informed regarding progress on the loan on a regular basis, and have been engaging with the Department of Public Expenditure and Reform since October 2018 when higher lending and drawdown volumes were beginning to materialise.

I informed the Dáil on 29 January 2019 of the scheme's success and of the need for additional funding, and further indicated that my Department was in discussions with the Depart-

ments of Public Expenditure and Reform and Finance with regard to the allocation for 2019. Local authorities could continue to accept applications as the total funding had not been drawn down. A meeting with the Minister for Finance and Public Expenditure and Reform took place on 5 March 2019.

Ongoing discussions between the three Departments have included consultation with the Central Bank as recently as last Friday, 5th April. When these discussions have concluded, I will be in a position to confirm the level of allocation for 2019. In the meantime, the scheme remains open and all local authorities have been advised to continue to receive and process applications.

In relation to the specific case the Deputy has raised, under legislation, a local authority is independent in the performance of its functions and as Minister, I am precluded from exercising any power or control in relation to any individual case with which a housing authority is or may be concerned. I am therefore not in a position to comment on or deal with an individual case.

The person concerned should therefore contact the local authority to which they applied for the loan for an update in relation to their application.

Planning Guidelines

221. **Deputy Jan O’Sullivan** asked the Minister for Housing, Planning and Local Government when the working group will publish the outcome of its deliberations on new rural housing guidelines; and if he will make a statement on the matter. [17083/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): Following engagement between the European Commission and my Department regarding the European Court of Justice ruling in the “Flemish Decree” case, a working group was established to review and, where necessary, recommend changes to the 2005 Planning Guidelines on Sustainable Rural Housing, issued under section 28 of the Planning and Development Act 2000, as amended. The working group comprises senior officials from the Planning Division of my Department and senior officials from the Planning Divisions of local authorities, nominated by the local government sector. The objective is to ensure that rural housing policies and objectives contained in local authority development plans comply with the relevant provisions of the Treaty on the Functioning of the European Union.

Taking account of the engagement with the European Commission on the matter and subject to the completion of the ongoing deliberations by the working group, I will be in a position to finalise and issue to planning authorities revisions to the 2005 Rural Housing Guidelines that take account of the relevant ECJ judgment.

Approved Housing Bodies

222. **Deputy Willie Penrose** asked the Minister for Housing, Planning and Local Government if funding remains in place for a house building project by an organisation (details supplied) at a location; and if he will make a statement on the matter. [17092/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): Approval in principle for a development of social homes by an approved housing body (AHB), at the location in question, was given a number of years ago, but the project did not proceed.

Funding not utilised on a particular project is not ring-fenced if the project does not pro-

ceed. However, it is open to the local authority or an AHB to bring forward a new proposal for any such project.

Obviously any new proposal, if differently structured, would need to be assessed on its own merits. If it is brought forward by an AHB, it would be a matter for the local authority in the first place, to assess the proposal in terms of need, value for money, etc.

In general, my Department is supportive of viable social housing proposals which are implementable, represent good value for money and are supported by the local authority.

Home Loan Scheme

223. **Deputy John Brassil** asked the Minister for Housing, Planning and Local Government the remaining budget allocation available for pending applications of the final allocation for 2018 approved to Kerry County Council for the Rebuilding Ireland home loan scheme; and if he will make a statement on the matter. [17100/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): The Rebuilding Ireland Home Loan was launched on 1 February 2018 to replace the existing House Purchase and Home Choice Loan schemes, providing a new line of mortgage finance, including fixed rates over 25 to 30 years, to creditworthy first-time buyers who cannot access sufficient mortgage finance from commercial lender. Local authorities were issued with allocations for mortgage and home improvement loans in 2018 and the amount allocated to Kerry County Council was €3.075m. According to the latest information provided by Kerry County Council for 2018 and to the end of March 2019 it has issued €1.33m

When the Rebuilding Ireland Home Loan scheme was launched in February 2018, it was estimated that provision of €200m to local authorities, in loans from the Housing Finance Agency, would be sufficient to fund it for three years. The scheme has been more successful than anticipated, and by the end of January, €106m had been issued by local authorities in loans, accounting for 53% of the available funding, at a point at which €66m would have been more consistent with the expectation of a three year draw down period. By the end of March, loan issued by local authorities had reached €127m.

My Department has been closely monitoring the operation of the scheme since its commencement and has been engaging with the Departments of Finance and Public Expenditure and Reform since October 2018 when higher lending and drawdown volumes were beginning to materialise.

I have been in discussions with the Minister for Finance and Public Expenditure and Reform and there have been ongoing discussions between the three Departments, which included consultation with the Central Bank as recently as last Friday, 5th April. When these discussions have concluded, I will be in a position to confirm the level of allocation for 2019. In the meantime, I have agreed with the Minister for Finance and Public Expenditure that the scheme remains open and all local authorities have been advised to continue to receive and process applications up to and including the issuing of loans.

Departmental Contracts Data

224. **Deputy Robert Troy** asked the Minister for Housing, Planning and Local Government the State contracts awarded to a company (details supplied) over the past seven years; and the

contracts delivered according to the original contract. [17117/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): My Department has no record of awarding any contracts to this company over the past seven years.

Planning Issues

225. **Deputy Róisín Shortall** asked the Minister for Housing, Planning and Local Government the options open to a planning authority in terms of setting conditions to restrict the full sale of a new development to an individual landlord; and the steps he is taking to ensure that local authorities are in a position to plan for a strong tenure mix, that is, a mix of both rental and purchase in new developments. [17129/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): In respect of private residential developments, the issue of restricting property ownership is generally not a matter for the planning authority, as their prime concern is the appropriate design layout and impact on the spatial development of an area.

In relation to developments that specifically apply for permission as long term build to rent developments under the 2018 Sustainable Urban Housing: Design Standards for New apartments- guidelines for Local Authorities, it is a requirement that such apartment developments are owned and operated by a single entity and that individual units are not sold or rented separately for a minimum of 15 years. This requirement relates to the need for a clear management structure and shared communal facilities for this particular form of development.

It is important to recognise the positive effects that institutional investment can have in terms of the supply of housing, not least given the scale of housing development envisaged under the National Planning Framework over the period to 2040, particularly apartment developments in the main urban centres.

I am committed to improving security of tenure of tenants and I have brought forward additional measures in this regard for Committee Stage of the Residential Tenancies (Amendment) (No. 2) Bill 2018. These include providing new powers to the RTB to investigate and sanction landlords who engage in improper conduct, including non-compliance with the rent increase restrictions in Rental Pressure Zones, which are the areas where institutional investment tends to be concentrated.

The legislation will allow the RTB to initiate an investigation without the need for a complaint to be made. It will also require the annual registration of tenancies with the RTB and significantly extend the notice periods for tenancy terminations by landlords.

The annual registration of tenancies will provide improved data on the profile of landlords in the market, including institutional landlords, and will be of benefit to my Department in keeping the market under review, ensuring that we facilitate the positive impacts of institutional investment, while addressing any broader issues that may arise.

In relation to tenure mix, National Policy Objective 37 of the National Planning Framework requires each local authority to carry out a Housing Need Demand Assessment (HNDA) in order to correlate and accurately align overall future housing requirements, as an evolution of their existing Housing Strategy requirements under Part V of the 2000 Act. This will assist local authorities in ensuring long-term strategic housing needs are met across all types, tenures and locations across their functional areas, both urban and rural. My Department intends to provide further guidance to local authorities later this year, to support their HNDA work as part of the

review of their Development Plans.

Local Authority Staff Data

226. **Deputy Róisín Shortall** asked the Minister for Housing, Planning and Local Government the number of vacant housing officers by local authority. [17131/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): In August 2017, I requested all local authorities to designate vacant home officers to co-ordinate local actions to address vacancy in their functional areas and also to undertake local vacancy surveys in order to identify - through their Vacant Homes Action Plans - priority “vacancy hot-spot areas” and properties that can be quickly brought back into residential use.

Each local authority has designated a Vacant Homes Officer and I have also provided funding for each local authority (€50,000 per annum, for a period of two years (i.e. a total of €100,000 to each local authority for 2018 & 2019)) to support the work of a Vacant Homes Office. The provision of central funding will allow for focus to be given to the role of the Office in establishing a co-ordinated approach towards the implementation of their Vacant Homes Action Plans and will reinforce the capacity of the Department’s Vacant Homes Unit to liaise with and seek information/statistics from a dedicated contact point within each local authority. The Vacant Homes Office is expected to play a key role in the co-ordination of this work within the local authority.

The Vacant Homes Unit in my Department facilitated a seminar (in October 2018) to allow the network of Vacant Homes Officers meet with relevant Department Officials, ensuring that information on reactivating vacant homes into the liveable housing stock is made available to both the Department and to all Vacant Homes Officers.

Vacant Homes Officers met with the Department only yesterday at a seminar to launch the Bringing Back Homes Manual for the Reuse of Existing Buildings, another commitment under Pillar 5 of Rebuilding Ireland in respect of the optimum utilisation of our existing housing stock.

Local Authority Staff Data

227. **Deputy Róisín Shortall** asked the Minister for Housing, Planning and Local Government the number of heritage officers by local authority. [17132/19]

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): Under section 159 of the Local Government Act 2001, each Chief Executive is responsible for the staffing and organisational arrangements necessary for carrying out the functions of the local authority for which he or she is responsible.

My Department oversees workforce planning for the local government sector, including the monitoring of local government sector employment levels. To this end, my Department gathers quarterly data on staff numbers in local authorities. However, the data does not provide details of the specific role and function of each individual staff member. Therefore, my Department is not in a position to provide details of the number of Heritage Officers in each local authority. This information should be available directly from local authorities.

Boat Permits

228. **Deputy Kevin O’Keeffe** asked the Minister for Culture, Heritage and the Gaeltacht the criteria and regulations governing the granting of passenger boat licences in an area (details supplied); the persons or bodies that hold these licences; and if traditional boatmen were given preference in the granting of same. [17038/19]

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): My Department’s National Parks and Wildlife Service is responsible for the operation and maintenance the area in question. It governs the lakes in accordance with the Bourn Vincent Memorial Park Act 1932.

Commercial licences and permits to operate class P5 boats at the location in question are advertised by way of tender. The last such tender was advertised in May 2018 and will last for a period of 2 years. It is envisaged that my Department will go out to tender again in 2020.

Commercial and recreational boating has been a feature in this area for many decades, and has been associated with a number of families for many years. Many of the current ‘traditional’ commercial boatmen have operated since the time of those property-holders who previously claimed title to the Lakes, the late Ms. Grosvenor and John McShain. Permits are not advertised where the boatmen have this traditional right to operate.

Regarding the use of fishing/pleasure boats on the lakes in the area in question, there are 20 boat moorings. These moorings are subject to a local lottery, and are allocated annually for a twelve month period.

National Parks and Wildlife Service

229. **Deputy Brendan Ryan** asked the Minister for Culture, Heritage and the Gaeltacht if Dublin City Council applied to the National Parks and Wildlife Service for wildlife licences permitting control measures on public health and safety grounds for the scaring of seagull flocks from treated water reservoirs at Stillorgan and Ballyboden; if licences were availed of; and if she will provide information (details supplied) regarding same. [17198/19]

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): There are provisions under the Wildlife Acts allowing for the control of bird species in certain circumstances. There is a facility under Section 42 of the Wildlife Acts whereby organisations and individuals may apply to my Department for permits, on a case by case basis, to prevent serious damage caused by individual protected animals and birds on specific lands. Permissions are only issued where there is evidence of such damage.

Dublin City Council were granted eight Section 42 permits since 2014 to control seagulls at the Stillorgan reservoir and the Ballyboden water treatment plant due to health and safety concerns; three permits were issued for the Ballyboden water treatment plant and five permits were issued for the Stillorgan reservoir. The control method involved in all cases was the use of falcons to scare seagulls and the culling of seagulls was not permitted.

I am arranging that the Deputy is provided with all the documentation relating to these permits.

Departmental Contracts Data

230. **Deputy Robert Troy** asked the Minister for Culture, Heritage and the Gaeltacht the State contracts awarded to a company (details supplied) over the past seven years; and the con-

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tracts delivered according to the original contract. [17110/19]

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): I am advised that no contracts have been awarded by my Department to the company identified by the Deputy during the period specified.