

## Written Answers.

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

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*Questions Nos. 1 to 12, inclusive, answered orally.*

### State Pensions

13. **Deputy John Curran** asked the Minister for Employment Affairs and Social Protection the number of single persons living alone who are in receipt of the State pension (contributory) and the State pension (non-contributory); the number of couples in receipt of the State pension (contributory) and the State pension (non-contributory); and if she will make a statement on the matter. [38744/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** There are almost 425,000 State pension contributory and 95,000 State pension non-contributory recipients. It is not possible to accurately categorise pension recipients into either single persons living alone or couples.

Both state pension (contributory) and (non-contributory) recipients may claim an increase for qualified adult where their spouse, civil partner or cohabitant is being wholly or mainly maintained by them and where that qualified adult's means are below a weekly means test limit. Over 60,000 state pension contributory recipients and over 3,000 state pension non-contributory recipients are getting an increase for qualified adult payment.

In the case of state pension non-contributory, qualified adult increases are only paid in respect of dependants under pension age, as once they reach pension age they are entitled to claim pension in their own right.

For both pension types, a couple can comprise of two people in receipt of their individual personal pensions. It is not possible to provide statistics on the status of these relationships, or where any change of status occurs such as separation, divorce or widowhood.

I hope this clarifies the matter for the Deputy.

*Question No. 14 answered with Question No. 6.*

### Departmental Reports

15. **Deputy Willie O'Dea** asked the Minister for Employment Affairs and Social Protection the status of the cost of disability research being undertaken by her Department; when she expects the research to be published; and if she will make a statement on the matter. [38831/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** As part of Budget 2019, I announced my intention to commission research into the cost of disability. This is the first step in reaching an in-depth understanding of this complex issue. I hope that this research, when complete, will inform policy direction in relation to the provision of adequate supports to meet the needs of people with disabilities from a whole-of-Government perspective.

Following a procurement process, Indecon International Consultants have been commissioned by the Department to carry out this research into the cost of disability. This work is currently under way.

The research will look at three main items. Firstly, the conceptual underpinnings of a “cost of disability” will be examined. Secondly, it will analyse what would be a reasonable estimate of a “cost of disability” in varying circumstances for people living in Ireland. Thirdly, the implications for public policy and service delivery will be teased out.

It is envisaged that the research will provide quantitative estimates of the cost of disability using a number of approaches. This will include data based on the direct experience of people with disabilities.

This is an important piece of work which I understand is progressing well and I look forward to the completed report in due course.

I hope this clarifies the position for the Deputy.

### **Public Services Card**

16. **Deputy Thomas Byrne** asked the Minister for Employment Affairs and Social Protection the status of the recent report by the Data Protection Commission into the use of the public services card. [38845/19]

19. **Deputy Joan Collins** asked the Minister for Employment Affairs and Social Protection if she will comply with the legal directions issued to her by the Data Protection Commission regarding the public services card. [38795/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 16 and 19 together.

The Public Services Card (PSC) was provided for in legislation in 1998 when it was introduced alongside the PPSN to replace the previous Revenue and Social Insurance number (RSI) and the Social Service Card (SSC).

The clear and stated objective as articulated in Oireachtas at that time was that the Public Services Card was not to be confined to welfare services but to act as an identifier for access to a broad range of public services. Successive Governments have reaffirmed this policy both in Government decisions and through legislation.

The Attorney General’s office advises that the legislation is clear and provides a strong basis for the existing and continued use of the PSC across the public service.

The PSC provides citizens with the convenience of only have to submit information to verify their identity once. As an example about 70,000 people use the PSC to apply for passports each year; we pay over 600,000 people approximately €150m through our post offices each week using the PSC as the identifier in each case; 600,000 free travel journeys are made using the PSC

each week, about 400,000 PSC users use the MyGovID service to access online services with Revenue, SUSI, the National Driving Licence Service, Welfare and, shortly, the NCS.

The PSC has strong public support – approaching 90% of the adult population hold a PSC and research indicates they overwhelmingly value the card, are fully aware of and agree to the sharing of data required to enable its use across the public service, believe that they have more than enough information about the purposes of the card and understand why, and do not object to, their data being retained.

In October 2017 the DPC commenced an investigation into the SAFE / PSC process and delivered its final report to the Department on 15 August 2019. On 17th September, the Department published the report of the DPC together with a summary of its own response to the findings of the report, and related correspondence between it and the DPC.

As stated earlier this month, the Minister for Public Expenditure and Reform, Paschal Donohoe T.D. and I informed Government that we are satisfied that the processing of personal data related to the PSC does in fact have a strong legal basis, the retention of data is lawful and that the information provided to users does satisfy the requirements of transparency. This opinion was arrived at following very careful consideration both of the report and of the strong legal advice of the Attorney General's Office.

The DPC had requested that the Department implement a number of actions on foot of the publication of their statement on Friday 16th August, within a very short time frame. However, based on the strong legal advice received, we believe that it would be inappropriate, and potentially unlawful, to withdraw or modify the use of the PSC or the data processes that underpin it, as has been requested by the DPC.

The Department sought to meet with the DPC on two occasions since receipt of the report with a view to outlining the basis for its conclusions and seeking to clarify a number of matters of concern relating to inconsistencies between both within the DPC's Report and between the report and the accompanying letter from the DPC. The request for a meeting was declined on both occasions.

The Department wrote to the DPC to advise it of the decisions now taken and understands that the DPC is now in the process of preparing an enforcement notice. To date, the DPC has not issued an Enforcement Notice. On receipt, the Department will consider the scope and terms of the enforcement notice and respond appropriately at that time. It should be noted that the findings in the DPC report do not have the force of law until such time as they are formalised in an enforcement notice.

In the meantime the Department will continue to conduct SAFE registration and issue the PSCs. It will also retain the supporting documentation collected as part of the SAFE process. The reason for this is that it is not sufficient, in the case of a dispute over any decision, to simply record that decision was taken it is also necessary to produce the documentation on which the decision was grounded. Other bodies, for example credit unions, public utilities and banks, similarly retain documentation submitted in support of applications for their services for as long as the person concerned is a customer of their organisation.

My Department is committed to ensuring that data relating to individuals is securely held and used only for relevant business purposes. The Department's commitment to safeguarding data is reflected in its use of advanced data processing and storage technology hosted in secure, State owned and operated, data centres and is reinforced by a range of legislative and administrative provisions that are designed to protect the rights and interests of individuals.

Neither the PSC, nor the underlying Public Service Identity dataset, contains any information relating to the holder's use of public services.

The Social Welfare Consolidation Act 2005 (as amended) restricts the sharing and use of the Public Service Identity (PSI) data to a number of specified bodies set out in Schedule 5 of that Act and only in relation to a transaction a person has with that specified body. It is important to note, contrary to statements by some commentators, that the sharing of the PSI dataset does not involve sharing information regarding use of public services.

### **Carer's Allowance Review**

**17. Deputy Bobby Aylward** asked the Minister for Employment Affairs and Social Protection if increasing the financial thresholds for carer's allowance will be investigated; if the introduction of discretionary assessments in cases of extreme extenuating circumstances similar to the discretionary system utilised in the medical card application process will be investigated; the position regarding the measures taken to reduce the waiting times for decisions on applications for carer's allowance and other payments across the social welfare spectrum; and if she will make a statement on the matter. [38807/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Carer's Allowance is a means-tested payment for carers who look after people in need of care and attention on a full time basis. It acts as an income support for those who cannot work due to their caring responsibilities. The means test is one of the most generous in the social welfare system, especially in respect of spouse's income. The income disregard is €332.50 per week for a single person and €665 per week for a couple. This means that a couple can earn in the region of €37,500 and qualify for the maximum rate. A half-rate Carer's Allowance may be payable with other welfare payments.

The means test has a critical role in determining whether or not there is an income need for a payment and that resources are targeted to those with greatest need. Any changes to qualifying criteria for schemes, including income disregards, would have to be considered in an overall budgetary context.

Decisions on claims are made by Deciding Officers of the Department in line with provisions set out in legislation. This ensures that rules are applied consistently and transparently to all applicants.

The processing times for all claims is constantly monitored, with steps taken to improve processing times within existing resource allocations when though necessary. These measures may include the assignment of additional staff, where available, and reviewing business processes to ensure the efficient processing of applications. The average processing time for the award of a Carer's Allowance between January and August 2019 was 14 weeks.

I hope this clarifies the position for the Deputy.

### **Carer's Allowance Waiting Times**

**18. Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the steps she plans to take to shorten the period taken to process applications for various social welfare payments such as the carer's allowance, in which hardship can be caused to persons caring for a prolonged period notwithstanding the basic supplementary welfare pay-

ment; and if she will make a statement on the matter. [38897/19]

26. **Deputy Aindrias Moynihan** asked the Minister for Employment Affairs and Social Protection the status of the improvements and efficiencies into the processing of carer's allowance applications; the additional resources that are being applied to this matter; and if she will make a statement on the matter. [38895/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 18 and 26 together.

My Department is committed to providing a quality service to all its customers, ensuring that applications are processed and that decisions on entitlement are made as quickly as possible.

Processing times vary across schemes, depending on the differing qualification criteria. Social welfare schemes such as Carer's Allowance (CA), with a number of complex qualifying conditions can take longer to process. Before a decision can be made on entitlement to CA, evidence must be provided in respect of the care recipient's care requirement, the level of care the carer provides and the carer's means. It is also the case that in order to register their claim and establish an early entitlement claim date many people submit a claim without first securing all of the necessary supporting documentation. While this does ensure that people will be paid with arrears from an early "effective" date it does mean that the time taken to subsequently submit, receive and then assess this additional information is also reflected in the processing times.

The average processing time for the award of a Carer's Allowance claim from January 2019 to August 2019 was 14 weeks. I wish to reassure the Deputy that claim processing is kept under active review, with all possible steps taken to improve processing times. This includes the assignment of additional resources, where available, and the review of business processes, to ensure the efficient processing of applications. As an example, additional staff have been temporarily assigned to the Carer's Allowance area to work on claims processing and changes have been made to the operational processes to maximise processing capability and assist in improving processing times. As the Deputy points out, in the event of need, supplementary welfare allowance is always available to avoid hardship.

I hope that clarifies the matter for the Deputy.

*Question No. 19 answered with Question No. 16.*

*Question No. 20 answered with Question No. 9.*

### **Social Welfare Benefits Eligibility**

21. **Deputy Willie O'Dea** asked the Minister for Employment Affairs and Social Protection her plans to review capital assessment for entitlement to social welfare payments; and if she will make a statement on the matter. [38833/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Department provides income supports through contributory payments (which are based on a person's social insurance record) and means-tested social assistance payments. Social welfare legislation provides that the means test takes account of the income and assets of the person (and spouse or partner, if applicable) applying for the relevant scheme. Income and assets include income from employment, self-employment, occupational pensions, maintenance payments as well as property owned (other than the family home) and capital such as savings, shares and

other investments. Various disregards apply across the schemes, reducing the amount of means assessed.

In this regard, for most social assistance schemes, the first €20,000 of capital is fully disregarded, the next €10,000 assessed at €1 per thousand, the next €10,000 assessed at €2 per thousand, with the remainder assessed at €4 per thousand. The first €50,000 of capital is disregarded in the disability allowance means test.

The assessment of capital reflects the fact that there is an expectation that people with reasonable amounts of capital and property are in a position to use that capital or to realise the value of property to support themselves without having to rely solely on a means-tested welfare payment. The family home is not assessed.

Any proposals to change the capital means assessment for means-tested social assistance schemes would have to be considered in the overall budgetary context.

### **Social Welfare Benefits Payments**

**22. Deputy Richard Boyd Barrett** asked the Minister for Employment Affairs and Social Protection if she has considered that not increasing social welfare payments is in effect reducing the payments; and if she will make a statement on the matter. [38847/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** This Government has committed to making the needs of families a priority, especially lone parents, children and those on lower incomes.

Over the last three Budgets, the maximum rates of all weekly payments have increased by €15. We have also increase the payments to qualified children for the first time since 2010 and provided for higher payments to children aged 12 years and over.

In addition, we restored the Christmas Bonus to 100%. This is paid to over 1.2 million long-term social welfare recipients to assist people with the extra expenses incurred over the Christmas period.

Recent budgetary changes have resulted in real increases to the rates of payment. Increasing the standard rates of payment is, however, only one approach the Government has taken to improve the living standards of social welfare recipients. We have also introduced measures which target those most at risk of poverty such as increasing the back to school clothing and footwear allowance, extending the fuel allowance season, increasing funding for school meals, increasing income disregards for lone parents and low income families and strengthening the provision of employment supports.

As part of Budget preparations, as well as assessing developments in the economic environment, my Department examines the impact of potential Budget measures on income and poverty rates and a social impact assessment is carried out. This is an evidence-based methodology which estimates the likely distributive effects of changes on household income using the ESRI's SWITCH model.

Discussions are ongoing in relation to the Budget on October 8th.

### **Social Welfare Benefits Payments**



23. **Deputy John Curran** asked the Minister for Employment Affairs and Social Protection if she will include the full Christmas bonus in the budget of her Department rather than the current situation in which it is part of a Supplementary Estimate (details supplied); and if she will make a statement on the matter. [38745/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The payment of a Christmas bonus is a discretionary decision made by the Government in the context of the annual Budget process and available resources.

As is the case every year, a decision to pay the bonus at Budget time each year takes into account the current fiscal position and the achievement of our overall fiscal targets.

### **Social Welfare Benefits Eligibility**

24. **Deputy Martin Heydon** asked the Minister for Employment Affairs and Social Protection the work ongoing in her Department to provide additional supports for self-employed persons who may experience difficulties in their businesses; and if she will make a statement on the matter. [38892/19]

42. **Deputy Fiona O'Loughlin** asked the Minister for Employment Affairs and Social Protection the status of her plans to extend jobseeker's benefit to the self-employed; if illness benefit will be extended to the self-employed; and if she will make a statement on the matter. [38821/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 24 and 42 together.

It is my intention that the new scheme of jobseeker's benefit for the self-employed, which I announced as part of the Budget 2019, will be introduced from November this year. This scheme will provide a social insurance contribution based benefit to the self-employed who lose their self-employment and consequently are not engaged in self-employment.

The Social Welfare Bill 2019 introducing the new scheme on a statutory basis was published on the 28th of June and has completed second stage in the Seanad. Once it has completed all stages in the Seanad it will be introduced to the Dáil.

I have also announced the introduction of a parent's benefit scheme to be introduced later this year. This support will also be available to the self-employed and will provide both parents with 2 weeks paid leave from employment to care for their children during their first year.

The addition of these new schemes builds on other significant improvements for self-employed people in recent years such as access to invalidity pension and treatment benefits in 2017. Access to invalidity pension provides the self-employed access to a safety-net of income supports if they become permanently incapable of work as a result of a long-term illness or disability without a means test.

These improvements are part of the Government's stated aim of creating a supportive environment for entrepreneurship, including providing an income safety net to both employees and self-employed people. Any further extensions of social insurance benefits to the self-employed would have to be considered in a budgetary context having regard to the funding of the Social Insurance Fund.

I trust this clarifies the matter for the Deputy.

**JobPath Programme**

25. **Deputy Bríd Smith** asked the Minister for Employment Affairs and Social Protection if contracts for the provision of the JobPath programme will be renewed; and when a decision on the matter will be made. [38806/19]

37. **Deputy Thomas Pringle** asked the Minister for Employment Affairs and Social Protection her plans for the future of JobPath; if winding down the scheme is being considered in the near future in view of the fact that only 6% of participants have achieved work for over one year; and if she will make a statement on the matter. [38797/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 25 and 37 together.

JobPath is a service which supports people who are long-term unemployed to secure and sustain full time paid employment. Two companies, Seetec and Turas Nua, have been contracted by my Department to deliver the service.

The JobPath employment service commenced in 2015 and, under the terms of the contracts signed with the providers was to run for at least six years comprising two consecutive phases: phase one entailed four years' of client referrals, while phase two entailed a 'run off' period during which time no additional clients were to be referred. Therefore client referrals were due to cease on 31st December 2019. The contract included an option to extend the term of referrals for a period no greater than two years.

This extension is important as it will ensure that the Government retains the necessary labour activation capacity to deal with any labour market uncertainty that arises as a result of Brexit.

In addition, it provides my Department with the opportunity review all contracted public employment services and to design and develop a comprehensive model that will incorporate various models of response and be fit for purpose for the Irish labour market from 2021 onwards.

As per the econometric review, JobPath has been and continues to be a successful service in providing a comprehensive and value for money activation service for the long-term unemployed. On this basis, my Department triggered the extension provisions of the existing contracts with the JobPath providers and secured agreement on the extension of these contracts on existing terms and conditions for a further twelve months.

This is not a renewal of the JobPath contracts but the execution of the extension clauses of the existing contracts.

In order to assist my Department in designing and developing an appropriate contracted public employment service model, external consultants are to be engaged and this procurement process is currently underway.

*Question No. 26 answered with Question No. 18.*

**Child Maintenance Payments**

27. **Deputy Thomas P. Broughan** asked the Minister for Employment Affairs and Social Protection the work her Department is undertaking regarding a statutory maintenance agency;



and if she will make a statement on the matter. [38311/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Family Law Acts place a legal obligation on parents to maintain their children. In cases where the family unit has broken down these obligations continue to apply. Relevant maintenance payments can be arranged either directly between the parties themselves, or with the assistance of supports from the Department of Justice and Equality, such as the Family Mediation Service and the Legal Aid Board, or ultimately through the Courts.

When any one of the parents applies for a One Parent Family Payment from my department, a contribution towards the cost of this is sought from the other parent of any children of the relationship.

The Liability to Maintain the Family scheme, as it is known, is managed and administered by my department and its role is to:

- determine on the basis of income information supplied, whether the liable relative is in a position to contribute to the department,
- determine the amount of contribution due by the liable relative,
- monitor and enforce payment of the contributions due, and
- engage with both parties to ensure the requirements of the legislation are met.

I have had a number of discussions with stakeholders, experts and those affected by the current regime. On this basis I have tasked officials in my Department to examine international best practice on maintenance and report back to me with options on how best Ireland can achieve better outcomes in a proactive manner for families.

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

28. **Deputy Brendan Smith** asked the Minister for Employment Affairs and Social Protection the outcome of the review of pension entitlements for persons who were affected by changes in 2012 to the State pension (contributory) scheme; and if she will make a statement on the matter. [38823/19]

32. **Deputy Martin Heydon** asked the Minister for Employment Affairs and Social Protection the status of the review of those in receipt of reduced contributory pensions; the number of reviews that have been completed; when the process will be concluded; and if she will make a statement on the matter. [38893/19]

33. **Deputy Niamh Smyth** asked the Minister for Employment Affairs and Social Protection the status of the re-examination of pensions for women who lost out on their full State pension (contributory) due to leaving the workforce to rear their children; and if she will make a statement on the matter. [38566/19]

44. **Deputy Brendan Smith** asked the Minister for Employment Affairs and Social Protection the number of pensioners whose entitlements have been reviewed; the number whose pensions have increased as a result of the review of entitlements of persons affected by changes in 2012 to the State pension (contributory) scheme; and if she will make a statement on the matter. [38824/19]

49. **Deputy Aindrias Moynihan** asked the Minister for Employment Affairs and Social

Protection the number of persons who have been reviewed under the scheme for those affected by the changes to the State pension (contributory) in 2012; the number that have seen no increase in their contributory pensions; and if she will make a statement on the matter. [38896/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 28, 32, 33, 44 and 49 together.

Since late September 2018, my Department has been examining the social insurance records of over 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.

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 19 September 2019, 93,981 reviews have been completed; of these, 52,932 are women and 41,049 are men. Of the 52,932 women 28,448 (54%) received an increase while the rest remain on their existing rate. Of the 41,049 men 9,921 (24%) received an increase and the remainder continue to receive their same rate of payment.

Only a small number of reviews remain to be completed and these are awaiting additional information relating to gaps in the social insurance records of individuals requested by my Department. I am advised that the review outcomes will issue to all remaining pensioners in the coming weeks.

I hope this clarifies the matter for the Deputies.

### **Proposed Legislation**

29. **Deputy Joan Collins** asked the Minister for Employment Affairs and Social Protection when she plans to initiate her amendment to the Payment of Wages Act 1991 to deal with the issue of tip theft. [38796/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I am pleased to inform the Deputy that the Bill to amend the Payment of Wages Act 1991 dealing with tipping practices, last week received Government approval to be added as a priority to the Government's Legislation Programme for the Autumn / Winter parliamentary session. The Scheme of the Bill is already crafted to an advanced stage and has been submitted to the Office of Parliamentary Counsel. The legislation will amend the Payment of Wages Act, clarifying that tips cannot be used to make up or satisfy payment of contractual rates of pay. Tips will be distinguished from service charges for this purpose.

We have referred the General Scheme of the Bill to the Joint Oireachtas Committee on Employment Affairs and Social Protection for pre-legislative scrutiny.

The Joint Committee on Employment Affairs and Social Protection will consider the Bill at its next meeting on Thursday 26th of September. I look forward to working with members on all sides of the Houses of the Oireachtas to progress this Bill as expeditiously as possible in order to deliver legislation that is fair, balanced and that works in practice.

I hope this clarifies the matter for the Deputy.

## Gender Equality

30. **Deputy Thomas P. Broughan** asked the Minister for Employment Affairs and Social Protection the way in which she will reduce the gender pension gap; her target for eliminating the gap completely; and if she will make a statement on the matter. [38312/19]

34. **Deputy Thomas Byrne** asked the Minister for Employment Affairs and Social Protection if her attention has been drawn to the recent report by the ESRI in which the extent of pension gender pay gap was highlighted; the measures she plans to undertake to remedy the situation; and if she will make a statement on the matter. [38844/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 30 and 34 together.

The Economic & Social Research Institute (ESRI) published a report “Gender, Pensions and Income in Retirement” on 12th September 2019. This report was sponsored by the Pensions Council, which is a statutory body which has been set up to provide advice to me in relation to pensions matters.

At the outset it is very important to note that the ESRI’s research found no consistent evidence of a gender gap in the payment of state pensions. Measures regarding homecare periods that I introduced last year and intend to continue in the announced reform of the State pension will ensure that this continues into the future.

Men and women have different experiences in the labour market. My Department has a range of supports for those who wish to re-enter the labour force including Jobseeker’s Transitional Payment and the Working Family Payment.

Furthermore, I launched the Irish Government’s “Roadmap for Pensions Reform 2018-2023” in February 2018. The Roadmap provides for major reform of State, occupational, private and public service pensions. One of the key proposals is the introduction of an automatic enrolment pensions savings scheme. It is now widely accepted that reform of the current, purely voluntary approach to retirement saving is required to improve coverage to a desired level. A report on auto-enrolment will be brought to Government for consideration in the near future to facilitate the next steps for implementation of the scheme in 2022 as planned.

I share the Deputies’ wish that the pension gender gap be eliminated completely and look forward to their continued support for policy initiatives aimed at achieving this result.

I hope this clarifies the matter for the Deputies.

## Social Welfare Schemes

31. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection the supports made available to workers in the beef processing factories who have been made redundant or laid off temporarily; if migrant workers on permits are eligible for unemployment assistance; the number of workers that have been supported; the number that sought assistance but were not eligible; and if she will make a statement on the matter. [38876/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The primary social welfare schemes available to individuals who have been laid off as a result of current layoffs in the meat processing industry are Jobseekers Benefit and Jobseekers Allowance. Both schemes are administered through my Department’s network of Intreo Centres and

Social Welfare Branch Offices throughout the country.

Payment of Jobseekers Benefit and Assistance is contingent on a person satisfying the qualifying conditions. A principal requirement for entitlement to Jobseekers Benefit or Assistance is that an individual must be able to demonstrate his or her availability for full-time employment. In consideration of this condition, any factor which would place an unreasonable restriction on the acceptance of an offer of suitable employment would lead to the claim being disallowed.

Deciding Officers have been advised that non-EU nationals who are employed under work permits issued by the Department of Business, Enterprise and Innovation and who are in a situation of involuntary unemployment due to the on-going effects of meat factory protests are considered to be available for employment.

My Department is advising all affected meat factory employees to make a claim for a jobseekers payment regardless of their work / employment permit status. Each claim will be decided in light of the facts of the situation and the particular circumstances of each individual. If they have not done so already, affected employees should contact their local Intreo Centre or Social Welfare Branch Office. Dedicated arrangements have been made to ensure that claims are processed in a timely manner once all supporting documentation is available. To date approximately 1,700 claims have been received. Of these 1,080 have been decided with only 8 claims having been disallowed.

Customers on non-EU work permits who satisfy the other conditions for receipt of Jobseekers Benefits, including having a satisfactory contribution record, can be paid Jobseekers Benefit.

Customers who do not have enough PRSI contributions can apply for Jobseekers Allowance where other conditions apply, including Habitual Residence and satisfying a means test. Any claim for Jobseeker's Allowance in the case of involuntary short-term lay-offs represents a transient need for support and will be treated as such.

In the absence of entitlement to Jobseekers Allowance, supports may also be available under the Supplementary Welfare Allowance scheme.

I hope that clarifies the matter for the Deputy.

*Questions Nos. 32 and 33 answered with Question No. 28.*

*Question No. 34 answered with Question No. 30.*

### **Departmental Strategies**

**35. Deputy Willie O'Dea** asked the Minister for Employment Affairs and Social Protection when she plans to publish a new action plan for social inclusion; the reason it was not published in 2018 as envisaged; and if she will make a statement on the matter. [38832/19]

**40. Deputy John Brady** asked the Minister for Employment Affairs and Social Protection the date for the publication of the new social inclusion strategy; and if she will make a statement on the matter. [38799/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 35 and 40 together.

The new social inclusion strategy "Roadmap for Social Inclusion 2019-2025", is being finalised and I expect that the new strategy will be published shortly.

## Unemployment Benefits Data

36. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection the number of childcare workers that claim unemployment benefit or assistance throughout the months of June, July and August; the breakdown of these figures for the past three years; and if she will make a statement on the matter. [38873/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The total number of persons who declared their employment category as childcare and related occupations who have claimed jobseeker's payments in June, July and August 2016-2019 are detailed in the following tabular statements.

### Claims between June and August 2016

	June	July	August
Jobseeker's Allowance	3,590	3,780	3,759
Jobseeker's Benefit	810	1,140	1,139
Total	4,400	4,920	4,898

### Claims between June and August 2017

	June	July	August
Jobseeker's Allowance	2,858	3,081	2,929
Jobseeker's Benefit	581	1,078	778
Total	3,439	4,159	3,707

### Claims between June and August 2018

	June	July	August
Jobseeker's Allowance	2,309	2,503	2,380
Jobseeker's Benefit	577	1,069	771
Total	2,906	3,572	3,151

### Claims between June and August 2019

	June	July	August
Jobseeker's Allowance	1,833	2,081	1,980
Jobseeker's Benefit	535	1,045	803
Total	2,368	3,126	2,783

*Question No. 37 answered with Question No. 25.*

## Public Services Card

38. **Deputy Joan Collins** asked the Minister for Employment Affairs and Social Protection if the public services card will not expire on a particular date after it has been issued and reapplied for by a person. [38804/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The PSC was provided for in legislation in 1998 when it was introduced alongside the PPSN to replace the previous Revenue and Social Insurance number (RSI) and the Social Service Card

(SSC).

The clear and stated objective as articulated in Oireachtas at that time was that the Public Services Card was not to be confined to welfare services but to act as an identifier for access to a broad range of public services.

Successive Governments have reaffirmed this policy both in Government decisions and through legislation.

With regard to the expiry date of the Public Services Card, the card that is issued on completion of SAFE registration is currently valid for up to 10 years. At renewal a new photograph is taken to update the new card and the PSI dataset. A person is only required to undertake a SAFE 2 registration process once.

A new PSC may also be required when a person's status changes, e.g., a person reaching the age of 66 will be automatically issued with a new card with 'free travel' functionality, enabling them to avail of free travel on public transport services.

*Question No. 39 answered with Question No. 11.*

*Question No. 40 answered with Question No. 35.*

### **JobPath Implementation**

41. **Deputy Bríd Smith** asked the Minister for Employment Affairs and Social Protection the reason the JobPath provider Seetec is issuing notices to jobseekers detailing its policy on tackling radicalism; if jobseekers have been referred to her Department or An Garda Síochána in respect of same; the number of claimants that have been sanctioned or interviewed on foot of the concerns of Seetec relating to potential radicalisation risks; and if she will make a statement on the matter. [38794/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** JobPath is a service which supports people who are long-term unemployed to secure and sustain full time paid employment. Seetec is one of the companies contracted by my Department to deliver the Job Path service.

Seetec have strong customer service policies in place, one of which is a safeguarding policy. The Seetec policy covers a range of areas where concern may emerge regarding the safety of a customer or others and the action that Seetec may take in regard to that concern, this may involve notifying the appropriate statutory agency of their concerns.

Seetec make a leaflet available to customers setting out their safeguarding policy and the procedure Seetec follow as part of their commitment to safeguarding their customers and others.

As the Deputy will be aware, decisions regarding a person's welfare entitlements are taken only by Department officials and that external contractors have no role in that decision making process.

I trust this clarifies matters for the Deputy.

*Question No. 42 answered with Question No. 24.*



## Community Employment Schemes Supervisors

43. **Deputy Niamh Smyth** asked the Minister for Employment Affairs and Social Protection the status of the community employment scheme (details supplied); if further discussions have taken place with unions on this matter; and if she will make a statement on the matter. [38565/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** As the Deputy will be aware, I am currently engaging with representatives of CE supervisors to discuss issues arising following the 2008 Labour Court Recommendation (LCR 19293). All parties to the engagement process have agreed that the detail of the discussions should remain confidential while the engagement is ongoing and I would ask Deputies to respect these wishes and allow the talks to continue free from speculation which might prove unhelpful. I expect that it will take a number of weeks to reach a conclusion.

I hope this clarifies the matter for the Deputy.

*Question No. 44 answered with Question No. 28.*

## Public Services Card

45. **Deputy Brendan Howlin** asked the Minister for Employment Affairs and Social Protection her plans to proceed with the second generation of the public services card in view of the recent report by the Data Protection Commission; and if she will make a statement on the matter. [38880/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Following a public procurement process, the tender for the supply of the production, personalisation and distribution of the Public Services Card (PSC) and the provision of associated services was awarded to Security Card Concepts in July 2018 for a period of three years. The supplier is based in Bray. This is simply a new supply contract, it is not a new generation card.

The Public Services Card (PSC) continues to be supplied.

I hope this clarifies the matter for the Deputy.

## Treatment Benefit Scheme Applications

46. **Deputy Fiona O'Loughlin** asked the Minister for Employment Affairs and Social Protection if measures are being put in place to reduce long waiting times for applications to be processed. [38820/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Applications for Treatment Benefit are now routinely submitted on-line via the department's WelfarePartners portal, with 97% of cases received via this channel to date in 2019. Applications received in this manner are processed immediately, in real time, and as a result there is no delay in processing applications.

The small and reducing number of dental and optical benefit applications submitted on paper forms are processed using scanning and automation in so far as is possible and this is normally done within 2 days of receipt. Those applications which do require clerical intervention are routinely processed within 1-2 weeks of receipt.

I hope this clarifies this matter for the Deputy.

### **Social Insurance Data**

47. **Deputy John Brady** asked the Minister for Employment Affairs and Social Protection the amount recouped by her Department from money lost in PRSI through bogus self-employment practices being identified in the past five years; and if she will make a statement on the matter. [38802/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Work is ongoing in my Department to tackle false self-employment across the economy. In that regard I am currently reallocating resources to this issue to understand, measure and quantify better the prevalence of false self-employment and obtain a sectoral analysis of its level of incidence.

My Department is already focussed on increasing the number of employer inspections it conducts nationwide. Based on experience from these inspections, and recognising that there is a particular challenge when dealing with large companies or companies with complex legal structures, I also established in August a dedicated team to work strategically in this area. This team has commenced its work, in parallel with other Inspectors across the country.

My officials work in cooperation with the inspectorates of the Workplace Relations Commission and Revenue Commissioners as necessary and strong liaisons have been established with those organisations to focus strategically on tackling false self-employment.

In addition to more rigorous policing of existing law, I intend to introduce a number of new legislative measures to further strengthen our powers. These measures include putting the ‘Guidance on Determining Employment Status’ – which is a revision of the former Code of Practice in this area – on a statutory footing. This, in addition to a new offence of misclassifying an employee as self-employed, will both be included in the Social Welfare Budget Bill, which I expect to be enacted by the end of the year.

I also will bring forward new provisions to address the potential victimisation of workers who seek a determination on their employment status. These latter provisions will likely mirror similar provisions I brought into law earlier this year via the Employment (Miscellaneous Provisions) Act 2018. While the drafting of this legislation is complex, its timely introduction to the Oireachtas remains a priority.

I am advised that it is not possible to provide figures on money recouped on the sole basis of false self-employment cases alone. However, as an indication of the level of work going on in relation to PRSI inspections generally, a total of 1,931 employer inspections have been carried out across the country by my Inspectors this year up to the end of last month. However, savings achieved so far this year from PRSI inspections carried out comes to a total of €1.184m.

I hope this clarifies the matter for the Deputy.

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

48. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the applications for various social welfare payments currently taking the longest time to process; the cause or causes of such a delay; and if she will make a statement on the matter. [38898/19]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** My Department is committed to providing a quality service to all its customers, ensuring that applications are processed and that decisions on entitlement are made as quickly as possible. In general, social welfare schemes which involve medical or caring conditionality take the longest time to process.

These cases have a number of complex qualifying conditions that can take longer to process. As an example, before a decision can be made on entitlement to Domiciliary Care Allowance (DCA), evidence must be provided and examined in respect of the additional care needs of the child. Similarly, before a decision can be made on entitlement to Carer's Allowance (CA), evidence must be provided in respect of the care recipient's care requirement, the level of care the carer provides and the carer's means. In considering applications for disability allowance (DA), evidence must be provided in respect of the person's medical condition, the extent to which it restricts them from taking up employment, their means and their habitual residency.

It is also the case that in order to register their claim and establish an early entitlement or claim date many people submit a claim without first securing all of the necessary supporting documentation. While this does ensure that people will be paid with arrears from an early "effective" date it does mean that claims take longer to process.

My Department is continually working to achieve processing times target which at time we deviate from. When this happens we continually renew our focus to rectify the matter.

I hope this clarifies the matter for the Deputy.

*Question No. 49 answered with Question No. 28.*

### **Employment Rights**

50. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection her plans to put the code of practice on bogus self-employment on a statutory footing; if a timeframe has been identified for same; and if she will make a statement on the matter. [38874/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Code of Practice is currently being reviewed by an Interdepartmental Group comprising the WRC, Department of Finance, Revenue and this Department. A substantial revision is nearing completion, at which time it will be shared with ICTU and IBEC through the Labour Employer Economic Forum (LEEF) structure for observations. This revised Code draws heavily on case law that has emerged since the Code's introduction in 2007.

Once the Code is finalised, I will seek to put it on a statutory footing.

I hope this clarifies the matter for the Deputy.

### **Ministerial Meetings**

51. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade if a report will be provided on his meeting with the Colombian Minister of Foreign Affairs in Dublin on 17 September 2019; if he offered further support from Ireland to the Colombian peace process; if concerns were raised regarding the increase in attacks and assassination of social and political leaders in Colombia; if he shared his concern that the attacks and assassinations

are happening with impunity and undermining the peace process; and if he raised concerns with the minister regarding human rights abuses and environmental degradation at the Cerrejón coal mine, which provides a significant amount of coal for Moneypoint power station, County Clare. [38953/19]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I was very pleased to welcome Minister of Foreign Affairs of Colombia, H.E. Carlos Holmes Trujillo García, to Dublin last month. This visit was a demonstration of the excellent bilateral relations between Ireland and Colombia, which have been going from strength to strength since the recent opening of our respective Embassies in Bogotá and Dublin. Foreign Minister Trujillo also had an opportunity to meet with members of this House during an appearance before the Joint Committee on Foreign Affairs and Trade.

My meeting with Foreign Minister Trujillo was an opportunity to take stock of this important relationship and to discuss priorities moving forward. There is significant cooperation between our two countries in a number of areas, as demonstrated by the visits last month of a number of Colombian state agencies to Ireland. We discussed this cooperation and the areas on which we will continue to focus, such as trade, investment, agriculture, science, research, innovation and cooperation at the multilateral level.

I also underlined the ongoing support of Ireland to Colombia in the implementation of its peace agreement, including dealing with setbacks arising from violence. I assured Minister Trujillo that we see our partnership with Colombia in sharing experience of peace-building as a long term commitment. We agreed that we had much to learn from each other as we strive to build and maintain peace in our two countries.

Ireland has contributed more than €14 million in support of the peace process in Colombia since 2007, mainly channelled through the United Nations, and Colombian and international NGOs focusing on human rights, conflict prevention, peace-building and supporting livelihoods for rural populations.

We will continue to provide support to the Colombian peace process through funding to international organisations, but also through lesson sharing programmes between Ireland and Colombia, based on our own experience of peace building on this island.

My Department supported the travel of three experts from Northern Ireland to Colombia in June to engage with the Government on key elements of the peace agreement and its implementation. Officials at my Department in Dublin were also pleased to meet last month with Dr. Emilio Archila, Presidential Counsellor for Stabilisation and Consolidation of Colombia, who is responsible for the implementation of the peace accords.

The peace process is fundamental to improving the human rights situation in the country, which I am aware is difficult for many human rights defenders across Colombia, including those in La Guajira region protesting the practices of the Cerrejón mine. Officials at our Embassy in Bogotá are due to travel to La Guajira region this week to meet with relevant stakeholders, including human rights defenders, civil society organisations, and representatives of the private sector in the area, including the Cerrejón mine. I look forward to receiving the report of this visit. I have also written to the CEO of the ESB requesting further information on their dealings with Cerrejón.

Ireland remains committed to supporting the full implementation of the peace accords in Colombia to ensure a more peaceful future for all Colombians. We will continue to work with the Government of Colombia and with our EU partners to ensure a coordinated and effective approach that best supports the peace process.

### Passport Applications Data

52. **Deputy Niall Collins** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of first-time applicants for an Irish passport from Great Britain and Northern Ireland in each of the years 2014 to 2018 and to date in 2019, in tabular form; and if he will make a statement on the matter. [38983/19]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The numbers of first time passport applications received from applicants who were resident in Great Britain and Northern Ireland at the time of application for the years 2014 to 2018 and to date in 2019 are detailed in the table below.

Year	-	-
2014	5,672	18,067
2015	6,011	20,325
2016	18,263	29,923
2017	31,675	40,089
2018	39,287	40,226
2019*	36,274	49,243

\* to 31 August 2019

All passport applications are subject to the provisions of the Passports Act, 2008, as amended. The Passports Act provides, among other things, that a person must be an Irish citizen before a passport can be issued to him or her. Entitlement to Irish citizenship is governed by Irish law and in particular the Irish Nationality and Citizenship Act 1956, as amended.

### VAT Rate Reductions

53. **Deputy Jonathan O'Brien** asked the Minister for Finance if VAT can be reduced on bicycles to 13.5% or 9%; the estimated associated cost with such a change; and if he will make a statement on the matter. [38919/19]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that the VAT rating of goods and services is subject to EU VAT law, with which Irish VAT law must comply. In accordance with the VAT Directive the supply of bicycles is liable to VAT at the standard rate, currently 23%. It is not possible under Annex III of the VAT Directive to apply a reduced VAT rate to bicycles.

### Financial Services Regulation

54. **Deputy Michael McGrath** asked the Minister for Finance further to Parliamentary Question No. 63 of 6 September 2019, the process by which an unauthorised financial services provider can be fined by a court following conviction; the person or body whose role it is to take proceedings to court in order to impose a fine on an unauthorised financial services provider; if it is a matter for the Director of Public Prosecutions or the Central Bank; if the Central Bank needs to report the instance to the Director of Public Prosecution for consideration; if so, the number of cases since 2015 that have been reported to the Director of Public Prosecutions; the number of cases that have been taken by the Director of Public Prosecutions to the courts since 2015; and if he will make a statement on the matter. [38943/19]



**Minister for Finance (Deputy Paschal Donohoe):** I am advised by the Central Bank that the Bank or the Director of Public Prosecutions (DPP) can take a summary prosecution for unauthorised activity. However, the Central Bank does not have the power to take prosecutions on indictment, which typically attract more significant penalties. This power rests solely with the DPP.

Fines are imposed by a Court once an unauthorised provider has been convicted at the conclusion of a criminal trial, and are assessed by a trial judge. The fines that a Court can impose depend on the provisions of the legislation governing the particular category of unauthorised activity that the financial services provider is convicted under.

The Central Bank has statutory reporting obligations to An Garda Síochána to report information which leads it to suspect that a criminal offence has been committed. The Central Bank has stated that it takes these obligations very seriously and complies with them on an ongoing basis as appropriate. The Central Bank cannot comment on or provide any details in relation to the substance of those reports or the outcomes. The Central Bank keeps the consideration of potential criminality under constant review in the context of unauthorised providers of financial services.

Information in relation to the number of cases that have been taken by the DPP to the courts since 2015 is a matter for my colleague the Minister for Justice and Equality.

### **Tax Code**

**55. Deputy Michael McGrath** asked the Minister for Finance if a matter raised in correspondence by a person (details supplied) in County Cork regarding the tax treatment of unmarried couples will be addressed; and if he will make a statement on the matter. [38948/19]

**Minister for Finance (Deputy Paschal Donohoe):** Where a couple is cohabiting, rather than married or in a civil partnership, each partner is treated for the purposes of income tax as a separate and unconnected individual. Because they are treated separately for tax purposes, credits, tax bands and reliefs cannot be transferred from one partner to the other. Cohabitants do not have the same legal rights and obligations as a married couple or couple in a civil partnership which is why they are not accorded similar tax treatment to couples who have a civil status that is recognised in law.

The basis for the current tax treatment of married couples derives from the Supreme Court decision in *Murphy vs. Attorney General* (1980). This decision was based on Article 41.3.1 of the Constitution where the State pledges to protect the institution of marriage. The decision held that it was contrary to the Constitution for a married couple, both of whom are working, to pay more tax than two single people living together and having the same income.

The treatment of cohabiting couples for the purposes of social welfare is primarily a matter for my colleague, the Minister for Employment Affairs and Social Protection, Ms Regina Doherty, T.D. However, it is also based on the principle that married couples should not be treated less favourably than cohabiting couples. This was given a constitutional underpinning following the Supreme Court decision in *Hyland v Minister for Social Welfare* (1989) which ruled that it was unconstitutional for the total income a married couple received in social welfare benefits to be less than the couple would have received if they were unmarried and cohabiting.

To the extent that there are differences in the tax treatment of the different categories of couples, such differences arise from the objective of dealing with different types of circumstances while at the same time respecting the constitutional requirements to protect the institution of



marriage.

Further, I have been advised by Revenue that, from a practical perspective, it would be very difficult to administer a regime for cohabitants which would be the same as that for married couples or civil partners at this time. This is because married couples and civil partners have a verifiable official confirmation of their status and it would be difficult, intrusive and time-consuming to confirm declarations by individuals that they were actually cohabiting.

Therefore, any change in the tax treatment of cohabiting couples can only be addressed in the broader context of future social and legal policy development in relation to such couples.

### Tax Reliefs Availability

56. **Deputy Michael McGrath** asked the Minister for Finance his views on removing the restriction in which tax relief is only available for physiotherapy sessions on the basis of a general practitioner referral; and if he will make a statement on the matter. [38980/19]

**Minister for Finance (Deputy Paschal Donohoe):** Tax relief in respect of health expenses is provided for in section 469 of the Taxes Consolidation Act 1997. Health expenses is defined in that section as “*expenses in respect of the provision of health care...including the services of a practitioner...*”.

A practitioner is defined in the section as “*any person who is—*

(A) *registered in the register established under section 43 of the Medical Practitioners Act 2007,*

(B) *registered in the register established under section 26 of the Dentists Act, 1985, or,*

(C) *in relation to health care provided outside the State, entitled under the laws of the country in which the care is provided to practice medicine or dentistry there”.*

In the case of physiotherapy, relief can only be allowed in circumstances where the practitioner administering the therapy is a qualified practitioner as defined above, or if the treatment has been prescribed by a practitioner.

Treatment by a physiotherapist is dealt with in the same way as other treatments for health purposes in that to obtain relief the treatment must come within the terms of the section.

I do not intend changing the policy in relation to this matter at this time, but if the Deputy is aware of any unintended hardship that is being caused by this restriction I will arrange to give it due consideration.

Further details in relation to relief for health expenses are available on the Revenue website: <https://www.revenue.ie/en/personal-tax-credits-reliefs-and-exemptions/health-and-age/health-expenses/what-are-qualifying-expenses.aspx>

### Tax Code

57. **Deputy Michael McGrath** asked the Minister for Finance the treatment of off-road voluntary ambulances for the purposes of VRT, VAT and annual motor tax; the way in which the treatment differs from regular voluntary ambulances; the estimated cost if the rules for off-road ambulances were equalised with those of regular ambulances; and if he will make a statement

on the matter. [39056/19]

**Minister for Finance (Deputy Paschal Donohoe):** I am informed by Revenue that section 130 of the Finance Act 1992 provides the definition of an ambulance for the purposes of registration and VRT. An ambulance must be type approved under the type-approval framework directive, Directive 2007/46/EC, and must meet the technical criteria in Annex XI of that directive to come within the scope of the registration provisions. This includes criteria that must be met under the provisions of CEN 1789:2007, the European standard specifying requirements for the design and equipping of ambulances used for the transport and care of patients. A vehicle that is declared as an ambulance will only be registered as a VRT category D vehicle (at a zero rate of VRT) if it has the requisite type approval. More detailed information is available on the Revenue website at the following link: <https://www.revenue.ie/en/importing-vehicles-duty-free-allowances/guide-to-vrt/conversions/specific-vehicles.aspx>.

I am further informed by Revenue that the VAT rating of goods and services is subject to EU VAT law, with which Irish VAT law must comply. In general, the VAT Directive provides that all goods and services are liable to VAT at the standard rate unless they fall within categories of goods and services specified in the Directive in respect of which Member States may apply a lower rate or exempt from VAT. The supply of an ambulance is not included in any of those categories. However, the Disabled Drivers and Disabled Passengers Scheme provides for a refund of VAT and VRT on the purchase of an ambulance for transport of a disabled person or persons within the terms of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations. The scheme is open to organisations who fall within the definition of “qualifying organisations” where their purpose is to provide services to persons with a disability (within the meaning of the Disability Act 2005) and is engaged in the care and transport of a person or persons with a disability.

Under the Charities VAT Compensation Scheme, charities which are registered with the Charities Regulator can claim for VAT on any expenditure incurred in relation to their charitable activities, except where the charity is already entitled to a refund, deduction, relief or repayment of that VAT. Under this scheme the applicant is entitled to claim a proportion of their VAT costs based on the level of non-public funding they receive. For example, if 70% of their income comes from non-public funds they may claim back 70% of the eligible VAT incurred. However, as there is a capped amount of funding available annually under the scheme, charities will be paid on a pro-rata basis where the total amount of claims received exceeds the cap. The scheme has closed for this year and will re-open in January 2020 in respect of expenditure incurred in 2019.

### **Mortgage Arrears Rate**

58. **Deputy Joan Burton** asked the Minister for Finance if an analysis will be provided of mortgage holders in arrears by age groups (details supplied). [39063/19]

59. **Deputy Joan Burton** asked the Minister for Finance if an analysis will be provided of mortgage holders by age groups (details supplied) in tabular form. [39064/19]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 58 and 59 together.

I have been advised by the Central Bank of Ireland (the Central Bank) that they are unable to provide the information requested in both Parliamentary Questions, in the allotted timeframe. The Central Bank have informed me that the information is not readily available and will re-

quire a detailed analysis of data. I will write to the Deputy as soon as I get a response from the Central Bank.

### Tax Reliefs Data

60. **Deputy Joan Burton** asked the Minister for Finance if he will provide statistical information (details supplied) in respect of each of the years 2010 to 2018 and from 1 January 2019 to date. [39065/19]

61. **Deputy Joan Burton** asked the Minister for Finance the number of correlative adjustments received by the country in which the tax settlement giving rise to the adjustment has been agreed in each of the years 2010 to 2018 and from 1 January to date in 2019, in tabular form. [39066/19]

62. **Deputy Joan Burton** asked the Minister for Finance the number of protective claims for correlative adjustments received for claims that may arise in the future together with an estimate of the tax involved in each of the years 2012 to 2018 and from 1 January to date in 2019, in tabular form. [39067/19]

63. **Deputy Joan Burton** asked the Minister for Finance the estimated number of correlative adjustments expected to be received in 2019 and 2020 in the work plans of the Revenue Commissioners. [39068/19]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 60 to 63, inclusive, together.

I am advised by Revenue that as at 30 June 2019, the latest date for which such data has been collated, approximately €191 million in tax is the subject of open correlative relief claims.

Table 1 includes the number of correlative relief claims made by companies for each of the years 2010 to 2019 (up to 30 June 2019), together with the number of claims where correlative relief was granted, and the tax value of relief granted.

**Table 1**

Year of claim	Number of claims received	Number of these claims where relief granted	Tax value of relief granted *
2010	16	15 (1 claim was withdrawn)	€89.7m
2011	8	5 (1 claim was withdrawn, 1 claim was not allowed, and 1 claim is still open)	€40.9m
2012	13	10 (1 claim was withdrawn, 2 claims were not allowed)	€79.4m
2013	10	5 (3 claims were withdrawn and 2 claims are still open)	€9.2m
2014	12	4 (2 claims were withdrawn, 1 claim was not allowed and 5 claims are still open)	€3.8m
2015	14	6 (2 claims were withdrawn, 1 claim was not allowed and 5 claims are still open)	€15.1m
2016	9	0 (1 claim was withdrawn, 1 claim was not allowed and 7 claims are still open)	-
2017	8	2 (6 claims are still open)	€15.0m
2018	11	0 (11 claims are still open)	€0.0m
2019	6	0 (6 claims are still open)	€0.0m

\* Correlative relief may be granted over a number of years and may take the form of increasing losses to be carried forward as well as refunds and off-sets.

Table 2 includes details on the number of open correlative relief claims made by companies for each of the years 2010 to 2019 (up to 30 June 2019), including the quantum of adjustments claimed by these companies and the tax value of relief requested in each year.

**Table 2**

Year of Claim	Number of open claims	Total Adjustments Claimed	Tax Value of relief requested
2010	0	-	-
2011	1	€207m	€20m
2012	0	-	-
2013	2	€6.8m	€0.9m
2014	5	€425m	€51.2m
2015	5	€125.3m	€14.1m
2016	7	€273m	€30.8m
2017	6	€269.7	€33.7m
2018	11	€211.4	€25.6m
2019	6	€118.3m	€14.7m

Table 3 provides a further detailed breakdown of closed correlative relief cases in respect of claims received after 1 January 2014 which were either granted or withdrawn (full details of correlative relief claimed are not available for the years 2010 to 2013):

**Table 3**

Year of Claim	Total Number of closed claims	Tax Value of relief requested	Tax Value of relief granted*	Number of Claims where relief Granted in Full	Number of Claims where relief Partially Granted	Number of Claims Withdrawn/ Relief not granted in full.
2014	7	€39.7m	€3.8m	4	0	3
2015	9	€20.2m	€15.1m	5	1	3
2016	2	€9.4m	-	0	0	2
2017	2	€15m	€15m	2	0	0
2018	0	-	-	-	-	-
2019	0	-	-	-	-	-

\* Correlative relief may be granted over a number of years and may take the form of increasing losses to be carried forward as well as refunds and off-sets.

Table 4 provides an analysis of the correlative relief claims received by country of adjustment since 1 January 2014 (full details of correlative relief claimed are not available for years 2010 to 2013)

**Table 4**

Country of Adjustment	No of Correlative Relief Claims Received	Amount of tax relief requested
Austria	1	€1.6m
Belgium	2	€2.6m
Canada	2	€11.3m

Country of Adjustment	No of Correlative Relief Claims Received	Amount of tax relief requested
Chile	1	€5.7m
Denmark	1	€0.1m
France	2	€1.7m
Germany	12	€29.9m
India	1	€0.7m
Italy	14	€112.5m
Netherlands	1	€0.2m
Poland	1	€1.3m
Spain	2	€10.1m
Switzerland	1	€1.7m
UK	6	€46.1m
US	9	€25.6m
Total	56	€251.2

A correlative relief claim can arise where an overseas tax authority imposes a transfer pricing adjustment on one party to an intercompany transaction and taxes profits that have already been taxed in Ireland. In order to avoid double taxation, the Irish party to the transaction may have the option to approach Revenue for a repayment of tax on a unilateral basis under the provisions of a double taxation treaty (that is, without involvement of the overseas tax authority). Given the nature of correlative relief claims, Revenue has advised that it is not possible to provide an estimate of claims which may arise in the future. Revenue will only consider the merits of a claim for correlative adjustment when all the necessary information and documentation required to be submitted with a request for a correlative adjustment is provided.

Finally, the Deputy should note that claim numbers and amount of tax relief granted as a result of corresponding adjustments agreed between Revenue and tax authorities of other countries under the Mutual Agreement Procedures (MAP) provided for in Double Tax Treaties are not included in the above figures.

### Tax Data

64. **Deputy Joan Burton** asked the Minister for Finance if an analysis will be provided of the known losses carried forward for corporation tax purposes at 31 December in each of the years 2015 to 2018, respectively, under each heading by general NACE classification (details supplied); and if he will make a statement on the matter. [39069/19]

65. **Deputy Joan Burton** asked the Minister for Finance if an analysis will be provided of the known losses carried forward for income tax purposes at 31 December in each of the years 2015 to 2018, respectively, under headings by general NACE classification (details supplied); and if he will make a statement on the matter. [39070/19]

66. **Deputy Joan Burton** asked the Minister for Finance if an analysis will be provided of known losses carried forward for corporation tax purposes at 31 December in each of the years 2015 to 2018 under headings by general NACE classification (details supplied); and if he will make a statement on the matter. [39071/19]

67. **Deputy Joan Burton** asked the Minister for Finance his views on whether it is time to limit all losses forward for income and or corporation tax purposes; the estimated yield of such an action in a full year if a time to limit was set at five or ten years, respectively; and if he will

make a statement on the matter. [39072/19]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 64 to 67, inclusive, together.

I am advised by Revenue that a sectoral breakdown of losses forward claimed on Corporation Tax returns and Income Tax returns is set out in the tables below for years 2015 to 2017 (inclusive). Information in respect of the 2018 tax year is not available, as the relevant tax returns are not yet filed. This information will be available in late 2020.

A breakdown of losses forward is not available by type of underlying loss or by age profile of the loss. However, Revenue's report on Corporation Tax returns for 2017, at link <https://www.revenue.ie/en/corporate/documents/research/ct-analysis-2019.pdf>, (Sections 3.2 and 3.3) provides a detailed report of the available data in relation to losses forward and capital allowances by companies.

#### **Trading Losses Forward Claimed by Companies (by Sector)**

Sector	2015 €m	2016 €m	2017 €m
Financial & Insurance	124,175	112,796	106,949
Administrative & Support Service	37,966	39,619	45,464
Information & Communication	10,534	11,281	11,936
Construction	9,999	11,369	10,713
Manufacturing	8,305	8,857	8,449
Transportation & Storage	8,382	8,513	8,500
Wholesale & Retail Trade	7,628	7,991	8,832
All Other Sectors	11,347	14,158	12,105
Total	218,335	214,585	212,949

#### **Trading Losses Forward Claimed by Self Assessed Taxpayers (by Sector)**

Sector	2015 €m	2016 €m	2017 €m
Financial & Insurance	17	20	20
Administrative & Support Service	8	8	6
Information & Communication	2	2	8
Construction	589	627	695
Manufacturing	6	6	5
Transportation & Storage	13	20	7
Wholesale & Retail Trade	56	53	45
All Other Sectors	1,382	1,266	1,122
Total	2,074	2,001	1,908

In respect of question 39072/19, loss relief is generally provided in Part 12 of the Taxes Consolidation Act (TCA) 1997 for both income tax and corporation tax purposes. It allows losses incurred in the course of business or trade to be accounted for when calculating the same business' tax liabilities. The purpose of this approach is to recognise that fluctuations in the business cycle may run over several years and that it would be unbalanced to tax profits earned in one year and not allow relief for losses incurred in another.

The treatment of losses in Ireland is a long standing feature of our tax system and is a standard feature of the tax systems in all OECD countries. There are therefore no plans to amend the current system, including to time limit the use of losses forward.



Deputies may be aware that my Department provided a technical note to the Committee on Finance, Public Expenditure and Reform, and Taoiseach in 2018 setting out many of the technical considerations relevant to corporation tax loss relief, and many of these considerations would apply also in respect of income tax loss relief. This paper is available online at: <https://www.gov.ie/en/publication/436ff7-technical-note-on-the-potential-consequences-of-changes-to-the-treat/>.

### Revenue Commissioners Audits

68. **Deputy Joan Burton** asked the Minister for Finance the estimated increase in the number of high net worth individuals dealt with by the Revenue Commissioners' large cases division if the threshold for inclusion was reduced to €20 million; the additional resources that would be required to provide for such a reduction; if such resources will be made available to the Revenue Commissioners; and if he will make a statement on the matter. [39073/19]

69. **Deputy Joan Burton** asked the Minister for Finance the estimated increase in the number of high net worth individuals dealt with by the Revenue Commissioners' large cases division if the threshold for inclusion was reduced to €10 million; the additional resources that would be required to provide for such a reduction; if such resources will be made available to the Revenue Commissioners; and if he will make a statement on the matter. [39074/19]

70. **Deputy Joan Burton** asked the Minister for Finance the number of new cases added to the high net worth individuals' unit in the Revenue Commissioners' large cases division in each year since the unit's formation in 2003; the number of cases dropped and moved to other units of the Revenue Commissioners; and if he will make a statement on the matter. [39075/19]

71. **Deputy Joan Burton** asked the Minister for Finance the estimated additional audit yield if a properly resourced high net worth individuals unit took responsibility for those with net assets greater than €10 million, €20 million and €30 million, respectively; and if he will make a statement on the matter. [39076/19]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 68 to 71, inclusive, together.

Tax administrations generally use assets and/or wealth as their main criteria for defining a High Wealth Individual (HWI), while some also include income criteria. I am advised by Revenue that its criterion to be considered a HWI and to therefore come within the remit of the HWI branches of its Large Cases – High Wealth Individuals Division (LC-HWID) is individuals with net assets of €20 million and over.

I am advised by Revenue that as there is no statutory obligation on individuals to return details of their net worth on returns of income it is not possible to estimate the number of individuals with a net worth within the thresholds requested by the Deputy.

Revenue has had a focus on HWIs over a long period. HWIs have been managed by dedicated units within its Large Cases Division since it was established in 2003. Revenue split its Large Cases Division into two divisions in 2018, one of which, LC-HWID, has a focus on HWIs, avoidance and pensions. As reflected in one of the recommendations in the Annual Report by the Comptroller and Auditor General (C&AG), the new Division reviewed the case base with a view to increasing the number of HWIs it manages. This review has been published on the Revenue website, [www.revenue.ie](http://www.revenue.ie), and provides more detail on the criteria used by Revenue to identify taxpayers with net assets falling within the revised threshold.

The allocation of resources is a matter for Revenue but I understand that Revenue's structural realignment, of which the setting up of the LC-HWID was a part, was supported by an expansion in the number of specialist and experienced staff assigned to the oversight of the new Division's case base. The number of staff currently assigned to the HWI branches is c.60. I also understand that Revenue established a new Division, the Medium Enterprises Division, to manage the affairs of the tier of cases, both corporate and individuals below that of the Large Cases Divisions.

I am advised by Revenue that the HWI case base is adjusted periodically but not necessarily on an annual basis. The following Table provides the number of cases in the HWI case base for the years indicated:

Year	Number of HWIs
2004	250
2006	300
2017	571
2018	480
2019	955

I am satisfied that the structural realignment by Revenue combined with the risk focused approach to compliance management, will continue to deliver an outcome where HWIs pay the appropriate tax in accordance with the legislation. I am advised by Revenue that it is not possible to estimate additional audit yield related to cases recently coming within the responsibility of LC-HWID. There is a presumption of honesty by taxpayers who pay on a self-assessment basis and no category of taxpayer would be regarded, in advance of a case appraisal, as likely to give rise to audit yield. All taxpayers are subject to risk evaluation and intervention as appropriate so bringing a particular category of taxpayers within the remit of the LC-HWID would not, of itself, be a determinant of an increased audit yield. Revenue's overall approach to managing compliance is to make the appropriate intervention following appraisal of the risk factors in each case.

Finally, I would like to say to the Deputy that over the last number of Budgets I supported the business case put forward by Revenue in relation to additional resources, both personnel and ICT, and I will continue to examine any proposal put forward by Revenue in the future.

## Departmental Reports

**72. Deputy Willie Penrose** asked the Minister for Finance when a report by an organisation (details supplied) into public banking will be available in view of the fact a commitment was given that it would be ready for distribution by early summer 2019; if steps can be taken to expedite same; and if he will make a statement on the matter. [39080/19]

**Minister for Finance (Deputy Paschal Donohoe):** As the Deputy is aware, my Department in conjunction with the Department of Rural and Community Development, issued a report on Local Public Banking in Ireland last year. The report concluded that there is not a compelling case for the State to establish a new local public banking system based on the German Sparkassen model in Ireland.

A commitment was given in the report that my Department would arrange for an independent evaluation to consider how the objectives of community banking and how the local provision of banking and financial services could be furthered through other delivery mechanisms.

Following a procurement process, the contract was awarded to Indecon earlier this year. Work on the independent evaluation is currently well underway and I understand that the report will be completed in the near future.

### **Urban Regeneration and Development Fund**

73. **Deputy John Deasy** asked the Minister for Public Expenditure and Reform if the over-all allocation of €550 million to the urban regeneration and development fund up to the end of 2022 is ring-fenced regardless of potential economic circumstances; and if the €2 billion allocated to the fund up to 2027 under the National Planning Framework is guaranteed. [38945/19]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** As part of Project Ireland 2040, Government allocated €2 billion to the Urban Regeneration and Development Fund (URDF), to support the compact growth and sustainable development of Ireland's five cities, regional drivers and other large urban centres. Management of these resources falls to my colleague, the Minister for Housing, Planning and Local Government, in the first instance. That said, I have already signalled in the Summer Economic Statement that Government will prioritise spending that mitigates risk, enhances the resilience of the economy and raises our growth capacity, including spending in support of *Project Ireland 2040*.

### **State Properties**

74. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 204 of 6 September 2019, if there are currently negotiations under way between the OPW and Cork County Council regarding a revised purchase plan; the two of the nine properties it has been decided to retain in State ownership; and if he will make a statement on the matter. [39006/19]

75. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 204 of 6 September 2019, the plans there are for the boathouse adjacent to No. 12 and for the improvement and maintenance of the drive adjacent to the boathouse; and if he will make a statement on the matter. [39007/19]

76. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 204 of 6 September 2019, if he will facilitate a meeting between the residents that live in houses formerly sold and the OPW to discuss issues of concern; and if he will make a statement on the matter. [39008/19]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** I propose to take Questions Nos. 74 to 76, inclusive, together.

There are twelve former coastguard cottages in a terrace at Crosshaven, Co. Cork, nine of which remain in the ownership of the Minister for Public Expenditure and Reform. Two of the cottages are currently in use as a Garda station and residence while the remaining seven cottages have been identified as surplus to requirements and suitable for disposal.

In addition to the cottages, there is a one-acre site to the rear of the cottages. This site was the subject of a Licence Agreement, which expired in October 2017 but remains occupied by the Licensee and is subject to legal proceedings. This site is also surplus to State requirements and suitable for disposal.

The former Rocket House at the rear of the cottages is currently in use by the Irish Coast

Guard.

The cottages and site were considered by Cork County Council but the Council, following due consideration, informed the Office of Public Works (OPW) in January 2019 that they were not proceeding with acquiring the properties and site.

As no alternative State use for the cottages and site was identified, the OPW along with the Chief State Solicitor's Office prepared contracts for sale to dispose of the cottages and site by public auction.

Regrettably, the aforementioned legal issues have delayed the disposal of the properties. The Commissioners plan to sell the cottages and site by public auction, when all legal matters have been resolved and the site is returned to the Commissioners with vacant possession.

The OPW and Cork County Council have recently been in contact to discuss the properties and site further and a meeting is scheduled for early October between officials of the OPW and Cork County Council.

The OPW Regional Office has recently carried out repairs to the roof of number 11 and there are no plans to carry out any further maintenance works at the property including the driveway to the rear of the cottages.

The residents can contact my office to arrange a meeting with my officials from the Property Management Division in the OPW to discuss any concerns that they might have.

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

**77. Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills if the case of a child (details supplied) will be examined; and if the child will be awarded the support of a special needs assistant. [38931/19]

**Minister for Education and Skills (Deputy Joe McHugh):** The National Council for Special Education (NCSE) is responsible for allocating a quantum of Special Needs Assistant (SNA) support for each school annually taking into account the assessed care needs of children qualifying for SNA support enrolled in the school.

The NCSE allocates SNA support to schools in accordance with the criteria set out in Department Circular 0030/2014, which is available on my Department's website at [www.education.ie](http://www.education.ie), in order that students who have care needs can access SNA support as and when it is needed.

In considering applications for SNA support for individual pupils, the NCSE take account of the pupils' needs and consider the resources available to the school to identify whether additionality is needed or whether the school might reasonably be expected to meet the needs of the pupils from its current level of resources.

SNAs are not allocated to individual children but to schools as a school based resource.

SNA allocations to all schools can change from year to year as children with care needs leave the school, as new children with care needs enrol in a school and as children develop more independent living skills and their care needs diminish over time.

The NCSE Appeals Process may be invoked by a parent or a school where it is considered that a child was not granted access to SNA support because the requirements outlined in Circu-

lar 0030/2014 were not complied with. Schools may also appeal a decision, where the school considers that the NCSE, in applying Department policy, has not allocated the appropriate level of SNA support to the school to meet the special educational and/or care needs of the children concerned.

Where a school has received its allocation of SNA support for 2019/20, but wishes new enrolments or assessments to be considered, which were not taken into account when the initial allocation was made, they may continue to make applications to the NCSE.

The closing date for receipt of appeals in regard to SNA allocations is Friday 27th September 2019.

As this question relates to a particular child, I have referred the question to the NCSE for their direct reply. I do not have a role in making determinations in individual cases.

### **SOLAS Training and Education Programmes Certification**

78. **Deputy Fergus O'Dowd** asked the Minister for Education and Skills if queries from a person (details supplied) regarding a SOLAS training certificate will receive a response; if assistance can be provided to them; and if he will make a statement on the matter. [38947/19]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** Officials in my department have been in contact with SOLAS, which manages the National Apprenticeship System in Ireland, in connection with this issue. The electrical apprenticeship involves 7 training phases and according to SOLAS records, the person in question has completed requirements for his apprenticeship for Phases 1 through to 6. To complete his apprenticeship he is required to successfully complete Phase 7 with an employer, involving work based training and assessments. To complete this phase he needs to be registered with a SOLAS approved employer as an apprentice. SOLAS have received communication from the person in question in relation to issues he has identified and my understanding is that SOLAS are endeavouring to assist in relation to the completion of his apprenticeship.

### **Schools Building Projects Status**

79. **Deputy Michael McGrath** asked the Minister for Education and Skills further to Parliamentary Question No. 443 of 6 September 2019, the nature of the tender process he plans to take; the number of steps in the process; the estimated length of time it will take; and if he will make a statement on the matter. [38961/19]

**Minister for Education and Skills (Deputy Joe McHugh):** The tender documentation for the Building Project referred to by the Deputy is currently being prepared. It is anticipated that the Project will proceed to tender in Quarter 1 of 2020 with a view to being on site in Quarter 2 of 2020.

### **School Accommodation**

80. **Deputy Michael McGrath** asked the Minister for Education and Skills the amount spent to date on the provision of temporary accommodation, including site rental costs, for a school (details supplied) in County Cork; and if he will make a statement on the matter. [38962/19]



**Minister for Education and Skills (Deputy Joe McHugh):** The school referred to by the Deputy opened in temporary accommodation in September 2013. The amount spent to date on the provision of temporary accommodation, including site rental costs for the school is €3,160,330 inclusive of VAT.

Of this amount, €1,199,291 has been spent on the rental of the site and rental of prefabs. The remainder is associated costs for the installation of the prefabs.

### **Home Tuition Scheme Administration**

81. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education and Skills if his attention has been drawn to delays to the granting of home tuition hours; and if he will make a statement on the matter. [38969/19]

**Minister for Education and Skills (Deputy Joe McHugh):** The purpose of the Home Tuition Grant Scheme is to provide a compensatory educational service for:

(a) Early educational intervention for children with autism who meet the schemes eligibility criteria

(b) Students with special educational needs seeking an educational placement in a recognised school

(c) Students, enrolled in schools, with significant medical conditions which has caused, and is likely to continue to cause, major disruption to their attendance at school.

The application forms and related Circular for this year's scheme were published on the 8th August 2019. Last year, the forms and circular were published on the 26th July 2018.

The Home Tuition Application form outlines that it may take the Department up to 15 working days to process home tuition applications.

The vast majority of applications made during the summer have been processed. The Department is prioritising the processing of Home Tuition applications with a view to processing completed applications within a shorter timeframe.

The operation of the Home Tuition Grant Scheme is reviewed annually. Officials in my Department will review the operation of the 2019/20 Home Tuition Grant Scheme which will take into consideration any issues arising during the school year.

### **School Management**

82. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills when he will respond to a person (details supplied) regarding the responsibility for student safety of the board of management of a school; and if he will make a statement on the matter. [38974/19]

83. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills if the board of management of a school (details supplied) is responsible for the safety of students at the vocational skills section of the campus of the school; and if he will make a statement on the matter. [38975/19]

**Minister for Education and Skills (Deputy Joe McHugh):** I propose to take Questions Nos. 82 and 83 together.



Under Section 15 of the Education Act 1998, the Board of Management is the body charged with the direct governance of a school.

A Board of Management's main function is to manage the school on behalf of the patron and for the benefit of the students and to provide an appropriate education for each student attending the school.

Schools are required to take all reasonable precautions to ensure the safety of pupils and responsibility for the appropriate supervision of students is therefore a matter for the individual Board of Management.

While my Department does not issue specific guidelines on requirements for supervision in specific situations, it acknowledges that the degree of supervision required of school authorities varies with the individual circumstances.

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

With regard to the school referred to by the Deputy, a member of my Department's Inspectorate visited the school in June 2019, the purpose of which was to gather information in relation to the operation of the vocational skills programme within school time. My Department subsequently wrote to the Board of Management, requesting that they address a number of issues regarding the Vocational Skills Programme. The Board has responded in writing and my Department is considering this response.

My Department will respond to the parent to whom the Deputy refers when my Department has completed its consideration of this matter.

### **Schools Building Projects Status**

84. **Deputy Darragh O'Brien** asked the Minister for Education and Skills the status of the provision of a new school building project for a school (details supplied); if the acquisition of a new site for the school has been completed; and if he will make a statement on the matter. [38991/19]

**Minister for Education and Skills (Deputy Joe McHugh):** As the Deputy is aware the building project for the school in question is included on my Department's capital programme.

I am pleased to inform the Deputy that agreement in principle has been reached on the proposed acquisition of a site that will accommodate both the school to which he refers and permanent accommodation for a local primary school. This acquisition is currently progressing through the conveyancing stage and my officials are working to bring it to a conclusion at the earliest possible date.

### **Schools Building Projects Status**

85. **Deputy Darragh O'Brien** asked the Minister for Education and Skills the position regarding progress on a permanent school building project for a school (details supplied); and if he will make a statement on the matter. [38992/19]

**Minister for Education and Skills (Deputy Joe McHugh):** The major building project for the school referred to by the Deputy is currently at an advanced stage of Architectural Plan-

ning, Stage 2b - Detailed Design, which includes the application for statutory approval and the preparation of tender documents. Statutory approvals in relation to the permanent new school build have been secured.

Following the appointment of a replacement consultant architect, the Design Team has reviewed the previous Stage 2(b) documentation and is currently upgrading the design to ensure that the new school building is a Near Zero Energy Building (NZEB) in compliance with the 2017 amendment to Part L of the Building Regulations.

The Design Team is also finalising the detail in relation to the provision of temporary accommodation and playground facilities during the construction of the new school building. My Department is currently reviewing a report in relation to costs for the temporary accommodation and playground. Upon review and approval of costs, the Design Team will then submit an application for Planning Permission for the temporary accommodation and playground to the Local Authority.

The Design Team will then complete the tender documents and submit the Stage 2b report to my Department. Upon receipt and review of the Stage 2(b) submission, my Department will revert to the Board of Management regarding the further progression of the project at that time.

### **Schools Building Projects Status**

86. **Deputy Darragh O'Brien** asked the Minister for Education and Skills the position regarding progress on a new school building project for a school (details supplied); and if he will make a statement on the matter. [38993/19]

**Minister for Education and Skills (Deputy Joe McHugh):** The Deputy will be aware that a building project for the school to which he refers is included in my Department's School Building Programme to be delivered as part of the National Development Plan (NDP).

A new site is required to facilitate this development and my Department has recently reached agreement in principle with the landowners for the acquisition of a site. In tandem with the site acquisition, my Department will now initiate the preparation of the project brief. My Department will be in contact with the school authority when this process has been completed.

### **Schools Site Acquisitions**

87. **Deputy Darragh O'Brien** asked the Minister for Education and Skills the status of the provision of a new site for a school (details supplied) as announced in November 2015; and if he will make a statement on the matter. [38994/19]

**Minister for Education and Skills (Deputy Joe McHugh):** As the Deputy is aware the building project for the school in question is included on my Department's capital programme.

I am pleased to inform the Deputy that agreement in principle has been reached on the proposed acquisition of a site that will accommodate both the school to which he refers and a replacement building for an existing post primary school. This acquisition is currently progressing through the conveyancing stage.

### **Schools Facilities**

88. **Deputy Denise Mitchell** asked the Minister for Education and Skills when a school (details supplied) will have access to a proper exercise and recreation area. [39000/19]

**Minister for Education and Skills (Deputy Joe McHugh):** Arrangements are being explored to put in place an additional external play area for the school to which the Deputy refers.

The schools will be kept informed over the coming weeks as these arrangements are developed.

### **Schools Site Acquisitions**

89. **Deputy Denise Mitchell** asked the Minister for Education and Skills the status of the temporary site in Belmayne that a school (details supplied) has been allocated and is waiting on; and if he will make a statement on the matter. [39001/19]

**Minister for Education and Skills (Deputy Joe McHugh):** It is intended that the site in question will also serve as the permanent location for the school referred to by the Deputy and my officials are working to advance its proposed acquisition in this context. However, separate arrangements are being put in place with Dublin City Council, as landowner, to facilitate the provision of interim accommodation on the site in advance of this acquisition.

A current planning application (Planning Ref. No: 3009/09) is ongoing to facilitate the provision of interim accommodation on the site.

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

90. **Deputy Jack Chambers** asked the Minister for Education and Skills if a child (details supplied) will receive the necessary education supports and special school place required; and if he will make a statement on the matter. [39005/19]

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

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

This policy has been informed by published research, including the Report of the Task Force on Autism (2001), the Evaluation of Educational Provision for Children with Autistic Spectrum Disorders (ASD) (2006) and National Council for Special Education (NCSE) policy advice on Supporting Students with Autism Spectrum Disorder (2016).

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

The National Council for Special Education (NCSE) has a statutory function to plan and co-ordinate the provision of education and support services to children with special educational needs. This includes the establishment of special class and special school placements in various geographical areas where the NCSE identifies need.

The NCSE works with families and schools to ensure that advance planning is in place so that schools in an area can, between them, cater for all children who have been identified as needing special class placements.

Where there is no suitable placement available for a child with Special Educational Needs, Home Tuition Grant funding to provide a compensatory educational service for their child. The availability of a suitable school placement is assessed by the NCSE having regard to, although not limited to, the relevant diagnosis and relevant professional reports.

As this question relates to a particular child, I have referred the question to the NCSE for their direct reply.

### **Visa Agreements**

91. **Deputy Niall Collins** asked the Minister for Justice and Equality his plans to allow Pakistani nationals to visit here on a UK visit visa and vice versa; and if he will make a statement on the matter. [38982/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Deputy appears to be referring to the British Irish Visa Scheme (BIVS). A BIVS endorsed visa allows a short-stay visitor to visit both Ireland and the UK (and the North and South of this Island) without the need to obtain two separate visas.

While a BIVS visa is only currently available to national residents of India and the People's Republic of China, the Immigration Service of my Department is considering extending its availability to other countries on a phased basis, following discussions with the UK authorities. However, as the Deputy will appreciate, there are unlikely to be any changes to the reciprocal visa regime until matters related to Brexit are concluded.

### **Garda Deployment**

92. **Deputy Michael McGrath** asked the Minister for Justice and Equality the locations in which the newly qualified gardaí have been assigned since September 2014; and if he will make a statement on the matter. [38913/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate, the Commissioner has responsibility for managing An Garda Síochána and for the allocation of Garda resources, in light of identified operational demands. This includes responsibility for personnel matters. As Minister I have no direct role in these matters. I understand however that Garda management keeps the distribution of resources under continual review in the context of crime trends and policing priorities, to ensure their optimum use.

I am informed by the Commissioner that the allocation and transfer of Garda personnel, including newly attested probationer Gardaí, is determined by a number of factors including crime and non-crime workload, minimum establishment, population, area, policing arrangements, and operational strategies. I am further informed that when the allocation of resources to a Division is being considered, comprehensive consultation is carried out with local Garda management, during which all factors are taken into consideration.

I would remind Deputies that newly attested Gardaí have a further 16 months of practical and class-room based training to complete, before they receive their BA in Applied Policing. To ensure that they are properly supported and supervised and have opportunities to gain the

breadth of policing experience required, the Commissioner's policy is to allocate them to specially designated training stations with the required training and development structures and resources in place, for example trained Garda tutors and access to a permanently appointed supervisory Sergeant, who is thoroughly familiar with their responsibilities under the training programme.

I am further informed by the Commissioner that while not all Garda Stations are training stations, the allocation of probationer Gardaí to a Divisional training station facilitates the reassignment of Gardaí to other stations within the Division, if required, by the Divisional Officer.

Finally, the Deputy may also wish to be aware that since the reopening of the Garda College in September 2014, almost 2,800 recruits have attested as members of An Garda Síochána. This has seen an increase in the number of Garda members to just over 14,000 at the end of 2018, a net increase of over 1,000 since the end of 2016. And these numbers are increasing. We currently have over 14,200 Gardaí nationwide, supported by over 2,700 Garda staff and we are on track to achieve the Government's plan of an overall Garda workforce of 21,000 personnel by 2021.

The information as requested by the Deputy in relation to the allocation of Garda recruits since reopening of the Garda College is attached.

[https://data.oireachtas.ie/ie/oireachtas/debates/questions/supportingDocumentation/2019-09-25\\_pq92-25-9-19\\_en.xlsx](https://data.oireachtas.ie/ie/oireachtas/debates/questions/supportingDocumentation/2019-09-25_pq92-25-9-19_en.xlsx)>Garda Allocations</a>

### Work Permits Eligibility

93. **Deputy Jim O'Callaghan** asked the Minister for Justice and Equality if steps can be taken to review the terms of the atypical working scheme in order to facilitate more qualified doctors to relocate here and provide general practitioner service; and if he will make a statement on the matter. [38918/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I can advise the Deputy that policy responsibility relating to locum doctors is primarily a matter for the Health Service Executive (HSE). The role of the Immigration Service of my Department is to provide immigration mechanisms by which non-EEA medical personnel may be recruited to fill temporary vacancies in the health sector as and when required. I am further advised that in recent months the Immigration Service has consulted closely with the HSE to determine if the terms of the Scheme require any amendments. My Department remains committed to ongoing stakeholder engagement to ensure the smooth operating of the Atypical Working Scheme (AWS) with regards to locum GP's.

Under current arrangements, which have been in place since 2015, doctors undertaking locum work in the Primary Care (GP) sector may be granted a 'block' 90-day permission for the duration of their 90-day contract. Exit from and re-entry into the State is not permitted during this 90-day period, except in exceptional circumstances. The terms of the AWS also provide that at least one month must elapse from the expiry date of the 90 day permission before a new application may be made. The rationale for this approach, which applies to all such permissions, is rooted in the principle that an atypical permission is not a substitute for the replacement of full time labour (either sourced within Ireland or the EU or through the Non EEA employment permit regime). Therefore, a person granted such permission cannot automatically roll over their atypical permission. These conditions have applied to permissions granted under the Scheme since its inception.



Atypical immigration permissions are specifically designed to cover short term employments in the State and there are alternative options available for longer term employment through the employment permit regime of the Department of Business, Enterprise and Innovation.

### **National Drugs Strategy Implementation**

94. **Deputy Jim O’Callaghan** asked the Minister for Justice and Equality the status of the work of the working group on alternative sanctions for drugs; and if he will make a statement on the matter. [38922/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy is aware, the Government established a Working Group to consider alternative approaches to the possession of drugs for personal use in December 2017. The formation of this group was a key action in the National Drugs Strategy ‘Reducing Harm, Supporting Recovery – a health-led response to drug and alcohol use in Ireland 2017-2025’.

The Working Group’s report and the Chair’s minority report can be read at the following link: [www.justice.ie/en/JELR/Pages/Working\\_Group\\_to\\_Consider\\_Alternative\\_Approaches\\_to\\_the\\_Possession\\_of\\_Drugs\\_for\\_Personal\\_Use](http://www.justice.ie/en/JELR/Pages/Working_Group_to_Consider_Alternative_Approaches_to_the_Possession_of_Drugs_for_Personal_Use).

As the Deputy will appreciate, Minister for Health Simon Harris TD and Minister of State with responsibility for the National Drugs Strategy Catherine Byrne TD have responsibility for progressing the recommendations made in the report of the Working Group.

I understand that an implementation group comprising of key agencies will be established in the next month.

### **Closed-Circuit Television Systems Expenditure**

95. **Deputy Jim O’Callaghan** asked the Minister for Justice and Equality the number of applications to date for funding under the community-based CCTV scheme; the number of applications that have been approved to date; the total expenditure under the scheme; and if he will make a statement on the matter. [38930/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy may be aware, Community CCTV is governed by section 38(3)(c) of the Garda Síochána Act 2005 and the Garda Síochána (CCTV) Order 2006 (SI No 289 of 2006). This legal framework requires that any proposed community CCTV scheme must:

- be approved by the local Joint Policing Committee,
- have the prior support of the relevant local authority, which must also act as data controller, and
- have the authorisation of the Garda Commissioner.

This is the legal basis for all community CCTV schemes, regardless of how they are funded and these key legal requirements have not changed since 2006. The possibility of establishing a Community CCTV scheme is available to groups that meet these legal requirements, anywhere in the country.

Since 2017, my Department has administered a grant aid scheme supporting groups wishing



to establish a community-based CCTV system in their area. There have been 33 applications to the scheme and to date, 21 applications have been approved, involving approved grants totalling more than €540,000.

The location of the CCTV schemes which have been approved for funding are as follows:

- Carrick on Shannon, Co Leitrim
- Cranmore, Co Sligo
- Arklow, Co Wicklow
- Courttown/Riverchapel, Gorey and Wexford Town, Co Wexford
- Abbeyfeale, Adare, Askeaton, Caherconlish, Cappamore, Castleconnell, Croom, Foynes, Kilmallock, Newcastlewest, Pallasgreen, Patrickswell, Murroe and Rathkeale, County Limerick.
- Monaghan Town, Co. Monaghan

I can confirm that the grant aid scheme remains open for applications from interested groups in 2019 and that all fully completed applications received before the end of 2019 will be considered.

Eligible groups, including community groups and local authorities nationwide, can apply for grant-aid of up to 60% of the total capital cost of a proposed CCTV system, up to a maximum total of €40,000. I am pleased to inform the Deputy that I have recently expanded the grant aid scheme to cover not only new CCTV systems but also to allow funding applications for extension or upgrade of existing Community CCTV systems which are incomplete or obsolete. Applicants can now also seek a grant of up to €5,000 for minor maintenance costs.

I must emphasise that grant funding can be considered only for CCTV systems which meet the legal requirements for CCTV, in other words CCTV systems which have been approved by the relevant Joint Policing Committee, the relevant Local Authority (also acting as Data Controller) and which have received the authorisation of the Garda Commissioner.

If the Deputy is aware of groups wishing to avail of the scheme, further details are available to download from my Department's website - [www.justice.ie](http://www.justice.ie) and support and guidance is available to help interested groups through a dedicated email address [communitycctv@justice.ie](mailto:communitycctv@justice.ie)

### **Direct Provision System**

96. **Deputy Catherine Connolly** asked the Minister for Justice and Equality further to Parliamentary Question No. 128 of 18 September 2019, the number of groups (details supplied) that have been established; the organisation responsible for establishing each group; the terms of reference for the establishment of each group; the needs analysis carried out for each group; the funding provided for each group; the additional supports provided for each group; the degree to which he engages these groups; the review procedures in place; and if he will make a statement on the matter. [38938/19]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** The establishment of a "Friends of the Centre" group in each centre providing accommodation to persons seeking international protection was a key recommendation of the Report of the Working Group on Improvements to the Protection Process, including Direct Provision and

Supports to Asylum Seekers (known as The McMahon Report). All 38 accommodation centres plus the reception centre at Baleskin, have Friends of the Centre Groups.

The purpose of a Friends of the Centre Group is to facilitate links between the residents of accommodation centres and local community, voluntary and sporting groups. It is a contractual obligation for our contractors to provide for Friends of the Centre Groups. The operation of the group is facilitated by staff from the accommodation centre. For example, the operator of the centre must make a room available to facilitate meetings. The composition of each group varies from centre to centre but will include staff members, residents and volunteers from the local community. Officials from the Department will occasionally attend meetings particularly if invited by the group to do so. All aspects of the accommodation system for international protection applicants is kept under continuous review.

The scope of and the types of activities engaged in by the group vary from centre to centre. They reflect the type of residents being accommodated in a centre and also the voluntary groups that are active in a particular locality. For example, the activities engaged in by a group based in a centre that accommodates only single adults will be different to those engaged in by a group based on a centre accommodating families. Examples of groups that have engaged with Friends of the Centre include local Tidy Towns committees, sports clubs, men's sheds and Mother and Baby clubs. Activities in the centres are eligible to apply for funding under the Communities Integration Fund (CIF). The Friends of The Centre in Ballaghaderreen have received €5,000 funding on 17 September under the Communities Integration Fund for 2019.

### **Immigration Status**

**97. Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality when a person (details supplied) will receive a reply to an application for stamp 4S made in December 2018; and if he will make a statement on the matter. [38940/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am informed by the Immigration Service of my Department that the person concerned made an application for the Special Scheme for students 2005-2010 on 18 December 2018. The processing of this application is ongoing and a decision has not yet been finalised. The applicant will be contacted by the Immigration Service once a decision is made on the application.

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

### **Garda Equipment**

**98. Deputy Thomas P. Broughan** asked the Minister for Justice and Equality when hand-held devices will be rolled out to the roads policing unit nationally; if the 2,000 devices will be operable by the end of 2019 as reported to the Committee of Public Accounts on 9 May 2019 by the Garda Commissioner; if not, if it will be the end of 2020 as reported to the Committee on Justice and Equality on 18 September 2019 by the Commissioner; and if he will make a statement on the matter. [38972/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate, in accordance with the Garda Síochána Act 2005, the Garda Commissioner is responsible for carrying on and managing and controlling generally the administration and business of An Garda Síochána. Further, the allocation of Garda resources is a matter for the Commissioner, in light of his identified operational demands.

I have requested additional information from the Garda authorities in relation to this matter and I will write directly to the Deputy when I receive it.

### **Garda Resources**

99. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he has received requests from the Garda Commissioner for additional personnel and resources for the traffic policing units of An Garda Síochána in the context of budget 2020; and if he will make a statement on the matter. [38973/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The resources provided by Government to An Garda Síochána have reached unprecedented levels, with an allocation for 2019 of €1.76 billion. I understand that Garda management keeps the distribution of resources under continual review in the context of crime trends and policing priorities, to ensure their optimum use.

Very significant capital investment is also being made in An Garda Síochána - the allocation to the Garda vote for 2019 was €1.76 billion, along with a total of €92 million in capital investment this year.

As Deputies are aware, the Government has a plan to achieve an overall Garda workforce of 21,000 personnel by 2021. It is a matter for the Commissioner as to how he best deploys the resources available to him.

Regarding roads policing specifically, the Deputy may be interested to know that a selection competition to increase the overall strength of Garda Roads Policing Units commenced nationwide in 2017. This selection competition is now complete and an additional 146 Garda members were assigned to Roads Policing Units nationwide in Q4 2018.

I am informed by the Garda authorities that a further competition to increase the overall strength of Roads Policing Units commenced nationwide in February 2019. This competition is currently ongoing and it is envisaged that by the end of 2019 there will be an increase in members attached to Roads Policing Units nationwide. The following table indicates the Garda staffing projection for the Roads Policing Units Nationwide envisaged by 2021:

Year	Target Level
2018	744
2019	891
2020	980
2021	1035

I would first remind Deputies that in accordance with the Garda Síochána Act 2005, the Garda Commissioner is responsible for managing and controlling generally the administration and business of An Garda Síochána. Further, the allocation of Garda resources, including personnel, among the various Garda Divisions, is a matter for the Commissioner, in light of his identified operational demands. As Minister, I have no direct role in this matter.

*Questions - Written Answers*  
**Private Security Authority**

100. **Deputy Brendan Griffin** asked the Minister for Justice and Equality when a PSA licence will be granted to a person (details supplied); and if he will make a statement on the matter. [38981/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Private Security Authority is an independent statutory body under the aegis of my Department. It was established under the Private Security Services Act 2004, as amended, and holds responsibility for the licensing and regulation of the private security industry in Ireland.

As Minister for Justice and Equality, I am not involved in the day-to-day processing of applications by the Authority. It would not be appropriate for me to comment on any specific application submitted to and being considered by the Authority.

**Crime Data**

101. **Deputy John Lahart** asked the Minister for Justice and Equality the typical offences recorded statistically as offences against Government; and if he will make a statement on the matter. [38999/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate, the Central Statistics Office (CSO), as the national statistical agency, is responsible for the compilation and publication of the official recorded crime statistics, and the CSO has established a dedicated unit for this purpose.

However, to be of assistance, I have asked the CSO to forward the information in relation to this category directly to the Deputy.

**Brexit Issues**

102. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality if he will clarify his reply to Parliamentary Question Nos. 272 and 273 of 17 September 2019 (details supplied). [39002/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As I have previously informed the Deputy, it is the firm intention of the Government and the British Government that the current high level of criminal justice cooperation will continue in the event of a no-deal Brexit scenario.

Co-operation in the area of law enforcement, particularly in relation to Northern Ireland, is at an all-time high and the Government is determined to maintain this. The Deputy will be aware that national security is outside the competence of the EU, so ongoing day-to-day co-operation in this area with the UK will continue following Brexit, whatever form it ultimately takes.

Notwithstanding this, considerable planning and preparation across the criminal justice area has been ongoing to take account of the potential impact of Brexit, including in relation to ensuring the continuance of effective extradition arrangements between Ireland and the UK. This is necessary because of Britain's proposed departure from the European Arrest Warrant (EAW) system. While the EAW will cease to apply when Brexit occurs, the High Court in the meantime

is continuing to deal with outstanding UK EAW cases.

Following examination of the options available for extradition arrangements between Ireland and the UK in the event of a no-deal Brexit, the fall-back solution is to apply the 1957 Council of Europe Convention on Extradition, to which both Ireland and the UK are party, to extradition arrangements between Ireland and the UK.

The provisions of the Convention are given effect to by Part II of the Extradition Act 1965. The 1965 Act has been amended by Part 13 of the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019, which can be commenced when Brexit occurs, in order to ensure that this is a workable solution.

As such, I can confirm for the Deputy that should the UK leave the EU without a deal, the UK will as a consequence lose access to the European Arrest Warrant mechanism and will be treated as a third state for extradition purposes. However extradition would be possible between Ireland and the UK under the 1957 Council of Europe Convention on Extradition, as is the case for other third states.

EAW cases still active on the date of the departure of the UK from the EU would cease to have effect. As the Deputy will appreciate, what would happen in any particular case will depend on the individual circumstances of that case. However and in general, if an EAW request ceases to have effect, a new request under the Council of Europe Convention on Extradition would have to be issued before the matter could be considered further. I can assure the Deputy that this issue has been factored into contingency planning on these matters.

### **Direct Provision System**

103. **Deputy Eoin Ó Broin** asked the Minister for Justice and Equality the status of the upgrade works at the Clondalkin Towers direct provision centre, which despite being required to commence within six months of the new contract being signed have not yet commenced; the works to be undertaken at this location; the reason they have not started; when they will start; and the engagement his Department and-or RIA have had with a company (details supplied) to ensure this key aspect of the contract is complied with. [39011/19]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** I can inform the Deputy that my Department advertised a tender competition in September 2018 for suitable premises within 40km of Newbridge, Co. Kildare for accommodation and ancillary services for international protection applicants.

Successful bidders were required to undertake mobilisation works to provide for cooking facilities for residents, a foodhall (where residents can procure ingredients and food items as well as toiletries and household items through a points system) and to provide designated living space for families outside of the bedrooms. A period of 12 weeks was permitted for the completion of any required mobilisation works prior to the inspection of the premises by staff of the International Protection Accommodation Service of my Department (formerly known as the Reception and Integration Agency). Successful bidders were advised that no contract would enter into effect until the mobilisation works were completed and the premises inspected.

The provider of premises at the Towers Centre in Clondalkin, Dublin 22 was successful in being placed on the tender framework. The owner of the premises was advised that the 12 week mobilisation period commenced on 11 April 2019, which required all works to be complete by the 4 July 2019. The contractor subsequently advised that they were not in a position to commence mobilisation as they had focused resources on the mobilisation works required at other



accommodation centres, which had also been placed on the framework. My Department is continuing to engage with the provider to establish a commencement date for the mobilisation works.

I should also inform the Deputy that, due to increases in the number of people seeking protection in the State, the Immigration Service in my Department has since commenced a national procurement programme for additional accommodation centres. This comprises a series of regional competitions through the Government's procurement website [www.etenders.gov.ie](http://www.etenders.gov.ie). Advertisements were placed last week for a tender competition for the Dublin region.

### Garda Transport Data

104. **Deputy Michael McGrath** asked the Minister for Justice and Equality further to Parliamentary Question No. 268 of 17 September 2019, the number of Garda vehicles available in working order and operational in each Garda district within the Cork city division at the end of each of the years 2015 to 2018 and as at 20 September 2019; and if he will make a statement on the matter. [39022/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The resources provided by Government to An Garda Síochána have reached unprecedented levels, with an allocation for 2019 of €1.76 billion. Very significant capital investment is also being made in An Garda Síochána, including a total of €46 million for investment in the Garda fleet between 2016 and 2021. This continuing investment is intended to ensure that An Garda Síochána can be mobile, visible and responsive on the roads and in the community to prevent and tackle crime.

In accordance with the Garda Síochána Act 2005 as amended, the Commissioner is responsible for managing and controlling the administration and business of An Garda Síochána. In addition, the allocation of Garda resources is a matter for the Commissioner, in light of identified operational demands.

This includes responsibility for the allocation of vehicles among the various Garda divisions. As Minister, I have no role in these matters. I am assured, however, that Garda management keeps the distribution of resources under continual review in the context of crime trends and policing priorities to ensure their optimum use.

I am informed by the Garda authorities that the attached table sets out the number of vehicles allocated to the Cork City Division, broken down by District, from 2015 to date, as requested by the Deputy.

I should also point out that a total of €10 million has been made available to An Garda Síochána for the purchase and fit-out of Garda vehicles in 2019. I understand from Garda management that this allocation is being used for the purchase and fit-out of over 300 for operational use in An Garda Síochána. The allocation of these new vehicles across the Garda Divisions is for Garda management and not for me as Minister.

#### Garda Fleet in Cork City Division, 2015 -2019 (correct as of 20 September 2019)

2019 (as of 20/9/19)	Cars	Vans	Motorbikes	4x4	*Others	Total
ANGELSEA STREET DISTRICT	56	14	7	1	0	78
GURRANABRAHER DISTRICT	9	1	0	0	1	11
MAYFIELD DISTRICT	8	4	1	0	4	17
TOGHER DISTRICT	13	1	0	0	1	15



CORK CITY DIVISION	86	20	8	1	6	121
2018	Cars	Vans	Motorbikes	4x4	*Others	Total
ANGELSEA STREET DISTRICT	55	13	7	3	4	82
GURRANABRAHER DISTRICT	11	1	0	0	1	13
MAYFIELD DISTRICT	11	4	1	0	4	20
TOGHER DISTRICT	14	1	0	0	0	15
CORK CITY DIVISION	91	19	8	3	9	130
2017	Cars	Vans	Motorbikes	4x4	*Others	Total
ANGELSEA STREET DISTRICT	67	15	7	3	4	96
GURRANABRAHER DISTRICT	12	1	0	0	1	14
MAYFIELD DISTRICT	10	3	1	0	4	18
TOGHER DISTRICT	11	1	0	0	0	12
CORK CITY DIVISION	100	20	8	3	9	140
2016	Cars	Vans	Motorbikes	4x4	*Others	Total
ANGELSEA STREET DISTRICT	65	17	8	4	6	100
GURRANABRAHER DISTRICT	11	1	0	0	1	13
MAYFIELD DISTRICT	9	2	1	0	3	15
TOGHER DISTRICT	14	1	0	0	1	16
CORK CITY DIVISION	99	21	9	4	11	144
2015	Cars	Vans	Motorbikes	4x4	*Others	Total
ANGELSEA STREET DISTRICT	65	16	4	2	2	89
GURRANABRAHER DISTRICT	8	1	0	0	1	10
MAYFIELD DISTRICT	9	3	0	0	2	14
TOGHER DISTRICT	13	1	0	0	1	15
CORK CITY DIVISION	95	21	4	2	6	128

**\* The category 'other' refers to MPV, SUV, Minibus or Prisoner Conveyance Vehicles**

### Gambling Sector

105. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if he will address a matter (details supplied) regarding gaming lotteries; and if he will make a statement on the matter. [39038/19]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** I can inform the Deputy that the law regulating the licensing of gaming machines is set out in Part III of the Gaming and Lotteries Act 1956. In that Part, licensing requires a local authority resolution, a District Court certificate and a licence, upon payment of the relevant fees, issued by the Revenue Commissioners.

The Minister for Justice and Equality has no role in this process, apart from setting stake and prize amounts. The Gaming and Lotteries (Amendment) Bill 2019, currently awaiting Report Stage in the Dáil proposes to update those amounts to a more realistic level.

The machines referred to by the Deputy will not be permitted through the amendment proposed to the Gaming and Lotteries Act 1956.

## **Naturalisation Applications**

106. **Deputy Jack Chambers** asked the Minister for Justice and Equality the status of the work regarding naturalisation applications (details supplied) following a High Court ruling; the impact the ruling has on naturalisation applications; and if he will make a statement on the matter. [39039/19]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am aware that the recent judgment of the High Court relating to continuous residency under Section 15(1)(c) of the Irish Nationality and Citizenship Act, 1956 (as amended) has given cause for concern. The matter remains before the courts with the lodgement of an appeal before the Court of Appeal and is therefore sub-judice.

I can, however, assure the Deputy that my Department is doing everything possible to put in place a solution on an urgent basis. I have taken expert legal advice and I intend to introduce legislation to address the issue. At the end of July, I obtained Cabinet approval for a proposed Bill and intensive work is taking place in my Department where officials are working with the Office of Parliamentary Counsel in the Attorney General's Office to finalise the draft Bill.

I am advised that the appeal is likely to be heard early next month. The outcome of the appeal will, of course, have a bearing on whether or not legislation is required. Should it be necessary, I intend to introduce the Bill in the Oireachtas as soon as possible this term. I know that colleagues of all parties are concerned with the difficulty that has arisen and I am hopeful that the Oireachtas will give the Bill early and positive consideration.

As soon as the legal issues are resolved, my officials will make all necessary arrangements for the next Citizenship Ceremony. Invitations will issue four weeks in advance of the ceremony to ensure everyone has adequate notice.

In the interim, the Immigration Service of my Department is advising those who are planning to apply for citizenship to continue to collect all of the necessary proofs that support their application and to submit a comprehensive application form. Once a solution is in place, if any additional information is required, applicants will be contacted as part of the processing of their application.

## **Consumer Protection**

107. **Deputy Anne Rabbitte** asked the Minister for Business, Enterprise and Innovation if her attention has been drawn to the fact that a recent survey by an association (details supplied) found that, of a sample of toys purchased from third party sellers on online marketplaces, 58% were non-compliant with UK toy safety regulations and 22% had significant safety issues; and the steps she is taking to address this. [38924/19]

108. **Deputy Anne Rabbitte** asked the Minister for Business, Enterprise and Innovation if she has engaged with her ministerial colleagues regarding the sale of toys by online retailers to consumers here in order to ensure that toys being sold meet Irish and EU quality standards. [38925/19]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I propose to take Questions Nos. 107 and 108 together.

The Competition and Consumer Protection Commission (CCPC) is the relevant market surveillance authority in relation to Directive 2009/48/EC of the European Parliament and of the

Council of 18 June 2009 on the safety of toys, which was transposed into Irish law by S.I. No. 14 of 2011. The Directive places the onus on all economic operators (ie manufacturers, distributors, importers) to ensure that only safe toys are placed on the market. If economic operators become aware that toys on the market present a potential hazard they must take appropriate measures, up to and including a recall of the items, to ensure that the risk is removed. Any such action taken by an operator must be notified to the relevant market surveillance authority, ie the CCPC. Where the CCPC finds unsafe toys on the Irish market, it will act to ensure that the responsible economic operators remove the toys from the market until they are in compliance with the legislation.

Section 9 (5) of the Competition and Consumer Protection Act 2014 provides that the CCPC is independent in the performance of its functions, including carrying out investigations of unsafe toys. As investigations and enforcement matters generally are part of the day-to-day operational work of the CCPC, I, as the Minister for Business, Enterprise and Innovation have no direct function in the matter.

Nevertheless, I can confirm that the CCPC is aware of the recent survey by the British Toy and Hobby Association. The CCPC has also informed me that the issues raised by the survey are familiar to the CCPC and these issues have also been found during the CCPC's routine market surveillance activities. For the period between January 2016 and July 2019, the CCPC investigated 259,218 toys to check if they were compliant with S.I. No. 14 of 2011 and approximately 28% were found to be non-compliant. Where the relevant economic operator was not able to bring these products into compliance they were then removed from the market.

The CCPC has also recently signed a Memorandum of Understanding with the Customs Service in the Office of the Revenue Commissioners, which will provide for greater cooperation between the two bodies and improve the market surveillance of products entering the Irish market. The CCPC is also currently increasing the number of trained staff in its Product Safety Unit and expects the level of both proactive and reactive market surveillance activity to increase in the future.

In addition, the European Commission has recently agreed and published a new Regulation (Regulation 2019/1020 on the Market Surveillance and Compliance of Products) that will give extra powers to market surveillance authorities, such as the CCPC, to regulate products (including toys) sold online. The Regulation will also ensure closer cooperation between market surveillance authorities and customs services in the EU to address the issue of unsafe products (including toys) being imported from third countries. The Regulation will apply from the 16th July 2021 throughout the EU and officials from my Department are currently engaged in preparing implementing legislation to give full effect to all safety and co-operation aspects of the Regulation.

With regard to ensuring that products sold by online marketplaces meet Irish and EU standards, I can inform the Deputy that all products placed on the EU market must be safe. Where a product sold online originates in a country outside the EU, the economic operator will have to comply with the relevant customs authorities (whether in the State or in another jurisdiction) in relation to legislation covering products at point of entry into the EU.

Should the Deputy have any information in relation to unsafe toys or other products on the Irish market, she should make contact with the CCPC directly to provide any relevant information on these matters.

## **International Conventions**

109. **Deputy Catherine Connolly** asked the Minister for Business, Enterprise and Innovation when Ireland will ratify the International Labour Organisation Convention and Recommendation; and if she will make a statement on the matter. [38936/19]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I welcome the adoption of Convention 190 Concerning the Elimination of Violence and Harassment in the World of Work and the accompanying Recommendation 206 at the 108th Session of the International Labour Conference (ILC) last June. The Irish tripartite delegation to the ILC played a very active role in the Standard Setting Committee in which the Convention and Recommendation were drawn up. It should be noted that conventions are legally binding international treaties that may be ratified by ILO member States and recommendations are non-binding guidelines.

I am aware that Convention 190 is the first ever international instrument on the very important issues of eliminating violence and harassment in the world of work. Ireland already has very strong protections in law to combat violence and harassment in the world of work and has recently ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

The issue of ratification by Ireland of Convention 190 is being considered in the context of our standard approach to the ratification of international instruments. Ireland does not ratify international conventions until it has been determined that national law is in line with the provisions of the international instrument.

To this end, my officials have already commenced work on a detailed article-by-article examination of the extent to which domestic legislative provisions already provide for the rights and entitlements enunciated in each article, as well as the extent to which any legislative amendments will be required. Following consultation with Departments within whose remit elements of the Convention fall, and with the Social Partners, this examination will be sent to the Attorney General for their consideration. When the Attorney General has indicated that Ireland is in a position to ratify Convention 190 there will be a wider stakeholder consultation to seek views on the ratification of the Convention.

In view of the process outlined in the preceding paragraph, you will appreciate that it is not possible at this stage to put a timeframe on ratification of Convention 190. However, I can assure you of Ireland's commitment to work towards being amongst the first ILO member States to ratify Convention 190.

### **Home Care Packages Provision**

110. **Deputy Peter Burke** asked the Minister for Health the plans he has made to address the shortage of home care hours and the postcode lottery involved in home care; and if he will make a statement on the matter. [38998/19]

**Minister of State at the Department of Health (Deputy Jim Daly):** The Department of Health is currently engaged in the development of a new statutory scheme and system of regulation for home-support services. The Sláintecare Implementation Strategy commits to the introduction of this scheme in 2021. As part of this, work is on-going to determine the optimal approach to the development of the statutory scheme within the broader context of the Sláintecare reforms.

Presently the Department of Health is engaging extensively with the HSE in the context of planning for winter, including consideration of the response to dealing with current challenges

such as the high level of delayed transfers of care. While this engagement continues the HSE has been authorised to undertake immediate action to mitigate the challenges. Discussion will continue over the coming weeks having regard to the Estimates 2020 process.

### **Hospital Appointments Status**

111. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if a person (details supplied) will receive an appointment in the dentistry department of Tallaght Hospital. [38923/19]

**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 and Midwifery Board of Ireland**

112. **Deputy Catherine Connolly** asked the Minister for Health further to Parliamentary Question No. 550 of 11 June 2019, the basis on which it was concluded that the aspect of complaint in respect of the impact of certain conduct on the health and well-being of personnel did not characterise matters falling within the provisions of the Safety, Health and Welfare at Work Act 2015; and if he will make a statement on the matter. [38933/19]

113. **Deputy Catherine Connolly** asked the Minister for Health further to Parliamentary Question Nos. 674 of 11 June 2019 and 1266 and 1267 of 27 July 2019, the reason it took from September 2014 to 11 June 2019 to address with the board of the NMBI the matter of inappropriate spending of nurses and midwives moneys on legal expenses for a person (details supplied) named in a protected disclosure; the reason this aspect of the protected disclosure was not investigated to confirm the validity of the allegation at the early stages of reviewing the protected disclosure; the legal fees paid by the NMBI to the person named in the protected disclosure; and if he will make a statement on the matter. [38934/19]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 112 and 113 together.

My reply to PQ No 674 of 11 June 2019 dealt with the handling of a Protected Disclosure submitted to my Department in September 2014 which raised matters of concern in the Nursing and Midwifery Board of Ireland (NMBI). The impact of certain conduct on the health and well-being of staff within the NMBI was one of the issues raised. However the Protected Disclosure did not detail a complaint under the Safety, Health and Welfare at Work Act, in any event health and welfare issues were subject to the subsequent review under the Protected Disclosure Act



2014.

The Protected Disclosure was subject to external review and, on foot of that review two reports were commissioned. One was an organisational review carried out by Crowe Horwath the other by BDO reviewed Remuneration and Contract Management of Non -Permanent Employees. BDO and Crowe Horwath reported in November 2015. Both reports were accepted in full by the Board on the NMBI and they moved to fully implement the recommendations. This has resulted in a comprehensive change to the governance and management arrangements in NMBI.

The matter of the payment of legal fees by the NMBI was addressed in previous PQ replies. I am advised by my officials that this matter was not raised in the original Protected Disclosure. The NMBI advised that “the protected disclosure took place over a period of almost two years. Persons who are subject to protected disclosures are entitled to due process. NMBI did pay towards the legal costs of a person whose actions were the subject of a protected disclosure.”

I am advised by the NMBI that a payment of €17,318.15 in respect of legal fees was made to the person named in the Protected Disclosure.

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

114. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if the case of a person (details supplied) will be examined; and if funding will be made available for them. [38941/19]

**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.

### **General Practitioner Services Provision**

115. **Deputy Carol Nolan** asked the Minister for Health if a stakeholder forum will be convened on the crisis affecting the provision of rural general practitioner services; and if he will make a statement on the matter. [38952/19]

**Minister for Health (Deputy Simon Harris):** I acknowledge that General Practice has been through a difficult period. The Agreement on GP Contractual Reform and Service Development concluded in April this year sets out a range of measures which we are implementing in cooperation with GPs everywhere, and also a very substantial increase of €210 million in the resources we allocate to GPs by 2023.

The Agreement includes measures aimed specifically at rural GPs, such as an increase of 10% in the rural GP allowance and an increase in the allowance paid to dispensing GPs. In addition, the Agreement sets out the requirement to undertake a strategic review of GP services within the Agreement’s lifetime.



## **Nursing Homes Support Scheme Applications**

116. **Deputy Peter Burke** asked the Minister for Health the status of an application under the fair deal scheme by a person (details supplied); and if he will make a statement on the matter. [38966/19]

**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.

## **Primary Care Centres Staff**

117. **Deputy Michael Fitzmaurice** asked the Minister for Health further to Parliamentary Question No. 363 of 18 June 2019, when a position (details supplied) will be filled in the primary care centre in Roscommon town; and if he will make a statement on the matter. [38967/19]

**Minister for Health (Deputy Simon Harris):** As this question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply.

## **Nursing Home Subventions**

118. **Deputy Robert Troy** asked the Minister for Health if an application for nursing home subvention by a person (details supplied) will be expedited. [38968/19]

**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.

## **Nursing Homes Support Scheme**

119. **Deputy Kevin O’Keeffe** asked the Minister for Health if long-term care will be provided at a facility for a person (details supplied). [38971/19]

**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 Appointments Status**

120. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a hospital appointment for a person (details supplied); and if he will make a statement on the matter. [38977/19]

**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.

### **HSE Staff Recruitment**

121. **Deputy Charlie McConalogue** asked the Minister for Health further to Parliamentary Question No. 416 of 21 May 2019, the status of the recruitment of a key worker for teenagers with physical sensory disabilities in County Donegal; and if he will make a statement on the matter. [38979/19]

**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 Recruitment**

122. **Deputy Robert Troy** asked the Minister for Health further to Parliamentary Question No. 148 of 18 September 2019, the reason the HSE is employing agency clerical officers instead of hiring persons off the panel in view of the fact the panel is still active. [38995/19]

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

### **Cross-Border Health Services Provision**

123. **Deputy Robert Troy** asked the Minister for Health if treatment required by a person (details supplied) is covered under the cross-border scheme. [39003/19]

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

### **Disability Support Services**

124. **Deputy Róisín Shortall** asked the Minister for Health if he will address concerns raised in correspondence from an organisation (details supplied) in Dublin 11 regarding the

need to introduce special procedures for the arrangement and management of visits by persons with disabilities to hospital; and if he will make a statement on the matter. [39004/19]

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

### **Health Services Funding**

125. **Deputy Thomas Pringle** asked the Minister for Health if he will examine the provision of long-term sustainable funding for community health projects, including a foundation (details supplied) in County Donegal, in order that they are not under threat of closure every few months if funding and donations cannot fill the gap; and if he will make a statement on the matter. [39023/19]

**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.

### **Hospital Appointments Status**

126. **Deputy Pearse Doherty** asked the Minister for Health when a person (details supplied) in County Donegal will receive a date for admission to Beaumont Hospital; and if he will make a statement on the matter. [39024/19]

**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 Staff Recruitment**

127. **Deputy Louise O'Reilly** asked the Minister for Health the number of staff positions

by department submitted to the HSE and its national recruitment service by Letterkenny University Hospital from 1 May 2019 to date; and the number cleared by the HSE for recruitment and appointment. [39026/19]

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

### **Patient Deaths**

128. **Deputy Louise O'Reilly** asked the Minister for Health if he will establish an independent review into the clinical care provided to a person (details supplied) in Letterkenny University Hospital in October and November 2016 following the concerns of the person's family regarding the serious incident review carried out by Saolta University Health Care Group. [39027/19]

**Minister for Health (Deputy Simon Harris):** I would like firstly to convey my condolences to the family on their sad loss and to acknowledge the distress and upset experienced by them throughout this difficult time.

I have been in contact with the HSE and have been assured by them that lessons have been learned from the shortcomings in the care provided to the person concerned and the subsequent review of care carried out by the Saolta University Healthcare Group.

I have been also been informed by the HSE that they have offered the family the opportunity to discuss and to fully address the concerns that they may have.

### **Disability Services Funding**

129. **Deputy Louise O'Reilly** asked the Minister for Health the reason funding has been cut for a facility (details supplied). [39028/19]

130. **Deputy Louise O'Reilly** asked the Minister for Health if the HSE will restore funding for a facility (details supplied). [39029/19]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I propose to take Questions Nos. 129 and 130 together.

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

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

### **HSE Expenditure**

131. **Deputy Louise O'Reilly** asked the Minister for Health the amount spent by the HSE on taxis to date in 2019, in tabular form. [39030/19]

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

### **Hospitals Expenditure**

132. **Deputy Louise O'Reilly** asked the Minister for Health the amount spent on private ambulances by each hospital to date in 2019, in tabular form. [39031/19]

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

### **Disability Services Funding**

133. **Deputy Thomas Pringle** asked the Minister for Health if funding will be allocated to a centre (details supplied) to allow it open from the current 40 to 52 weeks per year; and if he will make a statement on the matter. [39032/19]

**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 Data**

134. **Deputy John McGuinness** asked the Minister for Health when a dialysis unit (details supplied) last underwent a quality assurance check by the HSE; the term of the contract for the service with the HSE; the cost of the service per year; the number of patients presenting for dialysis over the lifetime of the contract to date; if there have been complaints from the service users or staff at the facility; and if he will make a statement on the matter. [39037/19]

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

### **Hospitals Data**

135. **Deputy Louise O'Reilly** asked the Minister for Health the number of tubal ligations carried out on public patients in each of the years 2016 to 2018, in tabular form. [39049/19]

136. **Deputy Louise O'Reilly** asked the Minister for Health the number of vasectomies carried out on public patients in each of the years 2016 to 2018, in tabular form. [39050/19]

137. **Deputy Louise O'Reilly** asked the Minister for Health the public hospitals that provide tubal ligation and vasectomy services. [39051/19]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 135 to 137, inclusive, together.

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

### Vaccination Programme

138. **Deputy Denis Naughten** asked the Minister for Health when he plans to introduce proposals for the introduction of a vaccine damage compensation scheme; and if he will make a statement on the matter. [39052/19]

**Minister for Health (Deputy Simon Harris):** The Programme for a Partnership Government includes a commitment to “...put in place a scheme, on a no-fault basis, that will respond to the needs of people with disability arising from vaccination”. The policy objectives in putting in place a scheme to meet the needs of people with disability arising from vaccination are to provide fair and just compensation for those who may have been injured by a vaccine, to reduce the costs to the State by providing an alternative to litigation and to maintaining public confidence in immunisation.

My Department asked the Health Research Board to carry out an evidence review on vaccine injury redress programmes in other jurisdictions. The review has been completed and can now be found on the HRB website. This matter is under consideration by my Department with a view to developing a proposal regarding a vaccine damage scheme based on evidence concerning vaccine damage schemes, legal advices and consultation with other Government bodies.

In June 2018, the Government agreed to the establishment of an Expert Group to review the law of torts and the current systems for the management of clinical negligence claims. It was agreed that High Court Justice Charles Meenan would Chair the Group which would advise on whether there are alternative mechanisms to the current court process for resolving clinical negligence and personal injury claims.

Judge Meenan’s Expert Group is examining the system from the perspective of the person who has made the claim to explore if there is a better way to deal effectively yet more sensitively with certain cases. In this process the Group is also looking at the impact of tort legislation on the overall patient safety culture and open disclosure.

I am informed that submissions were invited by the Group with 39 submissions received in total. The Expert Group commenced its work in September 2018 and has met on a monthly basis since its first meeting. Judge Meenan submitted an Interim Report to myself and the Minister for Justice and Equality on the 9th of January. The Final Report is expected in November.

### Ambulance Service Data

139. **Deputy Michael McGrath** asked the Minister for Health the number of voluntary off-road ambulances nationally; the number of call-outs these ambulances have undertaken in each of the past three years and to date in 2019 on behalf of the 999 emergency services; and if he will make a statement on the matter. [39055/19]

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



## Energy Policy

140. **Deputy Bríd Smith** asked the Minister for Communications, Climate Action and Environment his policy regarding the upcoming EU meeting to ratify the fourth list of projects of common interests; his plans to support the building of LNGs here; and if he will make a statement on the matter. [38926/19]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** Shannon LNG is an EU Project of Common Interest (PCI) on the current list of PCIs. This project was supported by Ireland in obtaining this designation as it would enhance our gas security by increasing import route diversity.

Projects of Common interest are key infrastructure projects with one of their main objectives being to safeguard the EU's energy security by diversifying sources. A new list of these projects is drawn up every two years following an evaluation process carried out by the European Commission. The first PCI list was adopted in 2013 and the Shannon LNG project has been designated a PCI on each list since that date.

The fourth list of PCIs is currently under evaluation by the European Commission and it is expected to be adopted in October 2019. The inclusion of the Shannon LNG project on the list continues to have the support of Government.

As a private commercial project, final investment decisions on whether this project will proceed are matters for the project promoter.

I intend to carry out a security of supply review which will consider what fossil fuels are required, and how they are sourced, during the transition to a low carbon economy. This is required particularly as coal and peat are removed from electricity generation, and as we move from 30% renewable electricity to 70% renewable electricity. When we go from 30% renewable electricity today to 70% renewable electricity in 2030, we will need backup electricity generation when the wind isn't blowing or the sun isn't shining. For example, in a recent 30 day period, 25% of Ireland's electricity was provided by wind generation. However, over this same period, one day had only 4% of our electricity provided by wind and on another day it provided 62% of our electricity.

## Telecommunications Infrastructure

141. **Deputy Eamon Scanlon** asked the Minister for Communications, Climate Action and Environment his policy with regard to the roll-out of 5G nationwide; his views on whether 5G technologies will pose no harm to the public, particularly children and the elderly; and if he will make a statement on the matter. [38932/19]

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** 5G is the next generation of mobile communications and has the potential to deliver hugely enhanced connectivity. Ireland welcomes the benefits that the enhanced connectivity and technology will bring.

It is expected that 5G will be commercialised over the next few years. Rollout in Ireland is primarily a matter for private mobile network operators, operating on a commercial basis. I have no role or function in this.

However, as Minister for Communications, Climate Action and Environment, I have policy responsibility for matters pertaining to public exposure to non-ionising radiation. Irish policy

in this area is informed by a substantial volume of internationally recognised scientific research and evidence. This includes the guidelines set down by the International Commission on Non-Ionizing Radiation Protection, the ICNIRP.

These guidelines provide scientifically-based exposure limits that are applicable to both public and occupational exposure from electromagnetic fields (EMF), including 5G. ICNIRP guidelines apply up to a frequency of 300 gigahertz (GHz), well above the maximum frequencies being considered for 5G. ComReg, the independent telecoms regulatory authority, ensures that licensed mobile operators comply with their licence conditions and do not exceed ICNIRP guidelines.

In 2015, the Irish Government commissioned a report by the National Institute for Public Health and the Environment of the Netherlands (RIVM). This was published in 2016 and is entitled “*Electromagnetic Fields in the Irish Context*”. It examined and synthesised existing peer-reviewed research into clear findings, with particular focus on the potential health effects of electric and magnetic fields arising from high voltage power lines, and electromagnetic fields from base stations for mobile communication. This report reaffirms the overall conclusion of an earlier 2007 report, “*Health Effects of Electromagnetic Fields*”, that there is insufficient evidence to establish a causal relationship between exposure to low-frequency electromagnetic fields and adverse health effects.

This is an area that is kept under review and earlier this year I assigned a new statutory function to the Environmental Protection Agency to provide general information to the public on matters pertaining to public exposure to non-ionising radiation, to monitor international scientific developments and provide independent advice to my Department in this area.

### Tourism Promotion

142. **Deputy Thomas Byrne** asked the Minister for Transport, Tourism and Sport his plans to enhance tourism experiences in County Meath. [38921/19]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin):** Fáilte Ireland provides a wide range of supports for tourism businesses and attractions throughout the country to help create new experiences and enhance existing ones; extend the season; and enhance the skills and business capability of tourism enterprises. At county and regional level, the regional tourism experience brands provide the overarching context for marketing, enterprise supports and tourism product development. For County Meath, the relevant brand is Ireland’s Ancient East.

I have asked Fáilte Ireland to respond to the Deputy directly with further detail on specific plans to enhance tourism experiences in County Meath. Please contact my private office if you have not received a reply within ten working days.

### Road Improvement Schemes

143. **Deputy Thomas Pringle** asked the Minister for Transport, Tourism and Sport if funding is available for the upgrading of rural roads along the Wild Atlantic Way for the benefit of developing tourism in the area and increasing connections along the coast; and if he will make a statement on the matter. [38911/19]

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

maintenance of regional and local roads (RLR) is the statutory responsibility of each local authority in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from the Council's own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the local authority.

Before the financial crisis, local authorities could apply on a regular basis for grants for Specific or Strategic Improvement Grants for the strengthening, widening or realignment of regional and local roads. However, the extent of the cutbacks in grant funding during the recession meant these grant schemes had to be curtailed after 2013 because expenditure on maintenance/renewal was falling well short of what was required to adequately maintain the regional and local road network.

Project Ireland 2040 does provide for the gradual build up in funding for the road network but it will take time. For this reason there is limited scope at present for funding projects under the Specific or Strategic Grant Programme.

Any projects proposed by local authorities for consideration under these Grant Programmes are assessed by the Department on a case-by-case basis. All projects put forward by local authorities for consideration must comply with the requirements of the Public Spending Code and my Department's Capital Appraisal Framework and it is important for local authorities to prioritise projects within their overall area of responsibility with these requirements in mind.

It is important to reiterate that the role of Exchequer grants for regional and local roads is to supplement local authorities in their spending in this area and it is open to local authorities to fund works on these roads from its own resources. It is also open to the local authorities to undertake rehabilitation works on these roads under their Restoration Improvement Grant programmes.

As Minister for Transport, Tourism & 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 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.

### **Cycling Facilities Funding**

144. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport the percentage of the current and capital budget of his Department spent on cycling in each of the past five years; and if he will make a statement on the matter. [38914/19]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Deputy will acknowledge the significantly enhanced funding Project Ireland 2040 provides to improve active travel infrastructure and other supporting measures that will benefit both walkers and cyclists across the country.

Under the Climate Action Plan 2019 Government has committed to a number of important actions in relation to cycling, specifically Actions 91, 95 and 97. In Action 97 Government has committed to revise transport infrastructure programmes to achieve at least 10% expenditure on facilitating cycling by Q4 2020. My Department is currently examining the Action and its implementation in line with that timeline.

Currently, funding for active travel, including cycling, is provided under many programmes across both my Department and indeed wider Government.

My Department supports cycling through several programmes –

- The Cycling/Walking programme, administered by the National Transport Authority (NTA);
- The Sustainable Urban Transport programme, administered by the NTA;
- BusConnects, administered by the NTA;
- The Greenways Strategy, administered by my Department; and
- The Roads programme, administered by my Department and by Transport Infrastructure Ireland.

Funding allocated in 2019 under the cycling/walking and the sustainable urban transport programmes alone is around €48 million (almost 18% of the NTA's proposed capital investment programme for the year). In 2018, funding for these two programmes equated to approximately 15% of the NTA's capital investment programme.

Across the wider Government area there are three important funding programmes available to support a wide range of initiatives including active travel, and/or leisure orientated walking and cycling, -

- Project Ireland 2040's Urban Regeneration and Development Fund, administered by the Department of Housing, Planning and Local Government;
- Project Ireland 2040's Rural Regeneration and Development Fund, administered by the Department of Rural and Community Development; and
- The Outdoor Recreation Infrastructure Scheme, administered by the Department of Rural and Community Development with supplementary supports available through Fáilte Ireland, an agency under the aegis of my Department.

In addition funding is also available at a European level through the European Structural and Investment Funds Programme and the INTERREG programme which complement funding made available under the national programmes referred to above.

Cycling is also supported through the fiscal incentives available under the Cycle to Work Scheme which has proven very successful.

My Department will be examining the totality of all this taxpayer support for active travel, as part of our implementation of Action 97 of the Climate Action Plan 2019.

The Deputy has asked for data on percentages for cycling expenditure by my Department in recent years. Owing to the nature of the funding programmes under which cycling has been supported, it is not possible to specifically isolate the cycling element of the various investments that benefit cycling.

Therefore, the table below indicates the percentage of the capital investment under the Transport, Tourism and Sport Vote which was for the Sustainable Transport Measures Grants Programme, Regional Cities Programme, Smarter Travel/Sustainable Urban Transport Programme, Cycling & Walking Programme and Greenways, where relevant over the 5 year period. Spend in this area relates mainly to capital, accordingly current spend is not included. Vari-

ances to the percentage figures may occur from year to year due to the time various programmes cease or commence, along with changes to the overall Department budget, in particular at times when significant infrastructural projects are underway.

2014	2015	2016	2017	2018
4.4	6.0	3.8	2.2	3.1

### National Transport Authority Remit

145. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport if he has considered extending the mandate of the NTA to include the provision of cycle routes and infrastructure; and if he will make a statement on the matter. [38915/19]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy may be aware the National Transport Authority (NTA) has statutory responsibility for the development and implementation of public transport and sustainable transport infrastructure including the provision of cycling and walking infrastructure in the Greater Dublin Area (GDA) and, on a non statutory basis, has responsibility for the development and implementation of public transport and sustainable transport infrastructure including the provision of cycling and walking infrastructure in the regional cities of Cork, Limerick, Galway and Waterford. A full list of all the functions of the NTA is available on its website.

### Cycling Facilities Provision

146. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport the cost of completing and upgrading the EuroVelo network in Ireland EV1 and EV2 and adding a new section from Rosslare to Larne; and if he will make a statement on the matter. [38916/19]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Eurovelo network is a concept that was planned and initiated by the European Cyclists' Federation (ECF). Any new routes would have to be considered and approved by the ECF. It is worth noting however, that, as the Eurovelo concept is for a pan-European network of linear routes, it does not include circular national routes, which the extension of EV1 from Rosslare to Larne would create. Eurovelo 1 - Atlantic Coast Route – starts in Norway and traverses Scotland and Northern Ireland before entering this State, it then traverses Wales, England, France and Spain before terminating in Portugal.

My Department has funded the identification of Eurovelo 1 which is mostly on-road, with some sections of Greenway, from Donegal to Rosslare. It is expected that this route, which will be fully mapped by year-end, will be sign-posted in 2020. Some sections of EV1 may, in time, become Greenways or the route may alter to include newly completed Greenways.

With regard to Eurovelo Route 2, the Capitals Route, the section from Maynooth to Athlone is now complete comprising the Royal Canal Greenway to Mullingar and the Old Rail Trail Greenway from Mullingar to Athlone. It is my intention to pursue the completion of Eurovelo 2 by Greenway from Athlone to Galway over the coming years once an agreed route can be determined.

### Cycle to Work Scheme



147. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport his plans to introduce incentives for the purchase of e-bikes; and if he will make a statement on the matter. [38917/19]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy may be aware the Cycle-to-Work Scheme, which I am very supportive of, is a tax incentive aimed at encouraging employees to cycle to and from work by allowing for beneficial tax arrangements in respect of the purchase of a bicycle and certain related cycling equipment. Under this scheme, employers may agree with their employees to operate a cycle to work scheme under a salary sacrifice arrangement. Participation in the scheme is voluntary but, where offered by an employer, it must be made available to all employees and directors. The scheme applies to new bicycles and pedelecs (electrically assisted bicycles which require some effort from the cyclist) and also includes the purchase of certain new safety equipment.

### **Urban Regeneration and Development Fund**

148. **Deputy John Deasy** asked the Minister for Transport, Tourism and Sport the engagement he has had with the Department of Housing, Planning and Local Government, the Department of Public Expenditure and Reform, CIÉ, Irish Rail and Bus Éireann regarding the new transport hub proposed by Waterford City and County Council under the urban regeneration and development fund. [38964/19]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I am aware the Waterford North Quays SDZ was approved in 2018 and that Project Ireland 2040 recognises that redevelopment of the North Quays is a key growth enabler for this important city.

The Waterford North Quays Strategic Development Zone (SDZ) seeks to support the sustainable growth of the city and build a city of scale in line with the objectives of Project Ireland 2040 which envisages the city's population expanding to approximately 85,000 by 2040. The approved SDZ comprises different elements and is designed to fully harness the city's riverfront potential as a focus for the development of a new urban area.

In order to support National Strategic Objective 1: Compact Growth, Government established an Urban Regeneration and Development Fund which is designed to support the co-development of Project Ireland 2040's recognised key growth enablers for the cities.

I am of course aware that Waterford City and County Council has made an application to the Fund in relation to the proposed North Quays SDZ proposal; however, to date I have not had any substantive engagement with the parties referred to by the Deputy regarding that application.

Administration of the Fund and applications made to it are matters for the Department of Housing, Planning and Local Government.

### **Urban Regeneration and Development Fund**

149. **Deputy John Deasy** asked the Minister for Transport, Tourism and Sport if his Department or Iarnród Éireann has previously contributed to the cost of relocating a rail terminus or line specifically to facilitate a public-private investment, such as that proposed for Plunkett Station, Waterford; and if his attention has been drawn to particular concerns Iarnród Éireann has regarding the North Quays application under the urban regeneration and development fund.



[38965/19]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** In order to support National Strategic Objective 1: Compact Growth, Government established an *Urban Regeneration and Development Fund* which is designed to support the co-development of *Project Ireland 2040*'s recognised key growth enablers for the cities.

The Waterford North Quays Strategic Development Zone (SDZ) was approved in 2018 and *Project Ireland 2040* recognises that redevelopment of the North Quays is a key growth enabler for this important city.

As part of the SDZ masterplan I understand there are proposals to facilitate a potential transport hub and I further understand that the proposal forms part of the overall application made by Waterford City and County Council to the *Urban Regeneration and Development Fund* to improve the public realm of the North Quays and regenerate the area. Administration of that *Fund* is a matter for the Department of Housing, Planning and Local Government.

I am not aware of particular concerns as alluded to by the Deputy nor am I aware of any recent relocation of any of major rail termini in Ireland and therefore the issue of Departmental funding would not have arisen.

### **Invalidity Pension Applications**

150. **Deputy Michael Healy-Rae** asked the Minister for Employment Affairs and Social Protection the status of an invalidity pension application by a person (details supplied); and if she will make a statement on the matter. [38960/19]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** Invalidity pension (IP) is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the pay related social insurance (PRSI) contribution conditions.

The Department received a claim for IP for the gentleman concerned on 26 August 2019. In order to establish medical suitability two medical report forms for completion issued to him on 28 August 2019. One of the completed medical report forms was received by the Department on 10 September 2019 and the other on 19 September 2019. His claim will be processed as quickly as possible and he will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

### **Disability Allowance Applications**

151. **Deputy Robert Troy** asked the Minister for Employment Affairs and Social Protection if an application by a person (details supplied) for a disability allowance will be expedited. [38976/19]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** I can confirm that my department received an application for disability allowance (DA) from this person on 29 July 2019.

On 23 September 2019 the person concerned was requested to supply supporting documentation required by the deciding officer in order to make a decision on her eligibility. On receipt

of this information a decision will be made on her DA application and the person concerned will be notified of the outcome.

I trust this clarifies the matter for the deputy.

### **Carer's Allowance Eligibility**

152. **Deputy Peter Burke** asked the Minister for Employment Affairs and Social Protection if she has considered reforming the means test for carer's allowance (details supplied); and if she will make a statement on the matter. [38996/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The means test for Carer's Allowance is one of the most generous means tests in the social welfare system, most notably with regard to spouse's earnings. Since April 2008, the income disregard has been €332.50 per week for a single person and €665 per week for a couple. This means that a couple can earn in the region of €37,500 and qualify for the maximum rate of Carer's Allowance. A half-rate Carer's Allowance is also payable with other welfare payments.

The conditions attached to payments of Carer's Allowance are consistent with the overall conditions that apply to social assistance payments generally. This system of social assistance supports provides payments based on an income need with the means test playing the critical role in determining whether or not an income need arises as a consequence of a particular contingency – be that illness, disability, unemployment or caring. Carer's Allowance acts as an income support for those who cannot earn an income in the open labour market due to their caring responsibilities. The continued application of the means test not only ensures that the recipient has a verifiable income need but that resources are targeted to those with greatest need.

Deductions included for Carer's Allowance include PRSI, union dues, superannuation (pension contributions) and travel expenses. This is in line with most social assistance payments. The proposal by the Deputy to assess means on net disposable income minus family expenses could potentially include taking account of costs such as mortgage repayments, dependent children, college fees, Fair Deal contributions, medical costs, etc. Any such change to include other costs and deductions in the calculation of income would have significant budgetary implications and would give rise to inconsistencies in how means tests are applied across schemes. It would also significantly increase the complexity of the means assessment and inevitably prolong the assessment process.

The formula for assessing means from capital (savings, shares and property) for Carer's Allowance whereby the first €20,000 of capital is disregarded is in line with most social assistance schemes. The assessment of capital reflects an expectation that people with reasonable amounts of capital and property are in a position to use that capital, or to realise the value of the property, to support themselves without having to rely solely on a means-tested welfare payment.

The matter of making the payment exempt from tax is a matter for the Revenue Commissioners.

In assessing weekly family income for Working Family Payment (WFP) purposes, most weekly social welfare payments are assessed. Budget 2012 contained a measure which provided for the assessment of Carer's Benefit and Carer's Allowance payments in determining entitlement to WFP. This measure brought the treatment of these two payments for WFP purposes into line with the treatment of all other primary social welfare payments. It also provided for a more consistent approach to the concurrent payment of WFP with other social welfare payments. Moreover, while this measure reduced a person's secondary payment (WFP) it did

so without affecting their primary payment, in this case Carer's Benefit and Carer's Allowance, therefore targeting available resources at those in most need.

For Working Family Payment purposes, any combination of hours that reaches 38 hours each fortnight is acceptable. A person can combine their weekly hours with their spouse, civil partner, cohabitant's hours to meet the condition. Therefore a carer's working hours can be taken into account for WFP purposes. To take into account the hours worked by a carer for WFP purposes and to not assess the income into the household generated by those hours would be inequitable in terms of how income from all other earnings is assessed.

Finally, as of end of July 2019, there were 82,015 people in receipt of Carer's Allowance. The projected expenditure on Carer's Allowance in 2019 is almost €840 million. Any changes to qualifying criteria for these schemes, including income disregards, would have to be considered in an overall budgetary context.

I hope this clarifies the position for the Deputy.

### **Carer's Allowance Eligibility**

**153. Deputy Peter Burke** asked the Minister for Employment Affairs and Social Protection if she will extend the number of hours a carer can work per week; and if she will make a statement on the matter. [38997/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Carer's Allowance is a means-tested payment for carers who look after certain people in need of full-time care and attention on a full time basis. As of end of July 2019, there were 82,015 people in receipt of Carer's Allowance. The projected expenditure on Carer's Allowance in 2019 is almost €840 million.

A primary qualifying condition for the Carer's Allowance payment is that the applicant provides full-time care and attention to a person in need of such care. However, in order to support a carers continued attachment to the workforce and broader social inclusion, carers may engage in some limited employment, education or training, while still being regarded as being in a position to provide full-time care. During this time of employment, education or training, adequate provision must be made for the care of the relevant person. Both the full-time care and attention requirement and the 15-hour limitation are contained in the respective legislative provisions of the Carer's Allowance, Carer's Benefit and Carer's Support Grant schemes.

As part of Budget 2006, the number of hours per week that carers could engage in employment, education or training outside the home was increased from 10 to 15 hours per week.

Any further changes to this condition would need to be considered in a budgetary context and would also need to maintain a reasonable balance between the requirement to provide full-time care for the care recipient and the needs of the carer.

I trust that this clarifies the matter for the Deputy.

### **Social Welfare Benefits Waiting Times**

**154. Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the steps she can take to speed up the processing of various applications made to her Department; and if she will make a statement on the matter. [39012/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** My Department is committed to providing a quality service to all of its customers. This includes ensuring that scheme applications are processed and decisions on entitlement made as quickly as possible.

Like all Government Departments and agencies, the Department is required to operate within a staff ceiling figure and a commensurate administrative staffing budget. However, I can assure the Deputy that staffing needs for all areas within the Department are continually reviewed, taking account of workloads, management priorities and the ongoing need to respond to new increasing demands in a wide range of services.

Additionally, operational processes, procedures and the organisation of work are continually reviewed to ensure that processing capability is maximised with specific monthly targets set for responses within particular scheme area. This is to ensure that the best use is made of all available resources with a view to providing an efficient service to those who rely on the schemes operated by the Department

As part of my Department's ongoing programme of service modernisation, a range of initiatives aimed at streamlining the processing of claims, supported by modern technology, have and are being implemented in recent years.

I hope this clarifies the issue for the deputy.

### Social Welfare Benefits Data

155. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the number of persons that have made applications for means tested or non-means tested payments in each of the past three years to date; the number granted, refused or pending; and if she will make a statement on the matter. [39013/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The information requested by the Deputy, where available, is provided the following tabular statements.

#### 2019 (January to end-August)

Scheme	Registered	Awarded	Disallowed	Pending
State Pension Non-Contributory	6,183	5,330	1,497	1,641
State Pension Contributory	27,548	14,297	9,486	6,509
Widow(er)'s Contributory Pension	5,204	4,026	751	427
Jobseeker's Allowance	85,606	69,377	5,976	3,990
Jobseeker's Benefit	91,806	87,347	2,158	1,799
Supplementary Welfare Allowance	38,188	32,391	1,932	644
One Parent Family Payment	7,807	6,032	578	577
Maternity Benefit	29,898	30,531	1,036	212
Paternity Benefit	18,327	18,474	379	1,102
Disability Allowance	16,346	10,688	7,862	7,201
Carer's Allowance	13,478	11,022	5,794	4,695
Domiciliary Care Allowance	6,063	4,174	2,027	1,126
Illness Benefit	137,029	112,023	2,637	2,193
Occupational Injuries Benefit	10,803	4,336	1,323	2,130
Invalidity Pension	7,260	5,406	3,089	2,479

Scheme	Registered	Awarded	Disallowed	Pending
Carer's Benefit	3,297	2,252	813	918
Child Benefit	21,782	21,481	524	1,288
Working Family Payment	16,308	12,279	5,285	3,920
Household Benefits Package	47,296	35,965	10,892	1,497

**2018**

Scheme	Registered	Awarded	Disallowed	Pending
State Pension Non-Contributory	9,053	8,040	2,253	1,561
State Pension Contributory	42,084	28,364	10,304	4,252
Widow(er)'s Contributory Pension	7,542	5,835	1,085	619
Jobseeker's Allowance	137,770	111,006	9,563	3,852
Jobseeker's Benefit	127,586	117,825	2,745	3,418
Supplementary Welfare Allowance	187,409	55,542	2,844	532
One Parent Family Payment	11,466	8,978	774	657
Maternity Benefit	44,372	41,429	1,335	1,787
Paternity Benefit	25,358	24,080	380	1,709
Disability Allowance	23,080	17,205	12,682	5,549
Carer's Allowance	20,208	17,242	9,291	4,566
Domiciliary Care Allowance	8,609	3,104	2,225	1,280
Illness Benefit	143,423	112,012	29,109	1,030
Occupational Injuries Benefit	9,344	6,823	1,590	450
Invalidity Pension	10,967	7,334	4,601	2,188
Carer's Benefit	4,101	2,774	1,026	846
Child Benefit	32,034	31,549	833	1,517
Working Family Payment	27,854	28,226	8,274	5,178
Household Benefits Package	69,703	53,626	16,604	1,755

**2017**

Scheme	Registered	Awarded	Disallowed	Pending
State Pension Non-Contributory	9,187	7,577	2,139	1,896
State Pension Contributory	39,883	27,673	10,002	3,059
Widow(er)'s Contributory Pension	7,599	5,695	1,240	519
Jobseeker's Allowance	155,854	124,970	10,238	4,893
Jobseeker's Benefit	129,241	118,076	2,459	3,131
Supplementary Welfare Allowance	346,743	175,836	2,819	2,729
One Parent Family Payment	11,452	8,741	728	900
Maternity Benefit	44,227	45,621	1,570	185
Paternity Benefit	27,200	26,559	542	876
Disability Allowance	23,657	17,469	12,022	5,768
Carer's Allowance	23,800	17,290	8,599	5,284
Domiciliary Care Allowance	8,197	6,823	2,187	1,240
Illness Benefit	209,384	159,030	44,709	5,077
Occupational Injuries Benefit	13,193	10,739	2,019	311
Invalidity Pension	10,458	8,976	4,579	1,653
Carer's Benefit	3,590	2,605	620	615
Child Benefit	32,448	31,301	674	1,871

Scheme	Registered	Awarded	Disallowed	Pending
Working Family Payment	28,730	18,382	10,402	2,824
Household Benefits Package	75,593	56,020	18,030	1,357

### Pensions Data

156. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the number of applicants for the widow's, widower's or surviving civil partner's pension in the past five years; and if she will make a statement on the matter. [39014/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The figures requested by the Deputy are provided in the table below.

**Number of applications received for Widow's, Widower's, or Surviving Civil Partner's Contributory Pensions, 2014 to date.**

Year	Registered
2014	7,390
2015	7,707
2016	7,699
2017	7,599
2018	7,542
to end-August 2019	5,204

### State Pensions Data

157. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the number of applications for the State pension (contributory) received in the past three years to date; the number refused or pending; and if she will make a statement on the matter. [39015/19]

158. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the number of applications for the State pension (non-contributory) received in the past three years to date; the number refused or pending; and if she will make a statement on the matter. [39016/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 157 and 158 together.

The information requested by the Deputy is detailed in the attached tabular statements.

**Table 1: State Pension Non-Contributory claims received, awarded, rejected withdrawn and pending at the end of December in each of the years 2016 - 2018 and up to the end of August 2019.**

	Registered	Awarded	Rejected	Withdrawn	Pending
2016	9,213	8,132	2,332	1,170	1,762
2017	9,187	7,577	2,139	1,323	1,896
2018	9,053	8,040	2,253	1,212	1,561
2019 (to date)	6,183	5,330	1,497	774	1,641

**Table 2: State Pension Contributory claims received, awarded, rejected withdrawn**



**and pending at the end of December in each of the years 2016 - 2018 and up to the end of August 2019.**

	Registered	Awarded	Rejected	Withdrawn	Pending
2016	38,431	25,947	9,703	5,409	3,757
2017	39,883	27,673	10,002	5,336	3,059
2018	42,084	28,364	10,304	4,736	4,252
2019 (to date)	29,691	15,144	9,968	4,117	6,561

### **Domiciliary Care Allowance Data**

159. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the progress to date in the determining of eligibility for domiciliary care allowance; the number of cases refused; the number overturned on appeal; and if she will make a statement on the matter. [39017/19]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** In the 8 months to end of August 2019, a total of 6063 applications for domiciliary care allowance (DCA) were received. In addition 1280 applications were on hand at 1st January 2019.

At 1st September a total of 6217 applications had been processed, with 4174 approved, 16 withdrawn and 2027 not approved.

Average processing time for DCA applications to date in 2019 was 9.56 weeks, with a departmental processing time target of 10 weeks.

Of the 506 DCA appeals finalised by the Social Welfare Appeals Office up to the end June 2019, 352 were allowed, 7 partially allowed and 147 not allowed.

I hope that clarifies the matter for the Deputy.

### **Domiciliary Care Allowance Appeals**

160. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the number of appeals recorded since the beginning of 2019 in respect of DCA; and if she will make a statement on the matter. [39018/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Social Welfare Appeals Office functions independently of the Minister for Employment Affairs and Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

The number of Domiciliary Care Allowance appeals registered in 2019 to the end of August was 1,164 and the number finalised was 1,054. For the full year 2018 the number registered was 1,432 and the number finalised was 1,572.

I trust this clarifies the matter for the Deputy.

### **Social Welfare Appeals Data**

161. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social

Protection the number of appeals made against by deciding officers pending in respect of various social welfare payments. [39019/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The Social Welfare Appeals Office functions independently of the Minister for Employment Affairs and Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

The figures in the table below cover all current “live appeals” at various stages of the appeals process, including those with the Department awaiting Deciding Officer submissions and cases scheduled for oral hearings.

I trust this clarifies the matter for the Deputy.

**Number of Appeals Pending at 31st August 2019**

Scheme	Number of Appeals Pending
Adoptive Benefit	Nil
Back To Work Family Dividend	10
Bereavement Grant	Nil
Blind Person's Pension	10
Carer's Allowance	1,287
Carer's Benefit	75
Carer's Support Grant	81
Child Benefit	335
Deserted Wife's Allowance	Nil
Deserted Wife's Benefit	6
Disability Allowance	1,680
Disablement Pension	142
Domiciliary Care Allowance	784
Farm Assist	61
Guardian's Payment (Contributory)	9
Guardian's Payment (Non-Con)	10
Incapacity Supplement	2
Illness Benefit	456
Insurability of Employment	128
Invalidity Pension	911
Jobseeker's Allowance	1,529
Jobseeker's Benefit	308
Jobseeker's Transitional	36
Liable Relatives	2
Maternity Benefit	24
Occupational Injury Benefit	31
One Parent Family Payment	207
Partial Capacity Benefit	99
Paternity Benefit	4
Recoverable Benefits and Assistance	3
Supplementary Welfare Allowance	430
State Pension (Contributory)	285
State Pension (Non-Contributory)	208
Widow/Widower's Pension (Contributory)	30

Scheme	Number of Appeals Pending
Widow/Widower's Pension (Non-Contributory)	18
Widowed Parent Grant	2
Working Family Payment	556
All Appeals	9,759

### Departmental Staff Redeployment

162. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection if extra staff will be transferred to her Department to facilitate dealing with backlogs in dealing with various applications; and if she will make a statement on the matter. [39020/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** My Department is committed to providing a quality service to all its customers. This includes ensuring that applications are processed and that decisions on entitlement are made as quickly as possible.

The staffing needs for all areas within the Department are continuously reviewed, taking account of workloads, management priorities and the ongoing need to respond to new increasing demands in a wide range of services.

Operational processes, procedures and the organisation of work are continually reviewed to ensure that processing capability is maximised with specific targets set for responses within particular scheme area. This is to ensure that the best use is made of all available resources with a view to providing an efficient service to those who rely on the schemes operated by the Department.

Like all Government departments and agencies, my Department is required to operate within a staff ceiling figure and a commensurate administrative staffing budget, which for this Department has involved reductions in staff.

As part of the Department's ongoing programme of service modernisation, a range of initiatives aimed at streamlining the processing of claims, supported by modern technology, have been implemented in recent years.

### International Agreements

163. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the extent to which Ireland has a bilateral arrangement with other EU and non-EU countries for the payment of social welfare; and if she will make a statement on the matter. [39021/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Ireland has negotiated Bilateral Social Security Agreements with 10 countries. The main purpose of these Agreements is to protect the pension rights of people who have worked and paid social security contributions in Ireland and the countries with which Ireland has such agreements. This is achieved by allowing reckonable social security contributions paid in one or more of these countries to be aggregated with Irish full-rate social insurance contributions for the purposes of qualifying for certain contributory payments in Ireland or in these countries. The Agreements also deal with the social security status of workers who are sent on temporary assignments from one country to the other.

The Bilateral Agreements with Austria and the Swiss Confederation have subsequently been superseded by the EU Regulations on the Coordination of Social Security Systems following Austria's accession to the EU and the application of those Regulations to the Swiss Confederation.

The EU provides common rules to protect social security rights when a person moves within the EU, as well as in Iceland, Liechtenstein, Norway and Switzerland. There are four main principles involved in these rules –

1. A person can only be covered by the legislation of one country at a time, so that they are required only to pay contributions in one country.

2. Persons moving from one EU country to another have the same rights and obligations as nationals of the country that they moves to (known as the principle of equal treatment or non-discrimination).

3. In the case of persons who have moved from one EU country to another and who claim a benefit, their previous periods of insurance, work or residence in other countries are taken into account if necessary (known as the principle of aggregation).

4. Persons who are entitled to a cash benefit from one EU country may generally receive this benefit even if they are living in a different country (known as the principle of exportability).

### **Carer's Allowance Applications**

164. **Deputy John McGuinness** asked the Minister for Employment Affairs and Social Protection if a carer's allowance will be expedited for a person (details supplied). [39036/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Carer's allowance (CA) is a means-tested social assistance payment made to a person who is habitually resident in the State and who is providing full-time care and attention to a child or an adult who has such a disability that as a result they require that level of care.

I confirm that my department received an application for CA from the person concerned on 2 September 2019. The application was referred to a local social welfare inspector (SWI) on 9 September 2019 to assess the level of care being provided, assess means and confirm that all the conditions for receipt of carer's allowance are satisfied.

Once the SWI has reported, a decision will be made and the person concerned will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

### **Social Welfare Benefits Applications**

165. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection the position regarding an application for a widow's pension (contributory) by a person (details supplied); when same will be put into payment; and if she will make a statement on the matter. [39077/19]

166. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection the position regarding an application for fuel allowance by a person (details supplied); and

if she will make a statement on the matter. [39078/19]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 165 and 166 together.

The person concerned was awarded a maximum rate widow's, widower's and surviving civil partner's contributory pension with effect from 26 July 2019. Payment has issued to the person's nominated account in a financial institution and all due arrears have been paid.

Fuel allowance is a means-tested payment to assist householders on long-term social welfare payments with their heating costs during the winter season. An application for fuel allowance issued to the person concerned on 17 September 2019 for completion.

On return of the completed application form, the person's entitlement to fuel allowance will be assessed and they will be notified of the outcome, in writing, without delay.

I hope this clarifies the matter for the Deputy.

### **Disability Allowance Applications**

167. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection the steps she will take to ensure that an application for the addition of a qualified adult dependant is included in the disability allowance claim of a person (details supplied) in view of the fact the application was submitted nine weeks ago; if it will be processed without delay; and if she will make a statement on the matter. [39079/19]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** I confirm that an increase for qualified adult (IQA) application was received from this gentleman by the disability allowance (DA) section on 6 June 2019.

The application has been referred to a social welfare inspector (SWI) for a report on the person's means and circumstances. Once the SWI has submitted her report to the DA section, a decision will be made on the application and this gentleman will be notified directly of the outcome.

I trust this clarifies the matter for the deputy.

### **Urban Regeneration and Development Fund**

168. **Deputy John Deasy** asked the Minister for Housing, Planning and Local Government his views on whether it is a realistic expectation that the bid by Waterford City and County Council via the urban regeneration and development fund for €104.5 million towards works around the proposed North Quays scheme, notwithstanding a matching commitment of €35 million, is likely to be phased beyond the €550 million funding round announced up to the end of 2022 in view of the fact that a planning application has still to be submitted for the overall project. [38946/19]

170. **Deputy John Deasy** asked the Minister for Housing, Planning and Local Government if the sustainable transport bridge element of the application by Waterford City and County Council under the urban regeneration and development fund costed at approximately €13 million can be approved in isolation from other aspects of the proposed North Quays scheme in view of the fact that the crossing has received planning permission from An Bord Pleanála; and

if so, when a funding decision might be expected. [38954/19]

172. **Deputy John Deasy** asked the Minister for Housing, Planning and Local Government the works or costs specified in the initial €6 million allocated to Waterford City and County Council in November 2018 as part of its application under the urban regeneration and development fund. [38956/19]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 168, 170 and 172 together.

In 2016, the North Quays in Waterford was the subject of a Strategic Development Zone (SDZ) order made by the Government, designating the area for mixed-use development, subject to preparation of an SDZ planning scheme, which has since been completed.

Waterford City and County Council submitted a bid for exchequer grant funding as part of the first call under the Urban Regeneration and Development Fund (URDF) in September 2018. Under the first URDF call for proposals, the Council's bid included four very significant elements:

- Relocation of the City's railway station;
- A new pedestrian/cyclist/public transport bridge and associated urban greenway;
- Site access roads and road realignment;
- Off-site roads in the wider north bank of the Suir area in Waterford/Kilkenny.

It is intended that the infrastructural works involved will open up the site, making it more accessible and supporting the achievement of the objectives of the SDZ planning scheme more generally.

On 26 November 2018, initial support of €100m in provisional allocations were announced to a total of 88 projects, including €6m of initial support for the Waterford North Quays Project. This initial URDF support funding in principle relates to the works involved in the construction of the bridge and urban greenway. The letter confirming this initial support also outlined agreement in principle to further URDF support for this project.

While there is agreement in principle to provide further URDF support for the overall project, its complexity means that its proposed composition, costs and sequencing must be refined and further examined so that the precise level of URDF support can be established, and apportioned to the various individual project components. This includes consideration of any funding commitment to the project that may go beyond the current capital funding envelope for the URDF under the National Development Plan. In that context, it is worth noting that Project Ireland 2040 has provided for a €2 billion URDF programme operating on a multi-annual basis over the period to 2027.

### **Pyrite Remediation Programme Implementation**

169. **Deputy Dara Calleary** asked the Minister for Housing, Planning and Local Government the status of the pyrite scheme for County Mayo. [38937/19]

176. **Deputy Thomas Pringle** asked the Minister for Housing, Planning and Local Government if he will address the issue of the delay in implementation of the mica redress scheme in County Donegal; the number of personnel hired to date by Donegal County Council to facilitate



the implementation process; the timeline of the implementation of the scheme; and if he will make a statement on the matter. [39025/19]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** I propose to take Questions Nos. 169 and 176 together.

In October 2018, the Government approved in principle the development of a grant scheme of financial assistance to support affected homeowners in the counties of Donegal and Mayo to carry out the necessary remediation works to dwellings that have been damaged due to defective concrete blocks.

In May 2019, agreement was reached with the Minister for Public Expenditure and Reform to allocate €20 million to a scheme for this purpose from within the €2.4 billion housing budget for 2019. Funding for future years will be agreed on an annual basis as part of the normal Estimates process.

The full terms and conditions of the scheme are being finalised, again in consultation with the Minister for Public Expenditure and Reform. This process will take account of the engagement that my Department is currently having with both Donegal and Mayo County Councils. In this regard, officials from my Department continue to meet with both local authority teams to discuss implementation arrangements for the scheme and further engagement will take place over the coming weeks.

On completion of this work, it is intended to revert to Government on the matter. The aim will be to complete the outstanding work without delay in order to ensure that the scheme can get underway as early as possible.

In regard to the issue of personnel hired by the local authority to facilitate the implementation process, under section 159 of the Local Government Act 2001, it is the Chief Executive of the Council who is responsible for staffing and organisational arrangements necessary for carrying out the functions of the local authority. Consequently, the information requested is not available in my Department and is a matter for the local authority concerned.

*Question No. 170 answered with Question No. 168.*

### **Urban Regeneration and Development Fund**

171. **Deputy John Deasy** asked the Minister for Housing, Planning and Local Government the projects applied for under the urban regeneration and development fund by the 28 September 2018 deadline; and the bids which were categorised as either ready-to-go or category A or B, as per the submission criteria. [38955/19]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The National Planning Framework (NPF), launched in February 2018 as part of Project Ireland 2040, included a ten-year Urban Regeneration and Development Fund (URDF) with investment of €2bn available to 2027. In 2018, bids were invited from public bodies for funding support from the URDF. 193 applications were received as part of that first call. 82 of the applications were classed as category A, or projects ready to go in 2019. A further 111 applications were classed as category B, or projects that require further development in 2019 following which they can be considered for category A status.

On 26 November 2018, I announced initial support for a total of 88 projects throughout the country under the first call for proposals. 43 of these projects are classed as category A, with the

remaining 45 projects classed as category B.

Further details in respect of the 193 applications received and the 88 projects approved for URDF support are available on my Department's website at the following links:

[https://www.housing.gov.ie/sites/default/files/publications/files/urban\\_regeneration\\_and\\_development\\_fund\\_2019\\_-\\_list\\_of\\_applications\\_received\\_1.pdf](https://www.housing.gov.ie/sites/default/files/publications/files/urban_regeneration_and_development_fund_2019_-_list_of_applications_received_1.pdf).

[https://www.housing.gov.ie/sites/default/files/publications/files/urdf\\_-\\_2019\\_funding\\_allocations\\_0.pdf](https://www.housing.gov.ie/sites/default/files/publications/files/urdf_-_2019_funding_allocations_0.pdf).

*Question No. 172 answered with Question No. 168.*

### **Urban Regeneration and Development Fund**

173. **Deputy John Deasy** asked the Minister for Housing, Planning and Local Government if public and private consortia applying under the urban regeneration and development fund are expected to progress a certain proportion of capital expenditure from their own resources before further phases of funding are sanctioned. [38957/19]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Project Ireland 2040 provided for the establishment of a €2 billion Urban Regeneration and Development Fund (URDF), focusing on cities and towns in excess of 10,000 in population, which will secure more compact, sustainable growth in Ireland's five cities and other large urban centres.

The URDF is a competitive, bid-based programme that operates on a multi-annual basis over the period to 2027. Competitive bids are invited from public bodies, which may be in the form of a consortium and may also include private sector and/or community/voluntary sector representation. These bid proposals must be co-funded and require a minimum 25% stakeholder contribution or "matched funding" to be provided.

### **Planning Issues**

174. **Deputy Fergus O'Dowd** asked the Minister for Housing, Planning and Local Government if a regulation and commencement order was signed, as raised in correspondence from a person (details supplied); and if he will make a statement on the matter. [38958/19]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** My Department is currently finalising the drafting of the necessary amendments to the exempted development provisions of the Planning and Development Regulations 2001 and the ancillary Commencement Order for section 8 of the Planning and Development (Amendment) Act 2018 referred to in the details provided by the Deputy. I expect to be in a position to sign the Regulations and Order shortly.

My Department is actively engaging with the Department of Agriculture, Food and the Marine in relation to the associated amendments to the Forestry Regulations 2017, which need to be made by my colleague, the Minister for Agriculture, Food and the Marine, and which I understand are at an advanced stage.

### **Local Authority Housing**

**175. Deputy Róisín Shortall** asked the Minister for Housing, Planning and Local Government if consideration will be given to facilitating dialogue between local authorities in Dublin regarding the possibility of an intercounty transfer system for tenants wishing to downsize from one Dublin local authority to another; and if he will make a statement on the matter. [38970/19]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The oversight and management of housing waiting lists, including the allocation and transfer of tenancies, is a matter for the relevant local authority in accordance with the Housing (Miscellaneous Provisions) Act 2009, and associated regulations.

Section 22 of the Housing (Miscellaneous Provisions) Act 2009, requires all local authorities, as a reserved function, to make an allocation scheme determining the order of priority to be accorded in the allocation of dwellings to households qualified for social housing support and to households approved for a transfer, the allocation of which would, in the opinion of the authority, meet the accommodation needs and requirements of the households.

A household may apply for support to one local authority only, which may be the authority for the area in which the household normally resides or with which it has a local connection, or that the authority agrees, at its discretion, to assess the household for support.

It should be noted that a household meeting either the residence or local connection condition may specify up to three areas of choice for receipt of support in the areas of all local authorities in the county and city concerned and, if qualified, will be entered on the housing waiting list of each of those local authorities. Accordingly, under existing arrangements, a household that applies, for example, to Dublin City Council can, if qualified for support and should they choose to do so, be entered on the waiting list of three of the four local authorities in Dublin city and county.

All four Dublin authorities have provisions in their allocation schemes for inter authority/mutual transfers for sitting tenants whereby the authority is prepared to accommodate applications for inter authority/mutual transfers provided certain criteria are met. All four Dublin authorities also make provision in their allocation schemes for households wishing to move to a home more suitable to their household needs. However, decisions on all applications are entirely a matter for the local authority concerned.

Furthermore, a commitment has been given to examine the possibility of introducing a “housing passport”. The basic premise is that households in receipt of, or qualified for, social housing support in one local authority area could potentially transfer to, or be allocated, social housing in another local authority area. This will offer more flexibility and choice to social housing applicants and tenants on a national basis. I am currently finalising proposals in relation to this matter. It is my intention to bring forward any proposed changes needed to implement the housing passport proposal to Government as part of a comprehensive social housing reform package of measures in the near future. A key aim of the package will be to ensure that social housing supports are more responsive and flexible to the varying needs that exist at different stages of the life cycle of a social housing tenant. The issue raised by the Deputy in respect of tenants wishing to right-size clearly falls within this broader policy objective.

In the context of older people, my Department, in conjunction with the Department of Health, published a joint policy statement, Housing Options for our Ageing Population, on 27 February 2019, which builds on policy as outlined in Rebuilding Ireland and the National Planning Framework 2040. The statement sets out forty actions which the two Departments want to progress with a view to developing new models of housing and supports for older people. These include options in relation to rightsizing in both public and private housing. An independently chaired implementation group is working to drive progress on the actions and to ensure that

there is an integrated approach to their development over the timescales set out in the statement.

*Question No. 176 answered with Question No. 169.*

### **Housing Assistance Payment Eligibility**

177. **Deputy Denis Naughten** asked the Minister for Housing, Planning and Local Government if all means from employment are assessed when calculating a HAP payment for a person in receipt of a disability allowance and working; and if he will make a statement on the matter. [39062/19]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The Housing Assistance Payment (HAP) scheme is a flexible and immediate housing support that is available to all eligible households throughout the State.

All households in receipt of HAP pay a differential rent based on the rent scheme set by the relevant local authority. The right of local authorities to set and collect rents on their dwellings is laid down in section 58 of the Housing Act 1966. The making or amending of such schemes is an executive function and is subject to broad principles laid down by my Department including that –

- the rent payable should be related to income and a smaller proportion of income should be required from low income households;

- provision should be included for the acceptance of a lower rent than that required under the terms of the scheme in exceptional cases where payment of the normal rent would give rise to hardship; and

- appropriate local factors should be taken into account including the costs of the maintenance and management of the stock of rented dwellings and the adequacy of the rental income to meet such costs.

Each local authority has its own separate differential rent scheme or schemes in operation. As rent is calculated using each local authority's own formula, the schemes do vary in a number of ways from each other. This is particularly the case when it comes to what may or may not be considered as reckonable/assessable income for rent purposes e.g., disability allowance and carer's allowance. However, all local authority rent schemes would include the employment income of the tenant and most would do so based on net income, that is income net of income tax, Universal Social Charge and PRSI.

Section 31 of the Housing (Miscellaneous Provisions) Act 2009 provides for the Minister to introduce a national rents framework for social housing tenants. Considerable work has been carried out by my Department in developing a draft of such a framework, which has as its main aim the harmonisation of local authority rents, including a set of standardised income disregards, whilst retaining the general principle of rents related to household income.

This work is now being examined further in the light of the broader commitment given in the Rebuilding Ireland Action Plan for Housing and Homelessness, to review the disparate systems of differential rent for social housing in place across local authorities. The overall objective is to ensure that housing supports are fair and sustainable and prioritise those on lowest incomes. I expect that the review will be completed in the near future.

## National Monuments

178. **Deputy Thomas Byrne** asked the Minister for Culture, Heritage and the Gaeltacht the status of works to enhance the Hill of Tara complex. [38920/19]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** The Hill of Tara is one of Ireland's premier national monuments and is of international prominence and importance. In recent years, it has been subject to extensive research by the Discovery Programme, funded by my Department, through which our knowledge and understanding of the site has been greatly increased.

Against a background of high visitor footfall, my Department has been developing a conservation management plan for the state-owned lands at the Hill and is leading a working group of relevant stakeholders, including the Office of Public Works (OPW), which has responsibility for day to day management, the Heritage Council and the Discovery Programme. This work has been undertaken with the objective of securing consensus among stakeholders and progressing, completing and publishing an updated Management Plan.

The preparation of the Plan has included a monument condition survey to inform the conservation needs of the monuments on the State-owned lands. An online visitor survey, as well as a visitor profile, was also undertaken by the Dublin Institute of Technology at the request of the Discovery Programme and Heritage Council. My Department is now reviewing all relevant documentation with a view to bringing the draft Plan to completion as soon as possible.

The Plan will focus on conservation issues and will inform a list of priority conservation and site management actions and measures to be implemented over its lifetime. It will also guide future interventions on the site, aided by the ongoing monitoring of visitor numbers by the OPW. It will concentrate on the lands that are in the ownership of the State and as such, it will not, nor is it intended to, address land use and planning issues in the wider environs of Tara.

Parking and traffic management, as well as visitor facilities outside the area of the State-owned lands, are matters for the local authority although the Plan may inform related deliberations and actions. My Department is available to advise and assist the local authority with any such proposals from the point of view of protecting the archaeology and amenity of the Hill of Tara itself.