

Written Answers.

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

Questions Nos. 1 to 10 answered orally.

Broadcasting Service Provision

11. **Deputy Mick Wallace** asked the Minister for Communications, Energy and Natural Resources his plans to introduce a new fund to support and develop public service broadcasting on independent commercial radio; and if he will make a statement on the matter. [53327/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): As I have told this House on a number of occasions, I fully recognise the contribution of the independent radio sector in bringing diversity to the airwaves, and serving the needs of communities, often at a very local level. As I noted when I addressed the Independent Broadcasters of Ireland (IBI) Annual Conference earlier this year, “Local radio gives a voice and enhances social dialogue for people of all ages ... it provides a forum for local communities; it enhances a local community; it gives confidence to people and indeed is an expression of the community in which the station is broadcast”.

However, it should be borne in mind that these stations were founded as commercial operations, with the profit motive as their primary objective.

Station owners sought and accepted licences on clear terms; terms which included a limited amount of ‘public service’ type content. Moreover, in many cases, their success in the licence application process was assisted by the voluntary commitments they gave in regard to the provision of public service type content, over and above that required by the relevant legislation. The licences were accepted in the knowledge that public funding was not available for small broadcasters. The fact that some of these stations are now undergoing an understandable degree of financial stress does not mean that the State should immediately step in and provide funding – they are and remain commercial enterprises.

Moreover, it should also be noted that their very popularity in the communities they serve is, in many cases, as a distinct result of the local news content and current affairs type programming that they provide and which, in turn, gives them a strong advertising presence and thus earning potential.

Also, I would like to clarify for the Deputy that, even if I were minded to provide public monies to private investors as the Deputy seems to be suggesting EU State Aid rules very definitely apply in this case.

It is categorically not possible for the State to simply decide to fund a set of incumbent

licence holders during a licence period. Such a move, quite apart from the reaction of the European authorities, would expose the State to the risk of prosecution from other operators who may have considered applying for a licence were the revenue stream available.

Overall, I can see no reason to consider dispersing licence fee revenue to private broadcasters.

Exploration Licences Approvals

12. **Deputy John Halligan** asked the Minister for Communications, Energy and Natural Resources in view of the Government's passing of the Aarhus Convention what if any public consultation processes is he going to put in place around the applications for granting exploration licences; and if he will make a statement on the matter. [53322/12]

21. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources in view of the Government's passing of the Aarhus Convention what if any public consultation processes is he going to put in place around the applications for granting exploration licences; and if he will make a statement on the matter. [53320/12]

43. **Deputy Thomas Pringle** asked the Minister for Communications, Energy and Natural Resources in view of the Government's passing of the Aarhus convention what if any public consultation processes is he going to put in place around the applications for granting exploration licences; and if he will make a statement on the matter. [53324/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd) : I propose to take Questions Nos. 12, 21 and 43 together.

The Aarhus Convention, which is implemented through the Public Participation Directive, obliges the State to adopt all measures necessary to ensure that, before consent is given, projects likely to have significant effects on the environment by virtue, inter alia, of their nature, size or location are made subject to an assessment with regard to their effects and that such assessment be subject to public participation in the decision-making. This has already been the practice in Ireland in the case of exploration for oil and gas.

Prior to the launch of a Licensing Round for the award of exploration licensing options in Ireland, a Strategic Environmental Assessment or SEA is undertaken. An SEA, which includes both public consultation and consultation with prescribed bodies, is the process by which environmental considerations are required to be fully integrated into the preparation of Plans and Programmes and prior to their final adoption. The objectives of the SEA process are to provide for a high level of protection of the environment and to promote sustainable development by contributing to the integration of environmental considerations into the preparation and adoption of specified Plans and Programmes.

In the event that a project progresses to production, an application for approval of a Plan of Development pursuant to a Petroleum Lease would be subject to a full Environmental Impact Assessment or EIA. The EIA Directive ensures that the environmental implications of projects are taken into account in the permitting process, before the final decisions are made and it involves the public in the decision-making process making it more transparent. The specific requirements of the Directive entail consideration of the potential impacts of the project on population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors.

Under the Directive it should be noted that it is not possible to permit a project unless it can

be determined following assessment that it would not have an unacceptable environmental or social impact.

Question No. 13 answered with Question No. 10.

Sale of State Assets

14. **Deputy Robert Troy** asked the Minister for Communications, Energy and Natural Resources his plans for the disposal of State assets under the aegis of his Department; the time-frame for their disposal and the progress made to date; and if he will make a statement on the matter. [53270/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Government has decided to dispose of Bord Gáis Éireann's Energy business and some of ESB's non-strategic power generation capacity as part of the State Assets disposal programme.

The Government has also reiterated its commitment to retaining the electricity and gas networks as well as the two gas interconnectors in State ownership as national strategic infrastructure, critical for the delivery of secure, sustainable and competitive energy supplies.

ESB will remain a vertically integrated utility, positioned more competitively in the all island energy market and in due course in the integrated European Market. The sale of Bord Gáis Energy will support this dynamic, successful company and its employees to continue to invest and grow while enhancing competition in the energy market for the benefit of the economy and consumers.

Significant progress has been made in implementing the asset disposal programme, in line with our commitments under the EU/ECB/IMF Funding Programme.

Tender processes for the appointment of advisors to oversee the sale of Bord Gáis Energy are significantly advanced. NewERA is the agency with responsibility for oversight of the sale transaction on behalf of the Government. My Department is also progressing priority actions to address necessary legislative, regulatory and financial issues with a view to commencing the disposal process in 2013.

Land Acquisition

15. **Deputy Dessie Ellis** asked the Minister for Communications, Energy and Natural Resources if his Department has had any discussions with a company (details supplied) regarding land purchases; and if he will make a statement on the matter. [53330/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): I can confirm for the Deputy that neither I nor my Department has had any discussions with Tamboran Resources regarding land purchases.

Question No. 16 answered with Question No. 10.

Irish Language Issues

17. **Deputy Peadar Tóibín** asked the Minister for Communications, Energy and Natural Resources the plans in place to increase the level of Irish language/bilingual broadcasting here;

and if he will make a statement on the matter. [53335/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

The Broadcasting Authority of Ireland is the independent Regulator responsible for the oversight of the broadcasting sector in this country. The Contract Awards Committee makes arrangements to invite, consider and recommend to the Authority proposals for the provision of broadcasting services additional to the existing broadcasting services provided in the State.

Section 25 of the Broadcasting Act 2009 provides that the Authority and its statutory committees, in performing their functions shall endeavour to ensure that the number and categories of broadcasting services made available in the State best serve the needs of the Irish people bearing in mind their languages and traditions and their cultural diversity. Section 24 of the Act states that the Authority and its statutory committees shall be independent in the performance of their functions and therefore, I, as Minister have no role in the area of examining the adequacy of the current levels of Irish language broadcasting in this country nor do I have a role in commissioning increased levels of Irish language broadcasting. These matters fall solely within the remit of the Authority.

The Deputy will doubtless be aware that a dedicated independent public service Irish language channel, TG4, is already provided for in this State and has been established since 1996. Section 118(1) of the Broadcasting Act 2009 outlines the objects of TG4 and Section 118(3) provides that TG4 shall ensure that its programme schedules are primarily in the Irish language.

Furthermore, Section 120 of the Broadcasting Act 2009 provides that RTÉ shall provide to TG4 programme material in the Irish language that will be the equivalent of one hour of daily programming throughout the calendar year. Section 98 of the Act provides that RTÉ and TG4 shall be independent in the pursuance of their objects. There are no proposals at present to alter the statutory requirements on RTÉ or TG4 in this regard.

I should also point out to the Deputy that both TG4 and RTÉ are reviewed on an annual basis by the Authority to the extent that they are meeting and fulfilling their commitments in respect of their public service objects including their commitments in respect of the Irish language. The most recent annual review has found no inadequacy in the levels of Irish language broadcasting on RTÉ or TG4.

Broadcast Advertising Standards Regulation

18. **Deputy Billy Kelleher** asked the Minister for Communications, Energy and Natural Resources the way he proposes to combat inappropriate media advertising aimed at children; and if he will make a statement on the matter. [53256/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

The Broadcasting Authority of Ireland (BAI) is an independent statutory body which has responsibility under Section 26 of the Broadcasting Act 2009 for the preparation of broadcasting codes or rules.

Section 42 of the Broadcasting Act 2009 obliges the BAI to prepare and monitor compliance with certain broadcasting codes, including the Children's Commercial Communications Code, as well as reviewing these codes.

In line with this legislative obligation, the BAI published the Children's Commercial Communications Code in May 2011. The objectives of the Children's Code are as follows:

To offer protection for children from inappropriate and/or harmful commercial communications;

To acknowledge the special susceptibilities of children and ensure that commercial communications do not exploit these susceptibilities;

To ensure that commercial communications are fair and present the product or service promoted in a way that is easily interpreted by children and does not raise unrealistic expectations of the capabilities or characteristics of the product or service being promoted, and;

To provide unambiguous guidelines to broadcasters, advertisers, parents, guardians and children on the standards they can expect from commercial communications on Irish broadcasting services.

With regard to advertising to young people in particular, the BAI is also represented on the Alcohol Marketing Communications Monitoring Body, established by, and reporting to, the Department of Health with the aim of ensuring industry compliance with voluntary codes of practice, agreed by that Department and representatives of the advertising, drinks and media communications industries.

I am satisfied that the provisions of the Broadcasting Act 2009 permit the BAI to provide adequate protection to children from inappropriate media advertising and I have no plans, therefore, to amend the current regime.

Question No. 19 answered with Question No. 6.

Alternative Energy Projects

20. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources his proposals for expanding wind energy exports; his targets regarding same; and if he will make a statement on the matter. [53263/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): In 2011, Ireland had 17.6% renewable electricity, 3.6% biofuels and 5% renewable heating, which amounted in total to 6.5% of all energy consumed being from renewable sources.

Our intention, in order to meet our 2020 binding targets, is to increase renewable energy to 40% in the electricity sector, 10% in the transport sector and 12% in the heating sector, which together amounts to 16% overall, in line with our legally binding target under the EU Renewable Energy Directive.

Separate to meeting our challenging national target, the potential for export of renewable electricity was outlined in the Strategy for Renewable Energy 2012-2020, which I published earlier in the year. The mechanisms by which renewable energy can be traded with another country are provided for under the Renewable Energy Directive in Articles 6-12 on cooperation mechanisms.

Countries can agree statistical transfer, which involves the purchase of renewable credits by the importing country in order to meet their target or they can agree joint projects, which involves identifying specific projects for the purpose of renewable trading and agreeing how the projects will be financed and how the renewable value will be counted towards each country's renewable target under the Directive.

The use of these cooperation mechanisms under the Directive requires formal agreement

between two or more Governments.

I have had a number of bilateral discussions with my UK counterpart in this regard and we are actively exploring the possibility of trade in renewable energy between the two jurisdictions, with a view to reaching a Memorandum of Understanding by end year.

There is no specific target for the volume of 'exported' renewable electricity. Following on from the agreement between the two Governments, this would depend on the ability of project developers to progress successfully through the planning systems and build out their proposed projects. There are a number of potential developers of large scale projects, some of whom have already entered the public domain.

Question No. 21 answered with Question No. 12.

Energy Resources

22. **Deputy Robert Troy** asked the Minister for Communications, Energy and Natural Resources in view of estimates of over a billion barrels of oil in the Barryroe Oilfield, his plans to maximise the benefit to the State of such resources; and if he will make a statement on the matter. [53271/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): It is a core policy objective of my Department to maximise the benefits to the State from exploration for, and production of, our indigenous petroleum resources, while at the same time ensuring that activities are conducted safely and with due regard to their impact on the environment and other land/sea users.

In relation to the Barryroe oil discovery, results of tests carried out earlier this year on the Barryroe appraisal well are encouraging, however further appraisal work will be required to determine if the discovery could be declared commercial and lead to a petroleum production project. In the event that Barryroe were to be declared commercial and advance to the production stage then under the 2007 fiscal terms a tax rate of up to 40% would apply. Additional benefits would flow from the economic activity generated by a new development project.

The fiscal terms, which were last revised in 2007, seek to strike a balance between maximising the financial return to the State and the need to set the terms at a level that will encourage mobile international exploration investment to the Irish offshore. While there have been some positive indicators in terms of a modest upswing in the number of exploration companies active in the Irish offshore over the past decade, the last discovery to be declared commercial was the Corrib gas field which was discovered in 1996. Without a substantial increase in the level of drilling activity in the Irish offshore, from the current level of about one well per year, the true potential of our natural resources will not be proven.

Alternative Energy Projects

23. **Deputy Barry Cowen** asked the Minister for Communications, Energy and Natural Resources his proposals for the future of biofuels here; and if he will make a statement on the matter. [53250/12]

30. **Deputy Willie O'Dea** asked the Minister for Communications, Energy and Natural Resources the consequences for Ireland of EU Commission proposals that aim to cap crop based bio-fuel production to a maximum of 5% of total transport fuel; and if he will make a statement

on the matter. [53268/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):
I propose to take Questions Nos. 23 and 30 together.

The Biofuel Obligation Scheme was introduced in July 2010 as the primary means to meet the target of at least 10% renewable energy in transport by 2020, which was mandated by the Renewable Energy Directive. It is estimated that 8.4% of the energy in transport in Ireland will be achieved by deployment of biofuels. The Biofuel Obligation currently requires that the amount of biofuels brought to the market is not less than 4% by volume of the relevant disposal of petroleum road transport fuels. This obligation will increase over time with first increase happening from 2013.

Recently, the European Commission circulated a proposal to amend sections of the Renewable Energy Directive. This proposal will be discussed during the Irish presidency of the EU next year. One of the amendments proposed is that no more than 5% of the energy in the transport sector should come from biofuels produced from certain crops. My Department is currently examining the proposal and its implications for meeting the target of 10% renewable energy by 2020.

In order to maintain progress towards achieving targets, I intend to increase the Biofuel Obligation from January next year. This increase will not be affected by the proposed amendment on crop based biofuels as the overall energy content of the obligation will not breach the proposed 5% cap. The rate of the obligation will remain the same until the end of 2014. Decisions on further increases after 2014 will be taken after any amendments to the Renewable Energy Directive have been finalised.

Alternative Energy Projects

24. **Deputy Pádraig Mac Lochlainn** asked the Minister for Communications, Energy and Natural Resources the annual additional cost incurred with a no wind energy situation and the alternatives considered to achieve the same level of environmental protection using other technologies both renewable and energy conservation; and if he will make a statement on the matter. [53338/12]

50. **Deputy Pearse Doherty** asked the Minister for Communications, Energy and Natural Resources the amount of natural gas saved as a result of Ireland's wind energy programme; the public authority that completed this verification; if he will provide details of the recognised international procedures used in the verification process; and if he will make a statement on the matter. [53336/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):
I propose to take Questions Nos. 24 and 50 together.

The additional cost incurred with no wind generation is an estimated figure of approximately €300 million in avoided national gas imports from the use of all renewable energies in the generation of electricity in 2011 which was published recently by the Sustainable Energy Authority of Ireland (SEAI). They calculate that wind generation alone would account for an estimated €240 million of the €300 million in avoided gas imports.

The calculation is based on a methodology set out in SEAI's Renewable Energy in Ireland – 2011 report, where the avoided primary energy from the various renewable energies are estimated based on the technologies they would be replacing. For wind it is assumed that they

are replacing marginal gas generation. This results in a more conservative estimate of avoided primary energy and emissions than taking say the average system generation as used in the International Energy Agency's Partial Substitution Methodology. The estimated avoided primary energy is then used to arrive at an estimated avoided gas import cost figure using the price of natural gas for electricity generation (IEA Energy Prices & Taxes).

The above figures relate only to avoided energy import costs. There is currently sufficient conventional capacity on the grid to cope with a 'no wind' situation so there wouldn't be any additional investment costs.

The methodology set out in Renewable Energy in Ireland draws on approaches that were developed for use in baseline studies in credit-based emission trading systems and the IEA partial substitution method.

For reference see: Kartha S., Lazarus M. and Bosi M, 2004. *Baseline recommendations for greenhouse gas mitigation projects in the electric power sector*. Energy Policy 32, 545-566.

Energy Resources

25. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources if he has received any information regarding the amount of oil that lies off the County Kerry coast; and if he will make a statement on the matter. [53332/12]

39. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources if he knows of any proposed site at which oil would be drilled for off the County Kerry coast; and if he will make a statement on the matter. [53333/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): I propose to take Questions Nos. 25 and 39 together.

Petroleum exploration authorisations are currently held by a number of companies in respect of areas in the Porcupine Basin off the Kerry coast. Drilling operations have not been carried under any of these authorisations to date, though I understand that plans are in progress for the commencement next year of drilling operations on the Dunquin prospect situated approximately 150km off the Kerry coast.

Until a comprehensive drilling programme has been carried out, the oil or gas potential of the area will remain unproven.

Post Office Network

26. **Deputy Éamon Ó Cuív** asked the Minister for Communications, Energy and Natural Resources his plans to maintain a strong postal service; and if he will make a statement on the matter. [53266/12]

45. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources his views on the future of An Post; and if he will make a statement on the matter. [53242/12]

49. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources the steps being taken to support the maintenance of the Post Office network; and if he will make a statement on the matter. [53120/12]

144. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources his plans to secure the future of an Post; and if he will make a statement on the matter. [53549/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 26, 45, 49 and 144 together.

As the Deputies will appreciate An Post is a Commercial State body with its own Board and Management. Therefore operational matters are a matter for the Board and management of An Post. These are areas in which I have no statutory function.

Nonetheless, it is Government policy that An Post remains a strong and viable State company, providing high quality services on a nationwide basis through a network of economically viable post offices.

I firmly believe An Post has many strengths. It is a trusted brand and it also has the largest retail presence in the Country. I have impressed on the Company the need to further exploit its unique position in this regard and have been supportive of its attempts to diversify its income streams and to win a wider range of commercial contracts offering higher margins.

However, the reality is that the core mail business has suffered a major fall and this has impacted seriously on the Company's revenue flow. In response, the Company is proactively seeking to keep costs down and diversify its business. Control of costs must, in particular, be rigorously pursued by the Company in light of the continuing drain on revenue arising from the core mails business. It is incumbent that it remains in a financially sustainable position.

As regards diversification, An Post announced that following the decision of AIB to close a number of branches, an extended range of AIB services will be available through Post Offices in the locality of the closures. This is beneficial not only to An Post as a commercial body but also to the local communities.

Furthermore, in May this year I welcomed the arrangement between An Post One Direct and Aviva which saw 23 Aviva insurance branches become One Direct Outlets. This not only secured some of the jobs that were at risk due to Aviva's restructuring but it broadened An Post's portfolio of financial services offering to customers.

In the context of the public sector reform and service delivery agenda, I continue to engage with my colleague the Minister for Public Expenditure and Reform and other Ministers in relation to consideration, as appropriate, of the post office network for transactional elements of the business of Government Departments and Agencies. I have stressed to my Government colleagues that the network is ideally configured for over the counter transactions.

Energy Schemes Issues

27. **Deputy Éamon Ó Cuív** asked the Minister for Communications, Energy and Natural Resources his proposal for a pay as you save scheme to replace the better energy homes scheme; and if he will make a statement on the matter. [53267/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Sustainable Energy Authority of Ireland (SEAI) administers the Better Energy Homes under the Better Energy Programme. The scheme is a demand-led programme and the Government has committed €76.146 million in Exchequer funding to the programme in 2012.

The Better Energy Homes scheme provides financial assistance for improving energy performance of older homes, built any time before 2006. The scheme enables homeowners to save money, while improving comfort and reducing harmful greenhouse gas emissions. Fixed grants are provided towards the cost of a range of measures including attic insulation, wall insulation, heating systems upgrades, solar thermal panels and accompanying Building Energy Rating (BER).

The Programme for Government includes a commitment to roll out a Pay-As-You-Save (PAYS) retrofit scheme after 2013, to replace the Exchequer funding currently being provided to the Better Energy Programme. The PAYS concept is an innovative financing mechanism that will allow consumers to finance energy efficient upgrades. The PAYS scheme proposes that the current suite of Exchequer funded grants for energy efficiency measures, excluding the low-income housing retrofit programme, will be replaced by a comprehensive national energy efficiency scheme open to households and commercial operators. This should allow consumers to avail of energy efficiency measures using the money that they would have spent on their energy bill.

I am pleased to report that the Department, with the assistance of the SEAI, has commenced a project team, staffed with a wide range of industry experience, to deliver a project design to Government in 2013. The project team will be engaging widely with stakeholders as part of this development work.

Broadcasting Sector Regulation

28. **Deputy Sean Fleming** asked the Minister for Communications, Energy and Natural Resources his views on the recently published Report of the Editorial Review of The Frontline Presidential Debate; and if he will make a statement on the matter. [53255/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): RTÉ is an independent national public service broadcaster whose remit and obligations are set out in the Broadcasting Act 2009, and, as such, I, as Minister, have no role in its day-to-day operations.

As the Deputy will be aware, RTÉ established an editorial review of *The Frontline* 2012 Presidential Election Debate on 12th March 2012, following the decision of the Broadcasting Authority of Ireland (BAI) to uphold a number of complaints against the programme.

On foot of both the Section 53 Review on the *Prime Time Investigates – A Mission to Prey* programme and the BAI investigation into the use of the tweet on the Frontline Debate on 24th October 2011, RTÉ has introduced a series of structural and procedural reforms. This includes a complete restructuring of RTÉ Television and Current affairs, including recruiting an external candidate to fill the post of Managing Director of RTÉ News and Current affairs and the revision of RTÉ Journalism Guidelines, including guidelines around the use of social media. An Editorial Standards Board has also been founded, and a renewed emphasis placed on staff development.

The report on *The Frontline Presidential Debate* also makes a series of recommendations around how such debates are structured in the future, including issues like audience selection, format, questions, editorial supervision and training.

RTÉ has accepted these recommendations in full and have implemented many of them on recent debates on the Children's Referendum and the Referendum on the Fiscal Treaty.

I regret last Friday's untrue assertions by Deputy Moynihan alleging that I intervened to instruct RTÉ not to publish the working paper drawn up in the course of its editorial review. To the contrary, I acknowledged that RTÉ had committed to publishing the working paper, subject to addressing confidentiality commitments given by the broadcaster to participants in the programme.

Broadband Services Speeds

29. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources the steps being taken to ensure that communities outside the reach of the 4G network will have access to high speed broadband; and if he will make a statement on the matter. [53119/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): ComReg's recently held auction awarded spectrum rights in the 800 MHz, 900 MHz and 1800MHz for the period 2013 to 2030. ComReg's Information Notice, available on the ComReg website www.comreg.ie, sets out the population coverage obligations that apply to these licences. In this regard it requires that all licence holders must attain and maintain a minimum coverage of 70% of the population within 3 years.

The Government accepts that the widespread availability of high speed broadband is a key requirement in delivering future economic and social development. With basic broadband services now widely available across Ireland, the challenge is to accelerate the roll out of high speed services.

The National Broadband Plan aims to radically change the broadband landscape in Ireland by ensuring that high speed services of at least 30Mbps are available to all of our citizens and businesses, well in advance of the EU's target date of 2020, and that significantly higher speeds are available to as many homes and businesses as possible. This plan follows on from the publication of the report of the Next Generation Broadband Taskforce and a period of public consultation. Full details of these reports can be found on my Department's website at the following link: <http://www.dcenr.gov.ie/Communications/Communications+Policy/Next+Generation+Broadband/>

The National Broadband Plan commits to high speed broadband availability across the country – specifically:

- 70Mbps – 100Mbps will be available from the commercial market operators to more than half of the population by 2015;
- At least 40Mbps, and in many cases faster speeds, to at least a further 20% (and potentially as much as 35%) of the population during the lifetime of the Government; and
- A minimum of 30Mbps for every remaining home and business in the country, also during the lifetime of the Government.

It is intended that the private sector will be the key driver of investment with potential State intervention only where the market is unlikely to invest.

The plan contains actions for: investment, demand stimulation, infrastructure barrier removal, spectrum policy, potential contribution of State entities, and policy and regulation. This approach seeks to achieve a step-change in the level of services available throughout the country, by accelerating private sector investment through a range of actions by public stakeholders,

and particularly with regard to rural areas where the State expects to co-invest with the private sector in areas where the commercial case for infrastructure investment does not exist.

During the preparation of the National Broadband Plan, the commercial market operators indicated that they expect to provide 70Mbps to 100Mbps services to 50% of the population by 2015. The areas to be provided with those services will be determined by the commercial market operators.

One of the first steps in delivering on the 30Mbps and 40Mbps commitments will be the completion of a formal national mapping exercise to determine the exact position in relation to commercial service providers' existing and planned broadband services throughout the country. Preparatory work has commenced within my Department to expedite this mapping exercise.

The mapping exercise will identify the areas of the country where there is market failure in the provision of high speed broadband services. It will also identify where the market is expected to succeed and fail in the delivery of high speed broadband over the coming years. This process is expected to take at least a number of months to complete and will identify the precise areas of the country which will require State intervention to ensure that the Government's commitment that a minimum of 30Mbps be available throughout the country, is realised.

Question No. 30 answered with Question No. 23.

Energy Schemes Issues

31. **Deputy Niall Collins** asked the Minister for Communications, Energy and Natural Resources the reason the ESB is planning to lay a fibre optic cable between Ireland and Wales; his view on whether such a project is necessary or appropriate for the ESB; and if he will make a statement on the matter. [53249/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): This is an operational matter for the ESB, which is a commercial State company and I have no role or function in this regard.

Question No. 32 answered with Question No. 6.

Irish Water Establishment

33. **Deputy Brendan Smith** asked the Minister for Communications, Energy and Natural Resources the implications for Irish Water of any sale or part sale of Bord Gáis; and if he will make a statement on the matter. [53272/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Government has decided to dispose of Bord Gáis Éireann's Energy business as part of the State Assets disposal programme. The Government has also reiterated its commitment to retaining the gas networks as well as the two gas interconnectors in State ownership as national strategic infrastructure, critical for the delivery of secure, sustainable and competitive energy supplies. BGÉ is a strong and dynamic State company. The success of Bord Gáis Energy demonstrates BGÉ's capacity to develop new and efficient businesses for the benefit of Irish consumers as well as the State as shareholder.

The decision to establish Irish Water within the BGÉ Group reflects the Government's confidence in BGÉ. BGÉ's experience in the key areas of raising finance, operating and investing

in critical network infrastructure and delivering excellent customer service, will be effectively deployed in the successful establishment and operation of Irish Water.

My colleague, the Minister for Environment, Community and Local Government, has advised that the implementation strategy for Irish Water is being advanced by his Department, in collaboration with BGÉ, all relevant Departments, including my Department, as well as the local authorities, and with the advice of NewERA.

In parallel, significant progress has been made in implementing the asset disposal programme, in line with our commitments under the EU/ECB/IMF Funding Programme. Tender processes for the appointment of advisors to oversee the sale of Bord Gáis Energy are significantly advanced.

NewERA is the agency with responsibility for oversight of the sale transaction on behalf of the Government. My Department is also progressing priority actions to address necessary legislative, regulatory, and financial issues with a view to commencing the disposal process in 2013.

The Departments, NewERA and BGÉ are fully cognisant of the need to ensure that the work on the sale of Bord Gáis Energy and the establishment of the Water utility are progressed concurrently and to schedule. The Government will be briefed on a regular basis in relation to progress on both fronts.

I am confident that BGÉ will rise to the challenge to sustain its oversight and operation of the strategic State owned gas infrastructure as well as working with the Government on the successful sale of Bord Gáis Energy and the establishment of Irish Water to schedule.

Energy Schemes Issues

34. **Deputy John Browne** asked the Minister for Communications, Energy and Natural Resources the progress made to date with regard to the implementation of Warmer Homes: A Strategy for Affordable Energy in Ireland; and if he will make a statement on the matter. [53245/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Affordable Energy Strategy was developed by the Inter-Departmental/Agency Group on Affordable Energy (IDGAE) and published in November 2011 as part of the Department's commitment in the Programme for Government to help mitigate energy poverty.

The Affordable Energy Strategy provides a framework for building upon the many measures already in place to protect households at risk from the effects of energy poverty, which include the thermal efficiency-based measures delivered through the Better Energy: Warmer Homes programme.

This programme is a key element of the Affordable Energy Strategy. The energy efficiency measures, which it funds, are targeted at low income families and will make a lasting impact on energy poverty in the case of individuals benefiting under the scheme. Exchequer funding of €23.646 million has been allocated to this programme in 2012, including for an area-based pilot. The scheme has addressed 87,789 energy poor homes since 2000. By the end of 2012, the scheme will have delivered energy saving measures to 94,289 homes in energy poverty.

There are forty-eight actions identified in the strategy that are being implemented over the lifetime of the report (3 years), including five priority measures: a commitment to review the National Fuel Scheme in the context of examining the feasibility of aligning income supports

with the energy efficiency and income of the home, the phased introduction of minimal thermal efficiency standards for rental accommodation, ensuring greater access to energy efficiency measures, reforming the eligibility criteria for energy efficiency schemes and the introduction of an area based approach.

Work is ongoing by the IDGAE on the implementation of all the actions contained in the strategy, including the introduction of an area-based approach in 2012, reform of eligibility criteria and continued work on improving access to energy efficiency measures through better targeting of at-risk households. The Fuel Allowance was reviewed by the Department of Social Protection as part of the Comprehensive Review of Expenditure in 2011 and in the context of the preparations for Budget 2013. A dedicated review arising from the Warmer Homes Energy Affordability Strategy has not yet commenced.

Telecommunications Services Provision

35. **Deputy Seamus Kirk** asked the Minister for Communications, Energy and Natural Resources if he will consider approaching Eircom regarding the longer term utilisation of their building at the Ramparts, Dundalk, County Louth, to help create employment there as a call centre or other related use. [53118/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Eircom is a private company operating in a liberalised market. Decisions in relation to the future utilisation of its buildings, is a matter for Eircom and is not a matter in which I have any role.

Television Reception

36. **Deputy Jonathan O'Brien** asked the Minister for Communications, Energy and Natural Resources the number of television licence holders who have yet to make the digital switchover to Saorview; and if he will make a statement on the matter. [53342/12]

38. **Deputy Jonathan O'Brien** asked the Minister for Communications, Energy and Natural Resources if all television licence holders are able to receive Saorview; and if he will make a statement on the matter. [53343/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 36 and 38 together.

In November, research by Nielsen's estimated that 55 thousand households were yet to make the change to digital TV. My Department will continue to monitor this situation. I am assured, however, based on the number of calls received by the helpline being operated by my Department, that the actual figures are much less than that at this stage. In this regard, call numbers have continued to drop since 24th October week on week and last week there were 44 calls. The helpline will operate until the end of December to provide assistance and advice to those who have not yet switched to digital TV. In regard to SAORVIEW, as with the analogue terrestrial TV network that it replaces, the new national digital terrestrial TV service operated by RTÉ and which provides access to the national Irish TV channels on a non-subscription basis i.e. free to air covers 98% of the population. 100% coverage is not possible on a terrestrial network.

RTÉ has also rolled out a satellite TV service – called SAORSAT which is available to 100% of the population and provides access to the Irish public service TV channels on a non-

subscription basis i.e. free to air. It is worth noting that TV licence holders in Ireland are not required to use SAORVIEW and that the Irish TV channels are also available on subscription TV service such as UPC, (over cable or MMDS) or Sky, (over satellite). According to the latest figures from Nielsen, Sky has circa 49% share of the TV market in Ireland whilst UPC has approximately 25%.

Energy Conservation

37. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources in view of impending budget cuts, if his attention has been drawn to the fact that the energy bill for the public sector is estimated at €500 million per year; if his further attention has been drawn to the potential shown by existing Sustainable Energy Authority of Ireland and Office of Public Works led projects to save at least 20% or €100 million per year of this bill within two years, if targeted energy efficiency programmes were implemented across the whole sector instead of continuing with the present voluntary and piecemeal initiatives; his plans to ensure that all Government Departments implement such programmes urgently in order to make these cuts that do not hurt; and if he will make a statement on the matter. [51426/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The National Energy Efficiency Action Plan (NEEAP) sets out 90 actions that Government is either already taking or will take in the period to 2020 to achieve the national energy efficiency targets of 20% across the economy and 33% in the public sector. The savings identified in the Action Plan represent approximately €1.6 billion in avoided energy costs for the economy in 2020. The second Action Plan was approved by Government recently and will be published shortly. The Plan provides a progress report on delivery of the national energy efficiency objectives and shows that Ireland is on track to deliver the 20% energy savings target by 2020. It will also set out a range of energy saving actions in the public sector, which will be prioritised between now and 2020.

The public sector is estimated to spend more than €500 million per annum on energy. Achieving the 33% savings target for the public sector would save at least €150 million each year in expenditure. This Government remains firmly committed to meeting this target. In order to underpin delivery of the national energy savings target, my Department and the Sustainable Energy Authority of Ireland (SEAI) is working together to establish a comprehensive monitoring and reporting system whereby all energy usage in the Public Sector will be accounted for and progress will be systematically recorded. I recently wrote to the head of each of the public bodies, reminding them of their obligation to report annually their energy usage to the SEAI. Enclosed with each letter was the SEAI report: 'Energy Use in the Public Sector', which outlines savings achieved to date across the public sector to end-2010 amount to 650 GWh.

This year the SEAI has targeted the top 135 public bodies, which account for over 95% of public sector energy consumption. These organisations will submit detailed energy and activity data to the SEAI. From this data, detailed progress scorecards will be produced for each organisation. From 2013 on, an SEAI online energy data system will facilitate all public bodies and schools to report detailed energy data and allow the SEAI to prepare detailed scorecards for all public bodies.

Since 2009, my Department through the SEAI has supported over 140 public sector retrofit projects. This year the Better Energy Workplaces 2012 Fund has offered support to 145 projects – 44 of which are in the public sector. This scheme has developed public sector and market competence and capacity for Pay-As-You-Save (PAYS) type models. I recently approved the formation of an action group and work is underway to develop and deliver in 2013, a national

framework for energy performance contracting, which will stimulate mass scale retrofitting projects across the public sector. This has been complemented by the Government decision to require all public sector bodies to go out to the market for energy services if their energy spend is more than €500,000 per year. The energy performance contracting framework will allow public bodies to implement projects whilst, most importantly, not relying on additional public expenditure to do so, thus not impacting on their capital budgets whilst also reducing their operating costs.

The recently adopted Energy Efficiency Directive will translate elements of the European Efficiency Plan into binding measures on Member States, including an annual rate of renovation for central Government buildings of 3%; an inventory of central Government buildings with a total useful floor area over certain thresholds; and an obligation on public bodies to procure products, services and buildings with high energy efficient performance. The 3% renovation target for central Government buildings represents a challenge for the Office of Public Works (OPW), however, the energy savings will greatly outweigh the costs of renovation. My Department will work closely with the OPW over the coming months to prepare a plan for the realisation of this target.

As outlined above, considerable progress with accompanying savings is being made in energy efficiency in the public sector. The Deputy can be assured of my strong commitment to realising the goals we have set for energy efficiency in the public sector.

Question No. 38 answered with Question No. 36.

Question No. 39 answered with Question No. 25.

Telecommunications Services Expenditure

40. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources if he will agree that with regard to the 4G spectrum licences which run until 2030, much shorter licence periods would better suit Ireland's best interests. [53326/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The management of the radio spectrum is a statutory function of the Commission for Communications Regulation (ComReg) under the Communications Regulation Act, 2002 as amended.

Regulation 9(6) of the European Communities (Electronic Communications Networks and Services) (Authorisation) Regulations 2011 requires that rights of use of radio frequencies be in force for such period as ComReg considers appropriate having, inter alia, taken due account of the need to allow for an appropriate period for investment amortisation. In that regard, ComReg's decision to grant liberalised use licences for an overall length of approximately 17.5 years reflected, amongst other things:

- the need for regulatory certainty and efficient infrastructure investment provided by a duration that is compatible with the investment requirements of licensees; and
 - the importance of striking an appropriate balance between offering assurances to licensees to assist with their business plans, while also not potentially tying up spectrum for unduly long periods, which would stifle the potential for other interested parties to obtain access to this spectrum in the future.
- ComReg therefore considered its proposed duration to be appropriate in the circumstances as it would strike an appropriate balance between the need to provide operators with

the opportunity to earn a reasonable return on their investment and the need to ensure efficient spectrum management and use (such as the flexibility to re-allocate the spectrum for other uses should the need arise).

ComReg also notes its choice of duration is consistent with the durations for liberalised rights of use in the 800, 900, 1800 MHz and/or 2.1 GHz bands offered in other EU Member States. For example, Germany and Portugal decided upon 15 year licences, Austria for 16 years, and Italy for 18 years and Spain for 19 years.

Offshore Exploration

41. **Deputy John McGuinness** asked the Minister for Communications, Energy and Natural Resources his proposals for a new offshore licensing and permitting regime; and if he will make a statement on the matter. [53265/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): I have no proposals for a new offshore licensing and permitting regime at this time.

Energy Resources

42. **Deputy Willie O'Dea** asked the Minister for Communications, Energy and Natural Resources his views on the assessment of the International Energy Agency in its World Energy Outlook report that fears of peak oil are unfounded; and if he will make a statement on the matter. [53273/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The recently published IEA World Energy Outlook 2012 outlines how ongoing discoveries of oil and new methods of extraction of oil and gas combined with increased use of renewable resources continue to change the fossil fuel landscape as well as having impacts on global energy markets. Oil production is projected to rise from 84million barrels per day in 2011 to 97 million barrels per day in 2035 with the increase coming from natural gas liquids and unconventional sources.

Energy policy objectives for Ireland and the European Union are delivering security of supply and reducing the impact of energy costs for consumers and business, through the development of renewable energy resources, enhanced energy efficiency and greater competition.

National and EU energy policy objectives are also informed by the critical work of the IEA on all aspects of energy supply.

Oil prices are impacted by geo-political uncertainties and fluctuating economic demand in OECD and developing economies. Volatility in global oil prices underscore the Government's commitment to delivering national energy efficiency and renewable energy objectives which are aimed at moving the economy away from over reliance on imported carbon intensive fossil fuels. Irrespective of new global oil and, in particular, gas scenarios, Ireland needs to sustain all efforts to reduce the fossil fuel bill and reduce emissions.

The electrification of transport offers potential for Ireland, not just in terms of energy savings but also because of the opportunity to better utilise grid sourced renewable electricity, as work continues to progressively deliver on the target of 40% renewable generation by 2020.

The Biofuel Obligation Scheme is also enabling the sustainable growth of an Irish biofuels market affording opportunities for indigenous biofuel producers and displacing traditional oil products in the transport sector.

The Government is also committed to continuing and enhancing the delivery of significant energy efficiency improvements across the commercial, public and private sector. Energy efficiency will progressively reduce Ireland's dependence on imported fossil fuels, while supporting energy competitiveness and security as well as employment and economic activity and reducing emissions.

Question No. 43 answered with Question No. 12.

Exploration Licences Approvals

44. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the extent to which oil, gas or other exploration licences have issued on an annual basis over the past five years; the extent, if any, to which commercially viable sources have been identified on or offshore; if recent findings have indicated more positive results than in the past; when he expects to receive confirmation in this regard; and if he will make a statement on the matter. [53275/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): The number of Mineral Prospecting Licences and Petroleum Exploration Licences granted in each year between 1 January 2008 and to date in 2012 are set out in the following table:

Licences Granted during period 2008 – 2012

Year	Prospecting Licences (Minerals)	Petroleum Exploration Licences
2008	91	5
2009	66	1
2010	93	0
2011	98	2
2012	102 (to 26 Nov. 2012)	0 (to 26 Nov. 2012)
Total	450	8

While there have been no new commercial discoveries of oil and gas in the Irish onshore and offshore in the past five years the drilling of an appraisal well in the Barryroe prospect in the Celtic Sea has shown encouraging results. More work will be required to determine if the discovery is actually commercial and it is not clear at this stage how long this process will take. The only petroleum discovery in recent years that has been declared commercial but has yet to be developed is the Corrib Gas Field.

While no new commercially viable deposits of minerals have been discovered recently, there have been some encouraging results, particularly in Counties Limerick and Clare. However, it is too early to determine whether these results will lead to identification of commercially viable deposits or to estimate the economic benefits that might accrue.

Details of all exploration licences can be found in the six-monthly reports to the Oireachtas, which I am obliged to lay before the Houses under the Petroleum and other Minerals

Development Act 1960 and Minerals Development Acts 1940 to 1999, respectively. These reports are also available on the Department's website at: <http://www.dcenr.gov.ie/Natural/Petroleum+Affairs+Division/Acreage+and+Activity+Reports/> and <http://www.dcenr.gov.ie/Natural/Exploration+and+Mining+Division/Oireachtas+Reports/>

Question No. 45 answered with Question No. 26.

Broadcasting Sector Regulation

46. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources in view of the fact that the digital switch over/analogue switch off is complete, his plan for reuse of what are known as white spaces in the broadcast spectrum in and around the new digital transmission and across the part of the spectrum used previously by analogue; and if he will ensure that the spectrum is put to best use for citizens and not sold off to private telecommunications companies in long licences. [53121/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The management of the radio spectrum is a statutory function of the Commission for Communications Regulation (ComReg) under the Communications Regulation Act 2002, as amended. ComReg is, of course, independent in the exercise of this spectrum management function.

As you may be aware ComReg recently completed a multiband spectrum auction process and awarded spectrum rights in the former 800, 900 and 1800 MHz bands. In the run up to the auction and in accordance with its statutory functions, ComReg consulted extensively on its proposals for the release of spectrum rights of use in these bands. This award process marks a vital step in allowing for the next generation of advance mobile services to be made available for Irish consumers and businesses from next year. It was also an extremely good outcome for the Exchequer and the taxpayer with €855m being paid for the spectrum of which over €450m will accrue in 2012.

The analogue television network was switched off on 24th October 2012, and the replacement Digital TV service (DTT) Saorview is operating from over 60 transmission sites which provide coverage to over 98% of the population. In common with the analogue television service before it, DTT does not use all of the available UHF spectrum which is standardised for use by television receiving equipment. The unused spectrum blocks interleaved between the DTT transmissions are known as "white spaces".

The future development of DTT and the surrounding white spaces needs further consideration both at a national level as well as at an EU level. Significant research on future possible uses of white spaces and potential equipment has been undertaken within Ireland. It is my objective that any further release of spectrum will be done in a way that maximises the economic value of the spectrum whilst ensuring value for money for the taxpayer.

Renewable Energy Generation Issues

47. **Deputy Pádraig Mac Lochlainn** asked the Minister for Communications, Energy and Natural Resources with regard to the recent 5% increase in electricity rates sanctioned by the Commission for Energy Regulation, if he will provide a breakdown of percentage of this cost which was to facilitate the expansion of wind energy and an indication of future increases which will be necessary to complete the proposed programme in the National Renewable Energy Action Plan; and if he will make a statement on the matter. [53339/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

I have no statutory function in the setting of electricity prices, whether in the regulated or non-regulated parts of these markets. Responsibility for the regulation of the retail electricity market is a matter for the Commission for Energy Regulation (CER), which is an independent statutory body. Since 4 April 2011 prices in the electricity retail market have been fully deregulated and accordingly the CER no longer sanctions or approves electricity prices in the market. Business and domestic customers can as a result of deregulation avail of competitive offerings from a number of electricity supply companies.

The Public Obligation Service (PSO) levy has been in place since 2001 and is the support mechanism for peat generation and the development of renewable electricity. The PSO also supports the output of two gas fuelled power plants built in 2005 to secure much needed generation capacity at the time. The levy is designed to compensate electricity suppliers for the additional costs they incur by purchasing electricity generated by the three peat stations and renewable energy sources. The levy has supported the connection of more than 1,400 MW of renewable energy, mostly wind, to the electricity grid over the last decade.

The CER determines the PSO levy which is a charge on all electricity customers. Its legal basis and method of calculation are set out in the regulations made under the Electricity Regulation Act 1999. The CER publishes its decision on the total amount of the PSO as a result of these calculations annually for the purposes of determining the amount of the PSO to be charged for the forthcoming year starting 1st October. In August 2012 the CER published its decision paper on the PSO levy for 2012/2013, which came into effect on 1st October 2012. A total PSO levy of €131.2m has been calculated for 2012/13, of which €47.4 million of the cost is attributable to renewables (i.e. just over one third of the PSO). The PSO levy amount per customer is estimated by the CER for the coming year to be €27.82 per domestic customer (€2.32 per month), of which approximately €9 per annum would be attributable to renewable energy on this basis. This is among the lowest costs to consumers for the support of renewables in any EU Member State.

It is the case that the development of renewable energy in Ireland is lowering our exposure to the volatile fossil fuel imports market in the long run and that the existing feed-in tariff reflected in the PSO levy is essential to support this development.

Under Directive 2009/28/EC Ireland is required to achieve a legally binding renewable energy target by 2020 and as part of the Directive, each Member State was required to produce a National Renewable Energy Action Plan for submission to the European Commission setting out how the target would be achieved.

Ireland's target is 16% overall, with a minimum of 10% in the transport sector. The target has to be met across heat, electricity and transport, which each represent approximately one third of our energy consumption.

At end 2011, 6.5% of Ireland's energy consumption was from renewable resources and a further 9.5% is required in the next 8 years if Ireland is to meet its target. This will require a significant expansion in renewables. In terms of the electricity sector, Ireland's intention is to meet a large proportion of the national target (40%) through onshore wind, which is cost effective to the electricity consumer. A decision was taken earlier in 2012 to pursue onshore wind over offshore wind in meeting Ireland's national target in the first instance on cost grounds and in this regard a new feed in tariff scheme was introduced for onshore wind, while it was decided not to introduce a tariff for offshore wind.

A number of studies have to date been undertaken to examine the effect of renewables on electricity prices by various bodies including the ESRI, the Irish Wind Energy Association

(IWEA) and jointly by the Sustainable Energy Authority of Ireland (SEAI) and EirGrid. The ESRI and IWEA studies both looked at 2020, while the SEAI and EirGrid study looked at 2011. The SEAI and EirGrid study found that because wind reduces the cost of wholesale electricity when wind is available on the system, the effect of the PSO was cancelled out and the cost was effectively zero. While this is true for 2011, it is acknowledged that a significant amount of grid build and grid upgrading is required to achieve the 2020 target and the same might not hold true for 2020. The ESRI study found that wind is a hedge against high fossil fuel prices. In that regard wind also provides security of supply benefits along with climate and sustainability benefits.

My Department, together with the SEAI, CER and EirGrid, are conducting a joint study to look at the anticipated effect of renewables in 2020, taking into account the requirement to upgrade the grid.

Hydraulic Fracturing Policy

48. **Deputy Michael Colreavy** asked the Minister for Communications, Energy and Natural Resources if any form of hydraulic fracturing will be permitted should an exploratory licence be granted in the Lough Allen Basin; and if he will make a statement on the matter. [53331/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): I can confirm, that until there has been time to consider the second stage of the EPA research on the environmental implications of hydraulic fracturing as a means of extracting natural gas from underground reserves, the terms of reference for which are currently being scoped, that the use of hydraulic fracturing will not be authorised over any area in the Lough Allen Basin.

Question No. 49 answered with Question No. 26.

Question No. 50 answered with Question No. 24.

Seirbhísí Leathanbhanda sa Ghaeltacht

51. D'fhiafraigh **Deputy Sandra McLellan** den an Aire Cumarsáide, Fuinnimh agus Acmhainní Nádurtha an ndéanfaidh sé ráiteas ar na bearta atá tógtha ag an Rialtas chun fostaíocht san earnáil TCF a mhealladh go dtí an Ghaeltacht; agus cén dul chun cinn atá déanta ó thaobh clúdach leathanbhanda a leathnú chun cabhrú leis an bhfostaíocht sin a mhealladh. [52972/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Is é aidhm Scéim Leathanbhanda Náisiúnta an Rialtais atá foilsithe le déanaí, ná an tírphictiúir leathanbhanda a athrú go radacaí lena chunntiú go mbeidh seirbhísí ard-luasa 30Mbps ar a laghad a chur ar fáil dar saoránaigh agus lucht gnó tamall maith roimh 2020, sprioc dáta an AE, agus chomh maith leis sin go mbeidh seirbhísí níos luaithe ar fáil d' oiread teaghlaigh agus lucht gnó is féidir.

Is é ceann de na príomh bearta i seachadadh na gealltanais 30Mbps agus 40Mbps ná an tasc mapáil náisiúnta, foirmealtá a chríochnú chun eolas cruinn a fháil maidir leis na sóláthraithe seirbhísí tráchtála atá ann anois agus atá pleanáilte ar fud na tíre. Chun an tasc seo a bhrostú tá obair ullúmhcáin tosnaithe ag mo Roinn.

Athdheirim go bhfuil an Rialtas tiomanta na luasanna thuasluaite a sheachadadh lena chinntiú go mbeidh seirbhísí nua-aimseartha, árd luasa, leathanbhanda ar fáil i ngach chuid den

tír, an Ghaeltacht iniatach.

Tugann Údarás na Gaeltachta tacaíocht do ghnólachtaí atá ag plé le teicneolaíocht faisnéise agus cumarsáide i roinnt ceantar Gaeltachta. Chomh maith le sin, tá dul chun cinn suntasach déanta ó thaobh an bhonneagair theileachumarsáide de le blianta beaga anuas agus tá seirbhís leathanbhanda ard-luais iomaíoch ar fáil sa Ghaeltacht, atá in ann freastal ar bheagnach gach uile riachtanas cumarsáide gnó.

Consular Services Representations

52. **Deputy Martin Heydon** asked the Tánaiste and Minister for Foreign Affairs and Trade if his attention has been drawn to a situation (details supplied) regarding investment properties; if his Department has had any involvement or plan to have any involvement; and if he will make a statement on the matter. [53534/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I am aware of the case regarding investment properties in Turkey to which the Deputy refers. My Department has received a number of representations on the issue. The Irish Embassy in Ankara has been asked to raise the issue and has written to the relevant Turkish Authorities detailing the concerns of Irish citizens. However, the Deputy will be aware that the role of the Department of Foreign Affairs and Trade concerning private property transactions by Irish nationals abroad is limited and redress in such cases should be sought through the relevant legal system.

Tax Code

53. **Deputy Dan Neville** asked the Minister for Finance his views on whether the same system that operates for farmers should also operate for agricultural contractors who do more than 50% of the farm machinery work on farms such as silage cutting, hedge cutting, round bailing, slurry spreading and ploughing, planting and harvesting of crops and so on, agricultural contractors are looking for the same system that prevails for farmers that is, that is, that they be allowed to have rebated as double taxation on their income tax the carbon tax and agricultural diesel. [53632/12]

Minister for Finance (Deputy Michael Noonan): I assume that the Deputy's question relates to the double deduction for carbon tax on farm diesel which I provided for in Finance Act 2012. Under this provision, farmers are allowed a deduction in computing their farming profits or losses for the amount of additional carbon tax they incur on purchases of farm diesel following the proposed increase in the rate of carbon tax on certain fuels from 1 May 2012. The new deduction is in addition to the existing deduction for carbon tax included in the cost of farm diesel used in the course of the farming trade.

As the Deputy will be aware, it is a longstanding practice of the Minister for Finance not to comment, in advance of the Budget, on any tax matters that might be the subject of Budget decisions.

Tax Compliance

54. **Deputy Jerry Buttimer** asked the Minister for Finance if support measures, such as moratorium on instalments, can be put in place by Revenue to assist a young small business (details supplied) to continue to trade, thereby securing its financial position, ensuring its me-

dium and long term success and providing employment; and if he will make a statement on the matter. [53398/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that it has been engaged with the business in question on an ongoing basis over the past four years to help it meet its tax obligations. In March 2012 Revenue facilitated a four year phased payment arrangement, which is in excess of normal timelines for such agreements, to help the business pay arrears of tax that had accumulated over the previous number of years. A condition of the phased arrangement is that current taxes are paid as they fall due, but unfortunately there have been a number of occasions where the business has failed to honour its commitments in this regard. Currently there are both VAT and PAYE/PRSI payments and returns outstanding, as well as certain payments due to the Sheriff, which were agreed by the business separate to its agreement with Revenue.

Revenue is conscious that the current economic climate is exerting financial pressure on some businesses and in such circumstances is prepared to work with them to meet their tax obligations, as has been the situation in this case. However any such assistance must take account of Revenue's responsibility to maintain a level playing field for other businesses that are tax compliant and in that context a moratorium on tax debt cannot be considered.

Notwithstanding the above, Revenue remains committed to engaging with the business but can only do so if there is meaningful engagement and a clear commitment from the business to honour terms as agreed. In circumstances where the terms of the agreement are not adhered to and where the business does not put realistic alternative proposals to Revenue, then Revenue has no choice but to commence enforcement proceedings to secure the outstanding tax debts.

VAT Rates Application

55. **Deputy Sandra McLellan** asked the Minister for Finance if he will consider changing the VAT system so that the VAT is paid by companies and not passed on to the consumer; and if he will make a statement on the matter. [53405/12]

Minister for Finance (Deputy Michael Noonan): VAT is a tax on the value added to a supply of goods and services, and the collection and recovery of VAT takes place at each stage of the distribution chain of supply. In the end, VAT is borne by the final consumer in the form of a percentage addition to the final price of the goods or services. VAT is governed by the EU VAT Directive, with which Irish VAT law must comply. It is not possible under EU VAT law to provide that VAT is paid by companies and not the final consumer.

Bank Codes of Conduct

56. **Deputy Paschal Donohoe** asked the Minister for Finance if the Central Bank of Ireland code of practice on the transfer of mortgages which states that a loan secured by the mortgage of residential property may not be transferred without the written consent of the borrower must be adhered to by non domestic Irish financial institutions including Lloyds TSB and RBS; if the Central Bank of Ireland code of practice on the transfer of mortgages applies to buy to let loans secured on residential properties; if the Central Bank of Ireland code of practice on the transfer of mortgages applies to non-Irish residential properties; and if he will make a statement on the matter. [53421/12]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Central Bank

that the 'Code of Practice on the Transfer of Mortgages' is a voluntary code. The Code was issued by the Central Bank in 1991 to financial institutions involved in the provision and transfer of mortgage credit. A copy of the Code and a list of regulated financial institutions are available at www.centralbank.ie. As the Code is voluntary, it is not subject to the Central Bank's administrative sanctions procedure.

The Code states that it applies to a loan secured by the mortgage on residential property. I have also been advised by the Central Bank that, for the purposes of the Code, residential property is not limited to the principal private residence of the mortgagor. Therefore, the Code may be applied, on a voluntary basis, to mortgage arrangements on a residential property that is intended for letting or on a residential property that is located abroad.

Notwithstanding its voluntary nature, I expect that best practice dictates that the Code be applied by all institutions to all classes of residential property.

Bank Debt Restructuring

57. **Deputy Paschal Donohoe** asked the Minister for Finance the aggregate amount of loans that are to be deleveraged via sale from the four banks that participated in the March 2011 PCAR/PLAR exercise and the total loss from these sales that was allowed for March 2011 PCAR/PLAR recapitalisation and from the figures the amount of the loan sales that have occurred to date and the aggregate losses incurred on them; and if he will make a statement on the matter. [53422/12]

Minister for Finance (Deputy Michael Noonan): As at March 2011, when the Central Bank published the Financial Measures Programme (FMP) Report and following the Prudential Liquidity Assessment Review (PLAR), a surplus of some €70bn of loans relative to a sustainable Loan to Deposit Ratio of 122.5% at end-2013 for the aggregate domestic banking system, was identified for deleveraging. De-leveraging is achieved through the separation of assets into 'core' and 'non-core' elements, and the gradual run-off and disposal, avoiding a fire-sale, of these non-core assets. The Prudential Capital Assessment Review (PCAR) included assumed losses of €13.2bn for the sale of such assets and as such the banks were assumed to be able to absorb this level of loss from disposal without affecting future capital. The figure of €13.2bn was not broken down by bank by the Central Bank in the FMP Report due to commercial sensitivities. In this regard, deleveraging has progressed well. Deleveraging of €49.9bn has been achieved by Allied Irish Banks (AIB), Bank of Ireland (BOI) and Permanent TSB from 31 December 2010 to 30 September 2012. Aggregate losses have not been disclosed by the Central bank due to commercial sensitivities and confidentiality of information, however the Pillar Banks where disposals have been concentrated, have disclosed that overall cumulative losses incurred have been within PLAR assumed losses.

The on-going progress in deleveraging and deposit gathering activities has seen BOI make further progress towards improving its Loan to Deposit (LDR) ratio reducing from 136% at June 2012 to less than 130% in November 2012. Similarly, AIB's LDR reduced to less than 120% at the end of October (including loans held for sale) from 125% at end of June.

Mortgage Arrears Report Implementation

58. **Deputy Finian McGrath** asked the Minister for Finance the options available to a person (details supplied) in Dublin 17. [53424/12]

Minister for Finance (Deputy Michael Noonan): The Deputy will appreciate that it would not be appropriate for me to advise or comment on individual cases. However the key general advice for any mortgage holder experiencing difficulties with their mortgage is to engage at an early stage with their bank. From an overall public policy perspective, a number of steps have been taken to protect all homeowners experiencing mortgage difficulty. The Central Bank's Code of Conduct on Mortgage Arrears is a key protection and provides that each bank must put in place a formal Mortgage Arrears Resolution Process to deal with its mortgage customers who are in arrears or pre-arrears and for the establishment of dedicated arrears support units and appeals processes to handle such cases. The Code highlights the importance of a borrower contacting their lender when they are in arrears or pre-arrears. The Central Bank has published a guide for consumers on mortgage arrears called 'Mortgage Arrears – A Consumer Guide to Dealing with your Lender' and this is available on the Central Bank website:

<http://www.centralbank.ie/regulation/processes/consumer-protection-code/Documents/Consumer%20Booklet%20-%20FINAL%20Feb%202011.pdf> .

I can assure the Deputy that the Government is committed to advancing appropriate measures to assist those mortgage holders who are experiencing genuine difficulty. In this regard, the Government is now actively implementing the main recommendations contained in the 'Keane Report'.

A number of significant milestones have now been achieved:-

- The Personal Insolvency Bill was published last June and the Bill has been progressed by the Minister for Justice, Equality and Defence. The Dáil Report stage of the Bill has recently concluded and it is now before the Seanad;

- The Minister for Housing and Planning has formally launched the "mortgage to rent" scheme on a nationwide basis;

- Lenders have provided details to the Central Bank on their proposed forbearance and loan modification options for appropriate cases. The roll out of these options has commenced overseen by the Central Bank.

- An extensive independent mortgage advice framework has been put in place by the Minister of Social Protection comprising (i) an enhanced website www.keepingyourhome.ie (ii) a Mortgage Arrears information helpline and (iii) the provision of free independent 'one-to-one' professional financial advice to borrowers when considering a long term forbearance/ resolution offer from their lender. The list of accountants providing this service is located on the www.keepingyourhome.ie website.

The general policy issue of mortgage arrears is of the utmost importance to Government and in recognition of this, the Taoiseach is chairing a special Government committee on mortgage arrears to oversee the overall Government response to tackle the problem. In addition, a high level Steering Group, chaired by the Department of Finance, is continuing to drive the implementation of the recommendations set out in the Inter-Departmental Group on Mortgage Arrears (the 'Keane Report').

Pension Provisions

59. **Deputy Michael McGrath** asked the Minister for Finance if he will show separately in respect of the CEO of the National Treasury Management Agency and the CEO of the National Assets Management Agency, an estimate of the State's pension contribution and the estimated

value of each of their pension fund if they were employed to retirement age on present salary; if the pension due to be paid is based on final pensionable salary before or after the voluntary pay cut. [53438/12]

Minister for Finance (Deputy Michael Noonan): The Chief Executives of the NTMA and NAMA are members of the NTMA defined benefit superannuation scheme. Pension benefits for those who were members of the scheme prior to 1 January 2010 are based on final salary. The pension benefits of members who joined the scheme on or after 1 January 2010 are based on career average earnings. Unlike most public pension schemes which are funded on a pay as you go basis, the NTMA superannuation scheme is a funded scheme. The NTMA contribution to the scheme is determined on the advice of an independent actuary and is at present set at a level of 25% of payroll in respect of members prior to 1 January 2010 and 10.5% of payroll in respect of members who joined the scheme on or after 1 January 2010. Pension entitlements are within the standard entitlements in the model public sector defined benefit superannuation scheme. Pension contributions are not paid to individual employees – they are paid into the scheme. The level of potential pension payments to members is dependent on length of service, based on final salary or career average earnings, with 1/80th of salary accruing for each year of service.

In relation to the pension entitlements of the Chief Executive of the NTMA, his contract provides that his pension will be based not on his salary as Chief Executive but on his salary as a director of the NTMA prior to his appointment as Chief Executive.

The pension of the Chief Executive of NAMA will ultimately be based on a pro-rata average of his final salary as NAMA Chief Executive and his final salary as an employee of the NTMA. He was appointed to the position of Chief Executive of NAMA on 22 December 2009 and his contract as NAMA Chief Executive is a specified purpose contract, linked to the lifespan of NAMA.

The Chief Executives of NTMA and NAMA have waived 15% of salary through the gifting of a proportion of salary to the Exchequer under Section 483 of the Taxes Consolidation Act 1997. Gifting of a proportion of salary to the Exchequer under this provision does not affect the calculation of pension benefits.

The salary of the Chief Executive of NTMA for 2011 was €490,000 before the voluntary reduction. The salary of the Chief Executive of NAMA for 2011 was €430,000 before the voluntary reduction. The public service Pension-Related Deduction is applied to the Chief Executives of the NTMA and NAMA.

Bank Debt Restructuring

60. **Deputy Paschal Donohoe** asked the Minister for Finance the total aggregate amount in euro of original par value of loans where assets have been realised by the National Assets Management Agency and Irish Bank Resolution Corporation or the nationalised Anglo/INBS; if he will detail those assets which have been realised by NAMA and IBRC; the total aggregate amount in euro for all assets that have been sold; the total aggregate losses in euro that would be realised against the full original par value of the loan versus the sale price of the sold assets; the total aggregate amount of original par value loans in euro which have been sold by NAMA and IBRC or the nationalised Anglo/INBS; the cumulative losses against the full original par value of the loans in euro versus the sale price of the sold loans; and if he will make a statement on the matter. [53442/12]

Minister for Finance (Deputy Michael Noonan): At 30th June 2012, NAMA has gener-

ated cash receipts of €8.1 billion since inception, of which €5.2 billion relates to disposal activity and €2.9 billion relates to non-disposal activity. This capturing of this €2.9 billion is an important measure of NAMA's performance. I am further advised by NAMA that its objective in any loan or asset sales is to achieve the best outcome for the taxpayer and, in that context; the disclosure of the additional information sought by the deputy could adversely affect its competitive position as it would be of greatest benefit to potential purchasers.

I am advised by NAMA that Sections 99 and 202 of the NAMA Act preclude it from disclosing details relating to its debtors and their assets.

The overriding mandate of IBRC is to maximise the recovery of loans on behalf of the State and to wind down over time.

I have been advised that IBRC does not disclose the details of individual assets sold. The Business Review in IBRC's financial statements contains detailed information in respect of the Bank's deleveraging to date. On a pro-forma statutory basis, the Bank's net loan book decreased by €12.1bn or 43% between 31 December 2010 and 30 June 2012.

Included in these figures are loans sold by the Bank of €5.3bn, which were primarily bulk US loan sales, related to the closure of the Bank's US offices in 2011. Gross loans of €6.7bn were sold with related provisions of €1.4bn and derivatives and other assets of €0.2bn. Proceeds received were €5.1bn, resulting in a net loss on disposal of €0.4bn. Full details of these loan sales are contained in the financial statements note "Gain / (loss) on deleveraging of other financial assets" in the Annual Report 2011 and Interim Report 2012

http://www.ibrc.ie/About_us/Financial_information/Annual_Report/Annual_Report_2011.pdf

Question No. 61 withdrawn.

NAMA Investigations

62. **Deputy John Lyons** asked the Minister for Finance further to the alleged fraud reported by the National Treasury Management Agency (details supplied), if he is confident that the NT-MAs internal controls are sufficient; and if he will make a statement on the matter. [53485/12]

63. **Deputy John Lyons** asked the Minister for Finance his plans to change internal processes or review the appointment of external auditors in view of reported fraud by the National Treasury Management Agency (details supplied); and if he will make a statement on the matter. [53486/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 62 and 63 together.

I am informed by the National Treasury Management Agency, as Manager of the National Pensions Reserve Fund (NPRF), that the Comptroller and Auditor General (C&AG), the NPRF's external auditor, in Chapter 4 of his 2011 Report (the C&AG Report) examined in considerable detail the overcharging on transition number 14 of the NPRF by State Street Bank Europe Ltd.

Transition management is a specialized service requiring significant expertise, the purpose of which is to execute large volumes of securities transactions seeking to minimise the costs of market impact through careful timing of the execution of trades. The purpose of transition

management is to enable the market risks, operational risks and costs incurred to be managed systematically.

The C&AG Report states that the NTMA outlined the context for the overcharging and that it engages large regulated organisations of scale and substance as transition managers and implements robust contractual arrangements. The NTMA noted that the pricing amendments improperly applied by State Street Bank Europe Ltd were never visible to the NTMA and that the NPRF had been reimbursed for the overcharged amounts. The NTMA stated that it had identified three actions, which were set out in the C&AG Report, which it will implement to mitigate risks specifically associated with activities similar in nature to those encountered on transition number 14. The C&AG made four recommendations which the NTMA will implement to the greatest extent possible, as reflected in the Chief Executive's responses as set out in the C&AG Report.

I am satisfied that there is no requirement for any additional measures to be taken.

VAT Rates Exemptions

64. **Deputy Robert Troy** asked the Minister for Finance if he will consider putting in place a system where play-schools can apply for tax back after they purchase equipment for their facilities as new equipment is essential to provide a quality and safe service for young children; and if he will make a statement on the matter. [53489/12]

Minister for Finance (Deputy Michael Noonan): Bodies supplying educational services, such as play-schools, are exempt from VAT under the EU VAT Directive, with which Irish VAT law must comply. This means they do not charge VAT on the services they provide, but equally they cannot recover VAT incurred on goods and services that they purchase, including equipment for their facilities. Only VAT registered businesses which charge VAT are entitled to recover VAT.

Pension Provisions

65. **Deputy Martin Heydon** asked the Minister for Finance if his attention has been drawn to a proposal (details supplied) regarding the pension levy; if he has considered same; and if he will make a statement on the matter. [53498/12]

Minister for Finance (Deputy Michael Noonan): Officials of my Department and of the Department of Public Expenditure and Reform continue to engage with third-party investors on how investment deals could be structured to facilitate the provision of funding for new infrastructure projects.

With regard to tax-based incentives for investment in the economy, pension fund investments should be executed at a level of return comparable to that earned by other investors accepting the same level of investment risk. I am conscious that there are aspects of such investments, such as maturity, liquidity and risk appetite, that may be of particular concern to pension funds and engagement is continuing with the sector on these issues.

Consultancy Contracts Issues

66. **Deputy Tom Fleming** asked the Minister for Finance the costs of consultants hired by

the Revenue Commissioners in 2008, 2009, 2010, 2011 and up to the end of October 2012; the name of the consultancy firms hired by Revenue; the Departments to which they were assigned; and the total cost per year of each of these consultancy firms. [53565/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the costs of consultants hired by the Revenue Commissioners in 2008, 2009, 2010, 2011 and to the end of October 2012 along with the reason hired and the total cost are set out in the table below.

The need for consultancy varies from time to time depending on business projects and priorities. As can be seen from the table below Revenue's expenditure on consultancy is now at a significantly reduced level. It has decreased from €422,282 in 2008 down to €32,163 in 2011, which is low especially when viewed against a total administrative expenditure in 2011 of €391.9m. (The expenditure to the end of October 2012 is €32,371).

Year	Count	Company	Reason	Cost
2008	1	Achilles Procurement	Legal Service Consultancy	€5,329
	2	Alchemy Films	Technical Advice on Film Relief	€11,616
	3	Arekibo Communications	Website Development and Design	€45,024
	4	Arthur Nowlan	Valuations	€4,497
	5	Ballycotton Marine Services	Maritime feasibility study/ Inspection of Cutter	€2,510
	6	Bennis Design	Design Production	€23,821
	7	Bull Inform. Systems Irl	IT related	€6,921
	8	C. Moore and Associates	Value for Money and Policy Review of IT External Resources Expenditure in 2006	€4,283
	9	Catalysto Ltd	IT Design	€8,609
	10	Costello Commercial	Property Valuations	€78,583
	11	Cruickshank	Technical Advice	€2,370
	12	Darlington Consulting	Ergonomic Assessment	€436
	13	De Veeres	Valuations	€8,658
	14	Dermot Geraghty	Technical Advice	€2,500
	15	Dr Joseph Kiniry	R&D Tax Credit	€9,103
	16	Geraldine Garland	Design work	€24,332
	17	Gerard O Leary	Valuation	€21,589
	18	Gerry McMahon	Consultancy on tariff classification	€1,365
	19	Hanna Moore Curley	Technical Advice	€5,717
	20	Humphrey A Moynihan	Technical Advice on R&D Tax Credit	€2,043
	21	James Adam	Valuations	€4,210
	22	Mark Attabury	Technical Advice	€3,000
	23	Market Research Bureau Ltd	Research Project	€24,845

Questions - Written Answers

Year	Count	Company	Reason	Cost
	24	McMahon and Williams	Legal Affidavits	€830
	25	Ms Marie Armah Kwantreng	Typesetting and editing service	€5,000
	26	Niamh Brodie	Valuations	€25,500
	27	O Herlihy Access Consult.	Design	€450
	28	Outsource Services Group	Technical Advice on Procurement	€4,236
	29	Performance Partnership	Strategic Exercise for HR.	€28,701
	30	Peter I Mitchell PhD	Radiation Protection Advisor	€12,000
	31	Philip and Clare Perry	R&D technical evaluation	€2,250
	32	Polaris HR Ltd	HR Consultancy	€2,763
	33	Prof J.C. Dainty	Technical Advice on R&D Tax Credit	€4,312
	34	Prof. Tim McGloughlin	R&D Tax Credit	€7,966
	35	Professor Thomas Brazil	R&D Tax Credit	€3,000
	36	Renaissance Servs Ltd	Business Continuity	€21,043
	37	Whyte and Sons Auctioneers	Valuations	€1,500
	38	Miscellaneous	A number of small HR related payments	€1,370
			Total	€422,282
2009	1	Achilles Procurement Services	Legal Service Consultancy	€1,592
	2	Ballycotton Marine Services	Maritime feasibility study/ Inspection of cutter	€2,614
	3	De Veres	Valuation of paintings	€2,430
	4	FAS	Excellence through people assessment	€1,000
	5	Hanna Moore Curley EU Patent and Trade Mark Attorney	Technical Patent Advice	€5,212
	6	Peter I. Mitchell Phd	Radiation Consultancy Services	€11,920
	7	Polaris (HR) Ltd	Professional HR Consultancy	€3,041
	8	Vector Workplace and Facilities Management	Energy Review Project	€1,452
			Total	€29,261

Year	Count	Company	Reason	Cost
2010	1	Achilles Procurement Services	Procurement and Consultancy in relation to New State Warehouse	€5,142
	2	Doran Cray Architectural Services	Refurbishment	€3,525
	3	DZMG — Archives Consulting Services	Records management and recommendations	€8,712
	4	Elevator Consulting Ltd	Consultancy / feasibility study	€871
	5	Innovative Food Solutions	Technical advice	€545
	6	James Adams	Valuation advice	€2,178
	7	Philip Lee	Procurement and contract for the provision of security services	€2,100
	8	Philip Lee	Contracts relating to ICT procurement	€15,447
	9	Polaris HR Consultants	Advice — Employment law.	€21,980
	10	Professor Sean Doyle	Consultancy / legislative	€3,003
	11	Vector Workplace and Facilities Mgt Ltd.	Energy Review Project	€7,278
			Total	€ 70,781
2011	1	Baker Ryan Tilly Glennon	Advice — Employment law	€6,993
	2	Darlington Consulting	VDU Ergonomic Assessment	€229
	3	Doran Cray Architectural Services	Refurbishment	€12,857
	4	Driver Focus	Advice on development of safe driving for the work place	€10,690
	5	Murray McCarter	Valuation Assistance	€300
	6	Riverside Medical Centre	Medical Report	€150
	7	Vector Workplace and Facilities Mgt Ltd.	Tender evaluation and development	€944
			Total	€32,163
2012	1	Bowe Systec (Ire) Ltd	Report commissioned on facilities for Print & mail centre	€7,260
	2	Baker Tilly Ryan Glennon	Advice on Employment Law	€12,374
	3	Catalyst Consultants	Advice on Employment Law	€4,800
	4	Achilles Procurement	Technical Advice on Procurement	€5,243

Year	Count	Company	Reason	Cost
	5	OHSS	Health & Safety – Air quality control	€1,919
	6	Authentic	Technical Advice on Procurement	€775
			Total	€32,371

Tax Credits

67. **Deputy Bernard J. Durkan** asked the Minister for Finance if or when refund of income tax in respect of rent will issue in respect of a person (details supplied) in Dublin 5; and if he will make a statement on the matter. [53610/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that the person in question received the rent tax credit for the years 2005 – 2010.

The Revenue Commissioners have now arranged for the issue of a PAYE balancing statement for the year 2011, granting the rent credit. The refund will be credited to the person's bank account within 10 days. An amended tax credit certificate for the current year will issue shortly. Following receipt of the certificate, the employer will make the refund due for the year 2012 through the person's salary.

Banking Sector Remuneration

68. **Deputy Michael McGrath** asked the Minister for Finance further to Parliamentary Question No. 55 of 7 November 2012, if he will now provide the information requested; and if he will make a statement on the matter. [53634/12]

Minister for Finance (Deputy Michael Noonan): I have been informed by the covered institutions that there are 9,033 retired employees (or their spouses/dependants) receiving a pension from those institutions.

As the Deputy will be aware these retired employees belong to private pension schemes which are overseen by pension trustees.

To comply with the provisions of the Data Protection legislation it has been necessary to aggregate the information and as a result I am limited to providing the total number of retired employees in receipt of a pension of over €100,000. As the Deputy can see from the table below there are only 167 retired employees currently receiving pensions over €100,000 out of a total pool of 9,033 retired employees across the covered institutions. Less than 2% of the retired employees are in receipt of pensions greater than €100,000.

	AIB	BOI	IBRC	PTSB	Total
Total number of retired employees in receipt of a pension over €100,000	88*	52	16	11	167
Total number of retired employees in receipt of a pension	3,380	5,300	57	296	9,033

*Includes the pensions of EBS staff.

Property Taxation Collection

69. **Deputy Gerald Nash** asked the Minister for Finance his plans to make arrangements to deduct the household charge and forthcoming property tax directly from the salaries of Members of the Houses of the Oireachtas; and if he will make a statement on the matter. [53642/12]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware, the Government decided that without prejudice to the policy decisions, the Revenue Commissioners will be responsible for collecting the Local Property Tax when it is introduced. The Revenue Commissioners are actively planning for the implementation of the tax to include collection mechanisms from all liable persons.

The details of the administration of Local Property Tax will be announced by me on Budget Day and, will be underpinned by legislation which I will propose to the House.

The Household Charge is a matter for my colleague the Minister for the Environment, Community and Local Government and the Local Government Management Agency. The future of the Household Charge will be decided by Government in due course.

Banking Sector Remuneration

70. **Deputy Michael McGrath** asked the Minister for Finance further to Parliamentary Question No. 130 of 8 November 2012, if he will provide the information requested; and if he will make a statement on the matter. [53658/12]

Minister for Finance (Deputy Michael Noonan): I can now inform the Deputy that I have received the information which he requested and apologise for the delay in procuring this information from the covered institutions. The responses I have received from each institution are set out below:

PTSB

I have been informed by PTSB that it has not made any such contributions in the period while it was in state ownership.

IBRC

Since nationalisation, I have been advised that the former Anglo Irish Bank made one payment of c. €150,000 to an employee pension scheme in March 2009 that could be considered to fall outside of normal employer contributions. This payment was made in connection with litigation.

I have been informed that the Bank, in conjunction with its pension advisors, has uncovered no evidence relating to additional payments having been made by the former INBS to their employee pension schemes during the period in question, that could be deemed to fall outside of normal employer contributions.

AIB

AIB (including EBS) has informed me that during the calendar year 2007 it made contributions to its pension schemes in accordance with agreed actuarial funding plans and as required by regulation. Contributions in excess of these were made to address a combination of unscheduled early retirements including ill health related circumstances and the exercise of contractual early retirement rights and amounted to €11m.

The amounts paid to date are:

	2007	2008	2009	2010	2011	2012 to date
Allied Irish Banks (including EBS)	€11m	€3.5m	€2m	€4m	€3m	€1,101m*

* The 2012 figure for AIB includes one off exceptional contributions made in 2012, these contributions were made in the form of a transfer of loans to the pension scheme. The gross value of the loans transferred was €1.1bn but the carrying value of these loans prior to transfer was significantly less than this. This transfer has enabled the early retirement program which is required in order to reduce the cost base of the bank by over €200m per year.

BOI

Bank of Ireland has informed me that it has disclosed the additional deficit-reduction contributions paid to its employee pension schemes in its Annual Report. On Page 265 of the 2011 Annual Report in the “Group Pensions Review” section, Bank of Ireland discloses the amounts paid in 2010 and 2011 and the expectation for 2012, as a result of the agreement with staff to reduce benefits payable under the Group Pension review. To date the payments are in line with expectations. These payments are consistent with those disclosed in the 2011 Prospectus under risk factors (page 59).

Prior to 2010 there were a number of smaller contributions made to schemes in deficit, in line with the requirements of the Pensions Regulator in the UK and the Irish Pensions Board, following actuarial valuations of those smaller schemes. The scale of these payments did not warrant separate disclosure in the published accounts.

Banks Recapitalisation

71. **Deputy Michael McGrath** asked the Minister for Finance in respect of each covered institution, the number of legal cases currently before or due to come before the Courts that the institution is a party to; and if he provide a breakdown of the cases by category including,

for example, cases regarding enforcement of loan contracts, contractual disputes and so on. [53676/12]

Minister for Finance (Deputy Michael Noonan): The covered institutions have provided me with the following information.

Bank of Ireland

Due to commercial confidentiality and sensitivities in respect of individual client cases, Bank of Ireland is not in a position to provide a breakdown of the type requested. Relevant disclosures in respect of legal cases involving Bank of Ireland are publicly available through the Courts Service (including on its website).

AIB

Due to sensitivities in respect of individual client cases, AIB is not in a position to provide a breakdown of the type requested. All relevant disclosures in respect of legal cases involving AIB are publicly available through the Court Services website.

IBRC

Due to commercial confidentiality and sensitivities IBRC are unable to provide a breakdown of the type requested. All relevant disclosures in respect of legal cases involving IBRC are publicly available through the Courts Services website.

PTSB

I have been advised that the Bank is currently a party to 570 sets of legal proceedings, approximately 470 of which are cases by the Bank and approximately 100 of which are cases against the Bank. Of the cases by the Bank, the vast majority relate to debt recovery and enforcement. The remainder of the cases by the Bank, together with the cases against the Bank, comprise a wide variety of claims, including reckless lending and claims that the Bank has no right to convert their alleged interest only loans to capital and interest repayments.

Credit Unions Regulation

72. **Deputy Pearse Doherty** asked the Minister for Finance the importance and role of a new single payments platform in helping to expand the delivery of new regulated services by credit unions to members; if the appropriate regulatory structures exist for such a platform to be developed and offered to consumers; when such a platform will be operational; and if he will make a statement on the matter. [53677/12]

Minister for Finance (Deputy Michael Noonan): Credit unions already have access to payments infrastructure, via providers such as BOI, AIB and BNP. I am aware that the Irish League of Credit Unions is seeking to enter this market on a commercial basis via its Credit Union Service Organisation for Payments (CUSOP) project. The latest ILCU Annual Report sets out the details of this project, which requires authorisation from the Central Bank. However, this is a commercial project from ILCU and credit unions will have to decide for themselves whether to get involved. I do not propose to comment on matters of a commercial nature such as this given that it is subject to authorisation by the Central Bank.

Mortgage Resolution Processes

73. **Deputy Gerald Nash** asked the Minister for Finance the names of the institutions participating in the mortgage arrears resolution process and the dates from which they accessed the scheme. [53682/12]

74. **Deputy Gerald Nash** asked the Minister for Finance the cumulative number of applications received under the mortgage arrears resolution process to the last day in October 2012 or the date at which the most recent statistics per participant institution are available. [53683/12]

75. **Deputy Gerald Nash** asked the Minister for Finance the cumulative number of applications approved under the mortgage arrears resolution process, the application is admitted under the MARP, and processed by the arrears support unit to the last day in October 2012 or the most recent quarterly reporting date, per participant institution and their placement under the following headings of restructuring, interest only, reduced payment greater than interest only, reduced payment less than interest only, term extension, arrears capitalisation, payment moratorium, hybrid, deferred interest scheme, and any other headings applied in the process; and if he will make a statement on the matter. [53684/12]

76. **Deputy Gerald Nash** asked the Minister for Finance the cumulative number of applications refused or declined by the arrears support unit to the last day in October 2012 or the most recent quarterly reporting date, per participant institution; the rationale for refusal under the following headings of refusal/decline, unsustainable, sufficient income, sufficient ancillary assets and any other headings applied in the process; and if he will make a statement on the matter. [53685/12]

77. **Deputy Gerald Nash** asked the Minister for Finance the cumulative number of applications which were refused or declined by the arrears support unit to the last day in October 2012 or the most recent quarterly reporting date, per participant institution where appeals have subsequently been lodged to the institutions internal appeals board. [53686/12]

78. **Deputy Gerald Nash** asked the Minister for Finance the cumulative number of applications approved under the mortgage arrears resolution process, that is where the application is admitted under the MARP internal appeal structure to the last day in October 2012 or the most recent quarterly reporting date, per participant institution and their placement under the following headings of restructuring, interest only, reduced payment greater than interest only, reduced payment less than interest only, term extension, arrears capitalisation, payment moratorium, hybrid, deferred interest scheme, and any other headings applied in the process; and if he will make a statement on the matter. [53687/12]

79. **Deputy Gerald Nash** asked the Minister for Finance the cumulative number of applications refused or declined under the mortgage arrears resolution process, that is the applications is not to be admitted under the MARP internal appeal structure to the last day in October 2012 or the most recent quarterly reporting date, per participant institution and their placement under the following headings of refusal/decline, unsustainable, sufficient income, sufficient ancillary assets and any other headings applied in the process; and if he will make a statement on the matter. [53688/12]

80. **Deputy Gerald Nash** asked the Minister for Finance the cumulative number of applications refused or declined under the mortgage arrears resolution process internal appeal structure per participant institution which were subsequently appealed to the Office of the Financial Services Ombudsman; the number of such decisions that were either upheld or refused by the that office; and if he will make a statement on the matter. [53689/12]

81. **Deputy Gerald Nash** asked the Minister for Finance the guidance or other interpretative application material that has been provided by those institutions who are participating in

the mortgage arrears resolution process scheme to borrowers to assist those borrowers making applications to appeal decisions made by the Arrears Support Unit to the internal appeals structure which have been provided; the participating institution(s) in the scheme that are producing and providing such information; and if he will make a statement on the matter. [53690/12]

82. **Deputy Gerald Nash** asked the Minister for Finance the number of reports, reviews, audits, enquiries or other interventions, including the nature of such intervention, for example oral or written which have been made by the Central Bank of Ireland with regard to the operation of the mortgage arrears resolution process scheme and the number of such interventions, per participating institutions to the last day of October 2012 or to which date such data is available; and if he will make a statement on the matter. [53691/12]

83. **Deputy Gerald Nash** asked the Minister for Finance his plans to review the operation of the mortgage arrears resolution process scheme; if will he consider appointing representatives of the legal profession, including the providers of free legal advice services, consumer interests, voluntary sector housing providers, and providers of information and advocacy services in the voluntary sector housing to any review; and if he will make a statement on the matter. [53692/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 73 to 83, inclusive, together.

The Central Bank has informed me that it does not track the number of borrowers falling within the MARP process but does track the number of alternative arrangements, and the nature of the arrangement, put in place across the regulated industry and which is published quarterly by the Central Bank. The Central Bank Code of Conduct on Mortgage Arrears, the current version of which came into effect from 1 January 2011, was issued under the provisions of section 117 of the Central Bank Act 1989. The Code applies to the mortgage lending activities of all entities regulated by the Central Bank, except for credit unions, in respect of loans which are secured by the borrower's primary residence. The Code sets out the framework within which a regulated mortgage lender must engage with a borrower who is in arrears, or pre-arrears, in respect of a loan secured on the borrower's primary residence and who is co-operating with the lender.

This revised Code sets out new and more detailed requirements that a lender must comply with when dealing with mortgage holders experiencing genuine arrears and financial difficulties. In particular, it provides that each lender must establish a Mortgage Arrears Resolution Process (MARP) and use this framework when dealing with its mortgage holders experiencing difficulty. This framework provides for a number of steps such as:

- communication with borrowers;
- the use of a standard financial statement to obtain financial information;
- assessment of the customer's circumstances by dedicated arrears support units;
- resolution, which require the lender to explore all options for an alternative repayment arrangement in order to determine the most viable option in each case, and
- an appeals process, which initially will be an internal Appeals Board within the institution, to reconsider the matter if the borrower is not satisfied with the proposed resolution response. There is then the further option if necessary, to appeal to the Financial Services Ombudsman after the internal appeal process has ended.

MARP, therefore, is not a scheme as such but rather is a process put in place to govern the

interaction between mortgage borrower and lender in circumstances where the former is experiencing genuine difficulty and allows both parties to assess the current situation with a view to coming to an optimal solution. In particular, a lender is required to explore all options for an alternative repayment arrangement to determine which options are viable for each particular case.

Other protections offered to borrowers under the CCMA include the following:

- all cases must be handled sympathetically and positively by the lender;
- a lender must not apply to the courts to commence legal action for repossession until every reasonable effort has been made to agree an alternative repayment arrangement with the borrower;
- where a borrower co-operates with the lender, the lender must wait at least 12 months from the date the borrower is classified as a MARP case before applying to the courts to commence legal action;
- each branch or office of the lender must have one person responsible for dealing with borrowers in difficulty and must also have a dedicated Arrears Support Unit to deal with all MARP cases;
- lenders are restricted from imposing charges on arrears arising on a mortgage account in arrears where the borrower is co-operating with the lender;
- all communications about arrears and pre-arrears must be provided in a timely, clear and consumer friendly manner, e.g. information booklet providing details of MARP and dedicated section on website.

Quarter 2 2012 Mortgage Arrears Stats published in August shows the number of mortgages secured on Private Dwelling Homes (PDH's) which are in arrears. This is also broken down into restructured number and type. http://www.centralbank.ie/polstats/stats/mortgagearrears/Documents/2012q2_ie_mortgage_arrears_statistics.pdf. The publication of Quarter 3 data is expected in mid-December, will also include information on Buy to Let properties for the first time.

Regarding complaints to the Financial Services Ombudsman, I am informed by that Office that it introduced a policy last April in response to a number of complaints being submitted to his Office regarding mortgage arrears/pre arrears, to deal with such cases. This policy states that a complainant must first engage with the financial institution in question and fully exhaust the MARP process. The Financial Services Ombudsman will not investigate such complaints where the MARP process has not been exhausted. This gives both parties the opportunity to re-engage with the process and find, where possible, an alternative resolution. If a complainant uses the MARP process, with either party failing to come to a resolution, the complainant can revert back to the Financial Services Ombudsman. In that regard, the above procedure has proved relatively successful as it ensures that the respective parties engage with one another, before referral to the Ombudsman's Office. However, there have been cases where MARP has been exhausted, and the Ombudsman followed up by investigating such complaints. Thus far, there have been 6 not upheld, with 5 partly upheld. There have been no cases where the Ombudsman fully upheld such a complaint.

The Central Bank also informed me that a review of lenders compliance with the CCMA was carried out by it in 2011, focussing on charges imposed by lenders. Please see a link to the Press Release on the outcome of this review below. <http://www.centralbank.ie/regulation/processes/consumer-protection-code/compliance-monitoring/Documents/Information%20Release%20-%20Lenders%20Compliance%20with%20the%20Revised%20CCMA%2001%20>

July%202011.pdf

Also attached, for information, is a link to the CCMA and the Central Bank's Consumer Guide to dealing with your lender below.

<http://www.centralbank.ie/regulation/processes/consumer-protection-code/Documents/Code%20of%20Conduct%20on%20Mortgage%20Arrears%20%201%20January%202011.pdf>

<http://www.centralbank.ie/regulation/processes/consumer-protection-code/Documents/120511%20Consumer%20Booklet%20-%20Final%20May%202012.pdf>

The Central Bank has informed me that it will commence a review of the Code of Conduct on Mortgage Arrears in the first quarter of 2013. The Central Bank would normally conduct a review following a reasonable time after implementation and the Code will require updating due to the introduction of the Personal Insolvency Arrangement insolvency framework as provided for in the Personal Insolvency Bill which is currently before the Oireachtas as well as longer term mortgage resolution options. The review will take into consideration recent developments that may be relevant to the issue of mortgage arrears.

State Examinations Issues

84. **Deputy Noel Coonan** asked the Minister for Education and Skills the date on which publishing companies may publish the Junior and Leaving Certificate mathematics papers; when will they be given the appropriate guidelines by his Department; and if he will make a statement on the matter. [53410/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations. In view of the above, I have forwarded your query to the State Examinations Commission for direct reply to you.

Student Grant Scheme Reform

85. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the process whereby the contract for running the Student Universal Support Ireland was awarded; the criteria used to judge the submissions of applicants submission; the system used to award points or to adjudicate on each application and the bodies or person's who sat on the independent selection panel including its Chairperson. [53413/12]

86. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the role he or his Department had in the selection of the successful application to administer Student Universal Support Ireland; when was the successful applicant chosen; when were they notified of their success and when were the unsuccessful applicants notified of their failure. [53414/12]

87. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills prior to the awarding of the contract to administer Student Universal Support Ireland to City of Dublin VEC, if any legislative changes were enacted by Dáil Éireann to allow CDVEC to access personal data and if so when and what were they. [53415/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 85 to 87, inclusive, together.

In January 2011, my Department issued an Expressions of Interest invitation to local authorities, VECs and other public bodies interested in taking on administrative responsibility for the centralised student grants awarding and payments function. The criteria used to evaluate the proposals were set out in the Expressions of Interest invitation and were as follows:

- Organisational capacity to perform the function-
- Experience in dealing with comparable schemes/services
- Existing core management, expertise and resources available to be deployed to the function
- Capacity to deliver strong cost and efficiency benefits
- Overall quality of the proposal for delivery of a central student grants function.

A total of 10 proposals were received. An independent selection panel met to evaluate and short-list the proposals for oral presentation on 4th March 2011. Those who did not make the short list were informed of the selection panel's decision on 4th March 2011 and an invitation issued on the same date to those who were short-listed to make an oral presentation.

Oral presentations were made to the selection panel by the four short-listed bodies on 31st March and 1st April 2011. Each proposal was ranked based on marks assigned under each of the evaluation criteria leading to the preferred proposal. Each of the bodies who made oral presentations on their proposals were informed of the selection panel's decision by letter on 11th April 2011. The selection panel recommended that CDVEC be designated as the single grant awarding authority on this basis. My Department acted as secretariat to the independent selection panel.

The composition of the independent selection panel was as follows:

1. Mr. Pat McLoughlin (Chair) - Chief Executive of the Irish Payment Services Organisation (former Chief Executive of the Eastern Health Board, chair of the Local Government Efficiency Review Group and a member of the Special Group on Public Service Numbers and Expenditure Programmes) 2. Mr. Jim Duffy - Former Assistant Secretary at the Department of Finance with responsibility for the Centre for Management and Organisation Development (CMOD) 3. Mr. Gerry Kearney - Former Secretary General of the Department of Community, Rural and Gaeltacht Affairs.

The Student Support Act 2011 was signed into law in February 2011. Section 28 of the Act provides for the processing of personal data for relevant purposes related to student grant applications and covers all grant awarding authorities, including City of Dublin VEC.

Student Grant Scheme Application Numbers

88. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he will provide an updated list, in tabular form, from Monday 26 November 2012 of the numbers of students on a county basis who have received from Student Universal Support Ireland payment of their third level grant or notification of when it is to be paid. [53418/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The following table provides a breakdown on a county basis of the number of students who have been awarded a student grant and the numbers who received payment of their student maintenance grants as at the 23rd November, 2012 from Student Universal Support Ireland. The data has been supplied to my

Department by SUSI.

SUSI is continuing to make payments on a weekly basis to ensure students can get paid their grant as expeditiously as possible, once they have been awarded a grant. All new student grants approved for this academic year will be paid by electronic funds transfer on a monthly basis directly to students' banks accounts, rather than by cheque to the relevant college. Those awarded a grant must supply bank account details and confirmation of registration must be received from the institution in order for the first instalment to be paid.

Breakdown by County of student maintenance grants awarded/paid as at 26.11.12

County	Awarded *	Paid
Carlow	233	92
Cavan	300	141
Clare	420	180
Cork	1343	591
Donegal	785	319
Dublin	2601	932
Galway	947	353
Kerry	552	235
Kildare	555	225
Kilkenny	299	115
Laois	245	105
Leitrim	143	55
Limerick	628	242
Longford	170	64
Louth	495	205
Mayo	556	205
Meath	555	247
Monaghan	267	105
Offaly	320	133
Roscommon	275	119
Sligo	220	81
Tipperary	598	265
Waterford	463	157
Westmeath	414	179
Wexford	621	273
Wicklow	438	193
Outside of Ireland	69	15
Total	14512 **	5826

* Includes some 2,658 provisionally awarded awaiting final course acceptance forms.

** Does not include grants awarded but currently under appeal.

Student Grant Scheme Eligibility

89. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills if here were guide-

lines issues under Section 15 subsection 8 of SI No 189 of 2012 and if there were, the details of these guidelines; and if he will make a statement on the matter. [53444/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Article 15(8) of the Student Grant Scheme 2012, SI No. 189 of 2012, provides the awarding authorities with discretion to consider funding for repeat periods of study in exceptional circumstances, in line with guidelines drawn up by the Minister.

The guidelines issued to the awarding authorities on 15 August 2012.

The guidelines outline the matters that may be taken into account by an awarding authority in determining whether to exercise its discretion in respect of the provisions of Article 16(6) and (7) of the Student Grant Scheme 2012.

School Funding

90. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the total number of primary schools throughout the country and fully operational in the current academic year; the number, if any, in the DEIS category and the extent to which the remainder are fee-paying schools; and if he will make a statement on the matter. [53445/12]

Minister for Education and Skills (Deputy Ruairí Quinn): There were 3,297 Department Aided Primary Schools operational in the 2012/2013 academic year (including Special Schools). Of these 665 were DEIS schools. It should be noted that data coverage of private, fee-paying primary schools that are not financially aided by the Department is not complete, as there is no requirement for such schools to make detailed statistical returns to the Department. Data on the number of private, fee-paying primary schools for the 2012/2013 academic year is currently being compiled and will be available in 2013.

School Curriculum

91. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the total number of DEIS schools, non-DEIS schools, non-fee-paying schools and fee-paying schools currently offering a transition year programme; and if he will make a statement on the matter. [53446/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The information requested by the Deputy on schools offering a transition year programme is as follows:

Type of Schools	Number of Schools
DEIS schools	120
Non-DEIS schools	462
Fee paying schools	54
Non-fee paying	528

Departmental Funding

92. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent

to which financial assistance has been offered by his Department to INTO, ASTI, TUI, ACS, IVEA, JMB, NAPD, National Parents Council Primary and Post-Primary in each of the past three years to date, by way of grant directly or indirectly and/or by payment of salary or other method; and if he will make a statement on the matter. [53447/12]

93. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will indicate, with particular reference to ACS, IVEA, JMB, NAPD and National Parents Council Primary and Post-Primary, the level of their income which came indirectly from his Department by way of affiliation fees paid by post-primary schools; and if he will make a statement on the matter. [53448/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 92 and 93 together.

Data in relation to the funding of the bodies referred to by the Deputy is currently being compiled by my officials. A response will be issued to the Deputy shortly.

School Relocation

94. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position regarding a Gaelscoil (details supplied) in County Donegal; and if he will make a statement on the matter. [53452/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the Department is currently considering an application from the school referred to by the Deputy to re-locate to a vacated school building in the area. A number of legal issues pertaining to this application have been identified and are under examination. My Department has been in contact with the Chairperson of the Board of Management of the school concerned and will continue to update him on progress in the matter.

Student Grant Scheme Applications

95. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills if a decision on a student grant will be expedited in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [53453/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that supporting documentation was received from the student referred to by the Deputy on 28th November and his application will be reviewed shortly. SUSI will contact the student directly in relation to the outcome.

School Staffing

96. **Deputy Dan Neville** asked the Minister for Education and Skills the person who makes the decisions regarding the supplementary panel for primary teachers; the number currently on the supplementary panel for west Limerick; if after 5 November the panel will be frozen; if there are persons on it that do not have a job, if they go back down to the end of the panel again; and if he will make a statement on the matter. [53461/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The arrangements for panel access for fixed term (temporary/substitute) and part-time teachers for 2012/13 school year are set out in Department Circular 0012/2012. The panels set up in accordance with the arrangements set out in this circular were used for appointments to full-time permanent teaching posts but only where those posts were not otherwise required to facilitate the redeployment of surplus permanent teachers. The closing date for application under this circular was Friday, 20 April, 2012. Under the staffing arrangements for the current school year which are set out in Department Circular 0007/2012 the latest date for filling a permanent post on a permanent basis through the subsidiary/supplementary panels was the first working day of November. Thereafter, unless there is a surplus permanent teacher to be redeployed, posts are filled on a fixed term basis and if sustained by a school will be filled from the relevant redeployment panel in the 2013/14 school year.

My Department has just recently published Circular 0038/12 setting out the arrangements for panel access for fixed term (temporary/substitute) and part-time teachers to the Supplementary Redeployment Panel for the 2013/14 school year. The closing date for application is 14 December, 2012.

The core function of the redeployment arrangements is to facilitate the redeployment of all surplus permanent teachers to other schools that have vacancies. The redeployment of all surplus permanent teachers is key to the Department's ability to manage within its payroll budget and ceiling on teacher numbers.

Thereafter, schools are required under the panel arrangements to fill permanent vacancies from panels (subsidiary and supplementary) set up of eligible fixed-term (temporary/substitute) and part-time teachers. For the 2012/13 school year there were close to 1,700 such teachers on these panels. In any given year there will be a number of teachers on these panels that do not secure a permanent post.

All circulars referenced are available on my Department's website.

Schools Administration

97. **Deputy Dara Murphy** asked the Minister for Education and Skills the reason the provision of the Education Act 1998, Section 14, a new board of management for a school (details supplied) has not been put in place,; and if he will make a statement on the matter. [53470/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In accordance with the provisions of the Education Act 1998, the appointment of a Board of Management of a school is a matter for the relevant school patron. Under the provisions of this Act, where a patron determines that the appointment of a board is not practicable, or where the patron, with the consent of the Minister, has dissolved a board of management, the patron may appoint a manager or managers to perform the functions of the board.

In the case of the school in question, I have, in accordance with the relevant provisions of the Education Act 1998, approved the patron's request to appoint a single manager to manage the school.

Student Grant Scheme Payments

98. **Deputy Sean Fleming** asked the Minister for Education and Skills if he will explain

the way a person (details supplied) in County Laois was awarded 100% Student Universal Support Ireland contribution on 9 October 2012 and a month later on 19 November 2012 is sent a letter stating that it has been reduced to 50%; and if he will make a statement on the matter. [53474/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will appreciate that in the context of Student Universal Support Ireland (SUSI) having received in excess of 66,000 applications that some errors may inevitably arise when handling a high volume of applications within a relatively short timeframe. While every effort is made by Student Universal Support Ireland (SUSI) to ensure that applicants are processed correctly, SUSI regrets in this instance that the applicant received an incorrect letter and regrets any inconvenience caused to the applicant.

School Funding

99. **Deputy Terence Flanagan** asked the Minister for Education and Skills the position regarding funding for secondary schools (details supplied) in County Dublin; and if he will make a statement on the matter. [53475/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The charging of fees by a school is permissible only in the case of recognised fee-charging second level schools.

All other recognised schools are precluded from charging school fees. Voluntary contributions by parents of pupils in such recognised schools are permissible provided it is made absolutely clear to parents that there is no question of compulsion to pay and that, in making a contribution, they are doing so of their own volition. The manner in which such voluntary contributions are sought and collected is a matter for school management; however their collection should be such as not to create a situation where either parents or pupils could reasonably infer that the contributions take on a compulsory character.

Special Educational Needs Services Provision

100. **Deputy Patrick Nulty** asked the Minister for Education and Skills when a special needs assistant will be provided for a child (details supplied) in Dublin 15; the reason for the delay; and if he will make a statement on the matter. [53487/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for processing applications from schools for special educational needs supports, including Special Needs Assistant (SNA) support. The NCSE operates within my Department's established criteria for the allocation of such supports and the staffing resources available to my Department.

All schools, including the school referred to by the Deputy, have been advised by the NCSE of their SNA staffing allocation for the current school year. Details of the allocations which have been made to each school are available at www.ncse.ie.

The NCSE allocates a level of SNA support for each school annually taking into account the care needs of all of the qualifying children enrolled in the school. SNAs should then be deployed by schools in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. It is a matter for schools to al-

locate support as required, and on the basis of individual need, which allows schools flexibility in how the SNA support is utilised.

Where schools have enrolled new pupils with special educational needs who were not considered at the time that the allocations for the 2012/13 school year were made, or where schools are in a position to demonstrate that they cannot cater for the care needs of qualifying children from the level of SNA support which has been assigned to them, they may apply to the NCSE for additional SNA support or for a review of their SNA allocation. The NCSE has capacity to allocate new SNA posts to schools where these criteria are met.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

Schools Building Projects Status

101. **Deputy Brendan Griffin** asked the Minister for Education and Skills the position regarding the construction of a new school (details supplied) in County Kerry; the anticipated completion date for this project; if he will ensure that the project continues to be a priority; and if he will make a statement on the matter. [53491/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The major school building project referred to by the Deputy is at an early stage of Architectural Planning. The Design Team has recently submitted the Stage 1 Report for this project and this is currently under review by my Department.

This project has been included on the five year construction programme to progress to Tender & Construction in 2015/16.

Schools Building Projects Status

102. **Deputy Brendan Griffin** asked the Minister for Education and Skills the position regarding the construction of a new school (details supplied) in County Kerry; the anticipated completion date for this project; if he will ensure that the project continues to be a priority; and if he will make a statement on the matter. [53492/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The school referred to has been devolved for delivery to the National Development Finance Agency (NDFA). The NDFA has recently appointed a Design Team to advance this project which is currently scheduled for delivery during 2014/2015 as announced under the Five Year Plan.

Schools Building Projects Status

103. **Deputy Brendan Griffin** asked the Minister for Education and Skills the position regarding the construction of a new school (details supplied) in County Kerry; the anticipated completion date; and if he will make a statement on the matter. [53493/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The school referred to has been devolved for delivery to the National Development Finance Agency (NDFA). The NDFA has recently appointed a Design Team to advance this project which is currently scheduled for

delivery during 2014/2015 as announced under the Five Year Plan.

Education and Training Boards Issues

104. **Deputy Tony McLoughlin** asked the Minister for Education and Skills if he will reconsider his view in relation to the allocation of the 10 local authority members, where more than one local authority will fall within the Education and Training Board area, where he considers that population, based on the most recent census, is the most appropriate and fair way to devise the proportions in which each local authority will be represented on the new bodies [53519/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Education and Training Boards Bill sets out to merge the existing 33 VECs and their administrations into 16 new entities. It does not, in any way, seek to tamper with the allocation of resources for schools, further education centres, or other educational programmes provided by the VECs. Each of the new Boards together with the CEO as the accountable person will have to account for the use of resources provided to the Board for education provision in the entire area which it covers. Existing processes within the Department for resource allocation in respect of educational establishments under the auspices of any Education and Training Board will still continue and the Board/CEO will be accountable for deployment of any such resources for the purposes for which they have been allocated.

Consequently, I am satisfied that allocation of the 10 local authority members where more than one local authority will fall within the ETB area, on the basis of population, based on the most recent census, is the most appropriate and fair way to devise the proportions in which each local authority will be represented on the new boards.

Student Grant Scheme Payments

105. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills further to Parliamentary Question No. 82 of 22 November 2012, if payments due in respect of a person (details supplied) in County Kildare will be paid immediately; and if he will make a statement on the matter. [53533/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I understand that payment issued to the student referred to by the Deputy on 19th October and 23rd November 2012.

Student Support Schemes Issues

106. **Deputy Patrick Nulty** asked the Minister for Education and Skills if he will confirm that the student assistance fund will not expire for the 2013/2014 academic year, and that it will continue in place; his views that there is an even greater need for the fund in the present economic circumstance in view of the acute increase in the numbers of students availing or attempting to avail of the fund recently; and if he will make a statement on the matter. [53573/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The objective of the Student Assistance Fund is to assist students, in a sensitive and compassionate manner, who might otherwise, due to their financial circumstances, be unable to continue their third level studies. The Fund is managed by the Higher Education Authority (HEA) on behalf of my Department and is funded under the National Development Plan, with assistance from the European Social Fund.

The budget for the Student Assistance Fund has increased from €5m in 2008/09, 2009/10 and 2010/11 academic years to €9m in 2011/12 while it stands at €8m for the current academic year.

My Department has asked the HEA for an up to date report on the demand for the scheme. I have no plans at present to discontinue the Fund.

Examinations are taking place across all areas of Government spending which will inform funding allocations for the coming years. In this context, I am sure the Deputies will appreciate that in line with normal practice I am unable to comment on the available funding allocation for next year during the budgetary deliberative process.

School Staffing

107. **Deputy Robert Troy** asked the Minister for Education and Skills the number of school teachers, primary and post primary, that have been dismissed, sacked or services terminated here to date; if he will provide the exact figures; and if he will make a statement on the matter. [53611/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Section 24 of the Education Act 1998, as amended by the Education (Amendment) Act 2012, provides that the appointment, suspension and dismissal of teachers are the responsibility of boards of management of recognised schools or, where the employer is a person other than a board, by that person. An example of the latter would be a vocational education committee.

Under Circulars 59/2009 (VEC schools) and 60/2009 (all other schools) procedures were agreed relating to both professional competence issues and procedures relating to work, conduct and matters other than professional competence. This agreement was made under the terms of Towards 2016 and the procedures were issued in September 2009.

The Department is informed of a case going through the disciplinary procedures in two situations. The first is in the case of unsatisfactory performance where the Inspectorate may be required to participate in an assessment of performance under Stage 3 of the agreed procedures. The second is in the event that a teacher wishes to appeal the proposed disciplinary action. In this case the appeal is to a Disciplinary Appeal Panel appointed by the board of management or VEC. The Department nominates the chairperson of the panel and provides a secretariat to support the work of the panel. The final decision in respect of the appeal panel recommendation rests with the school's employer.

Under Stage 3 of the agreed procedures the Inspectorate have been informed of 2 cases of unsatisfactory performance, 1 in respect of a primary teacher and 1 in respect of a post-primary teacher. In both cases the Inspectorate could not complete their assessment of performance as the teachers resigned from their posts prior to the completion of their assessments.

Since the introduction of the agreed procedures, a total of 15 appeals (Stage 5) under the disciplinary procedures have been received. Of the 6 cases that related to dismissal, 2 were not upheld, 2 were upheld, 1 was upheld with a recommendation and 1 is pending.

Outside of these processes, the Department does not keep statistics on individual cases.

Site Acquisitions

108. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if a suitable site has been identified in respect of a college campus development (details supplied) in County Donegal; and if he will make a statement on the matter. [53612/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware, County Donegal VEC sought submissions for suitable sites to accommodate the campus development to which he refers. The VEC has advised my Department that no suitable site has been identified, however, a number of sites are being assessed by the VEC in conjunction with the relevant Local Authority. The acquisition of a site will be considered in the context of the capital budget available to my Department for school buildings generally.

Emergency Works Scheme Applications

109. **Deputy Brendan Smith** asked the Minister for Education and Skills if grant assistance will be approved in respect of emergency works at a school (details supplied) in County Cavan, if urgent consideration will be given to this application as these necessary improvement works need to be undertaken without delay; and if he will make a statement on the matter. [53631/12]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has no record of having received an application from the school in question for emergency funding to replace the boiler. Should an application be received from the school authority it will be assessed and the school authorities notified of the outcome.

Teaching Qualifications

110. **Deputy Eoghan Murphy** asked the Minister for Education and Skills if teachers in primary and secondary schools instructing in physical education require any specific qualifications or training in order to perform their role as physical educators, and what these qualifications are. [53637/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Teaching Council is the body with statutory responsibility for the registration of teachers including the recognition of qualifications. There are a number of qualifications in physical education which have been recognised by the Council. As each application for registration is considered on its own merits any query relating to a particular qualification should be addressed directly to the Council.

As Physical Education is part of the primary curriculum, teachers registered under Regulation Two (Primary) are qualified to teach physical education on the basis of their registration.

Physical Education

111. **Deputy Eoghan Murphy** asked the Minister for Education and Skills if he is concerned about a lack of resources for the teaching of physical education in primary and secondary schools in disadvantaged areas. [53638/12]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department is committed to the provision, maintenance and modernisation of physical education and physical activity facilities in our schools for our children and young people.

In a new school building or major refurbishment/extension, PE facilities are included as an

intrinsic part of the design.

While my Department currently has no specific grant schemes in place to provide funding for the purchase of gym equipment, primary schools received €2,000 each in PE equipment grants in 2006, at a total cost of €6.5 million. A similar grant of €4,000 per school, at an overall cost of around €3 million, issued to post-primary schools in 2007. In 2010 grant aid in excess of €16m issued to both primary and post-primary schools to allow each school address its own specific PE and outdoor equipment needs.

Site Acquisitions

112. **Deputy Mattie McGrath** asked the Minister for Education and Skills at what stage is the acquisition of the property, from the Mercy Order, required for the extension to a school (details supplied) to enable the amalgamation of a school; on the last report the acquisition of the site required was being dealt with under the redress scheme and the proposed build is due for the 2015/16 school year, if this timeframe can be verified; and if he will make a statement on the matter. [53645/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The acquisition of the site to which the Deputy refers is currently at pre-contract stage. My Department, through the Chief State Solicitor's Office, is currently working with the Solicitors acting on behalf of the Sisters of Mercy on the legal procedures and mechanisms required to facilitate the transfer of the lands to the Minister.

I can confirm to the Deputy that the project is listed to go to construction in 2015/16. Projects that are in a state of readiness on this list will proceed to be delivered within this timeframe.

School Transport Provision

113. **Deputy Willie Penrose** asked the Minister for Education and Skills if he will take steps to ensure that a shortfall due to a family (details supplied) in County Westmeath will be paid; and if he will make a statement on the matter. [53659/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Under the terms of my Department's Post Primary School Transport Scheme, children are eligible for school transport where they reside not less than 4.8 kms from and are attending their nearest education centre as determined by my Department/Bus Éireann, having regard to ethos and language.

An eligible child for whom no transport service is available may, following an application for transport within the prescribed time limits, receive a Remote Area Grant towards the cost of private transport arrangements.

This grant is payable annually at a fixed daily rate, to each eligible family, regardless of the number of children from the same family, travelling to a particular school.

The family in question has received a payment covering the years 2001 to 2010. My Department is currently liaising with Bus Éireann regarding the payment of additional arrears and will contact the family in due course.

Irish Language Issues

114. **Deputy Dominic Hannigan** asked the Minister for Public Expenditure and Reform the steps he is taking to ensure that the Irish language is protected and promoted as part of the public service reform plan; and if he will make a statement on the matter. [53484/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Public Service Reform Plan, published in November 2011, places a strong focus on customer service and supporting individuals and businesses where and when they need it most, making their interaction with the State as simple and seamless as possible and improving the customer's experience in engaging with Government. This also includes support for its customers in dealing with the Public Service through Irish. For example, one of the 12 Guiding Principles of the Quality Customer Service Initiative is to "Provide quality services through Irish and / or bilingually and inform customers of their right to choose to be dealt with through one or other of the official languages".

Primary national responsibility for the Irish language lies with my colleague, the Minister for Arts, Heritage and the Gaeltacht. My Department is, however, supporting the *20-Year Strategy for the Irish Language 2010-2030*, which recognises the need for the development and strengthening of language awareness and language training programmes so that a higher proportion of Public Service staff are truly functional in Irish and can deliver services in Irish to customers who seek them.

In this regard, my Department has agreed in principle with the Department of Arts, Heritage and the Gaeltacht that they may advance arrangements to facilitate the training and proficiency assessment of staff in the use of the Irish language in the Civil Service and certain areas of the Public Service. It is expected that arrangements to this end will be put in place from early next year.

Enterprise Support Services Provision

115. **Deputy Michael McCarthy** asked the Minister for Jobs, Enterprise and Innovation if the Industrial Development Agency can extend assistances to a local enterprise (details supplied) in view of the contribution it is making to the local economy; and if he will make a statement on the matter. [53437/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I am informed by IDA that they do not own any land in Kinsale but I have asked IDA to contact the individual concerned to see if they can assist him in any way.

Industrial Relations Issues

116. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation if he will consider introducing a Trade Union Ombudsman, which could be funded through union contributions. [53614/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Trade unions are by their nature essentially self-governing bodies and it is a matter for the membership to determine whether, and in what manner, the rules and policies of a trade union should provide for how it deals with complaints about the service provided by the Union to its members.

The Registrar of Friendly Societies has a number of specific powers in the area of investigation/dispute resolution regarding the internal governance of trade unions:

- to investigate complaints of discriminatory treatment against a non-contributor to a political fund. The Registrar may make an order to remedy the breach, which is binding and conclusive, and not subject to appeal (section 3(2) of the Trade Union Act 1913).

- to investigate complaints under section 16(5) of the Industrial Relations Act 1990 concerning the operation of secret ballots, following which the Registrar may instruct a trade union to comply with the secret ballot provisions of the Act (section 14(2)). Where such instruction is disregarded the Registrar must inform the Minister, who may revoke the union's negotiating licence.

- to hear disputes referred to the Registrar under section 10 of the Trade Union Act, 1975 concerning the passing of resolutions approving amalgamations of trade unions. Under this section, the Registrar may, at the request of the complainant or of the trade union, state a case for the opinion of the High Court on a question of law arising in the proceedings.

The powers of the Registrar in relation to such matters have rarely been exercised. The Registrar has no independent powers of investigation, and can only act where requested to do so on the specific areas mentioned above, or to refer a matter to the court in relation to wilful or fraudulent withholding of money. This latter option is also available to "any person" acting on behalf of a trade union.

I have no plans to provide for the introduction of a Trade Union Ombudsman as suggested by the Deputy.

Jobseeker's Allowance Eligibility

117. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection if a person currently receiving jobseeker's allowance is permitted to carry out minor work for a family member, in the family members home, where no money is exchanged. [53400/12]

Minister for Social Protection (Deputy Joan Burton): The jobseeker's schemes provide income support for people who are seeking their first job or have lost work and are seeking alternative employment. A fundamental qualifying condition for jobseeker's allowance is that a person must be available for and genuinely seeking full-time work.

A person must be available for work in respect of each day for which s/he declares that s/he is unemployed. The onus is on the claimant to demonstrate that this condition is satisfied.

Subject to the circumstances of an individual case, a person engaged in an activity such as is outlined may not satisfy these criteria in relation to the days where the activity is pursued.

Question No. 118 withdrawn.

Invalidity Pension Applications

119. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when an application for invalidity pension will be determined in the case of a person (details supplied) in County Offaly who is now one year without payment; and if she will make a statement on the matter. [53404/12]

Minister for Social Protection (Deputy Joan Burton): Invalidity pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy

the contribution conditions.

This Department received an application for invalidity pension for the person concerned on 27 September 2011. The medical evidence provided by the claimant in support of his claim was examined by a medical assessor who was of the opinion that the person concerned is not eligible for invalidity pension as he does not satisfy the medical criteria. The application for invalidity pension was, accordingly, disallowed by a deciding officer. The applicant was notified of this decision and the reason for it on 09 December 2011. The person concerned subsequently submitted further medical evidence in support of his claim. This evidence was forwarded to a different medical assessor for evaluation and following this review the claimant was found medically suitable for invalidity pension.

The case was then referred to a social welfare inspector on 29 June 2012 for investigation as there was evidence that the claimant may be engaged in self-employment. This investigation is now complete and the report from the social welfare inspector is on its way back to the deciding officer.

On receipt of the report together with further information requested from the customer today, a decision will be made on this claim without further delay and he will be notified directly of same.

Jobseeker's Allowance Payments

120. **Deputy Finian McGrath** asked the Minister for Social Protection the position regarding jobseekers allowance in respect of a person (details supplied) in Dublin 9. [53425/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned had €20 deducted from two of her recent jobseeker's allowance payments in order to recover an overpayment of Illness Benefit. When it came to light that the person concerned had not agreed to this recovery rate the amount was reduced to €2 per week.

Question No. 121 withdrawn.

Carer's Allowance Applications

122. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [53449/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department received an application for carer's allowance from the person in question on the 12th March 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

Question No. 123 withdrawn.

Carer's Allowance Applications

124. **Deputy Noel Coonan** asked the Minister for Social Protection when an application for carer's allowance will be finalised in respect of a person (details supplied) in County Tipperary;

and if she will make a statement on the matter. [53477/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that the department received an application for carer's allowance from the person in question on the 19th July 2011. This application was referred to one of the Department's Medical Assessors who found that the caree in question was not medically eligible for carer's allowance. A letter issued on the 17th of May 2012 refusing the allowance. The person in question subsequently submitted further medical evidence for review on 16th July 2012. This medical evidence is awaiting medical assessment by a medical assessor. On completion of all the necessary investigations as part of this review, a decision will be made and the person in question will be contacted directly with the outcome.

Domiciliary Care Allowance Appeals

125. **Deputy Patrick Nulty** asked the Minister for Social Protection if an application for domiciliary care allowance will be expedited in respect of a person (details supplied) in Dublin 15; the reason for the delay; and if she will make a statement on the matter. [53480/12]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance (DCA) was received on the 14th May 2012. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for DCA. A letter issued on the 13th July 2012 refusing the allowance. The person concerned subsequently lodged an appeal against this decision.

As part of the appeal process, the case has been forwarded to another of the Department's Medical Assessors for further consideration, including a review of any new information supplied. Upon receipt of the Medical Assessor's opinion, the case will be further examined and will be forwarded for consideration by the Appeals Office, if necessary.

Jobseeker's Allowance Eligibility

126. **Deputy Joe Carey** asked the Minister for Social Protection the position regarding persons engaged as part time workers in a local authority fire service and the impact this has on qualification for jobseeker's with reference to the availability for work clause; and if she will make a statement on the matter. [53481/12]

Minister for Social Protection (Deputy Joan Burton): Social welfare legislation provides that a person must satisfy the conditions of being available for and genuinely seeking work in order to be entitled to jobseeker's benefit or jobseeker's allowance. Any person who fails to satisfy these conditions is not entitled to a jobseeker's payment.

Part-time fire-fighters are entitled to a jobseeker's payment in respect of days that they are engaged in fire-fighting or training. They are, however, required to satisfy the statutory conditions for the receipt of a jobseeker's payment of being available for and genuinely seeking work. In this respect, Deciding Officers do not treat them differently to any other jobseeker's benefit or allowance claimant.

The requirement that retained fire-fighters reside and work within a 1.5 mile radius and within a 5 minute response time of the fire station of their brigade may, subject to the circumstances of an individual case, unreasonably restrict the location where s/he can accept work and limit his/her prospects of obtaining work. It is a matter for Deciding Officers to make a decision

based on the circumstances of each case.

My Department is currently examining the position of these workers *vis-à-vis* the jobseeker's schemes and the unusual circumstances of retained fire brigade personnel. As part of this process officials in my Department are also in discussions with their counterparts from the Department of the Environment, Community and Local Government concerning this issue. Deliberations in relation to the position of these workers are on-going and final decisions have not been made with regard to potential changes to existing arrangements.

Carer's Allowance Appeals

127. **Deputy Robert Troy** asked the Minister for Social Protection if she will expedite the appeal for carer's allowance made in respect of a person (details supplied). [53490/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal, by the person concerned, was registered in that office on 06th November 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. When received, the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Family Income Supplement Payments

128. **Deputy Denis Naughten** asked the Minister for Social Protection the value and number of families paid arrears to date in 2012 under the family income supplement scheme; the steps she is taking to ensure that all renewal applications are cleared immediately and that new applications in the system for months receive a determination before Christmas; and if she will make a statement on the matter. [53497/12]

Minister for Social Protection (Deputy Joan Burton): The Department is committed to providing a quality service to all its customers.

FIS claims, both new and renewal, received on or after the 5th November 2012 are currently being processed on receipt. Currently there are 28,295 families in receipt of FIS, getting an average payment of €106.34 per week. The estimated scheme expenditure for 2012 is €199.46 million. It is not possible to differentiate the amount representing arrears payments from the amount representing normal weekly payments in the total scheme expenditure. When cases are decided customers are awarded arrears back to the date of application. Deductions are made for any overlapping Social Welfare payments that may have been made in the period concerned. I can confirm that almost all FIS claims, both new and renewal, which were awarded during 2012, approximately 32,560 cases up to the end of October, will have received some payment of arrears.

An in-depth business process improvement (BPI) project has recently been completed for the FIS scheme. This project focused on optimising output, improving customer service and the elimination of backlogs. Part of the project was a detailed examination of workloads and a full

assessment of existing capacity within the area and what capacity is needed in order to process the volumes of claims, both new and renewal, being received on a weekly basis.

The outcome of this review is a detailed plan outlining the process required to manage both the continuous weekly intake and backlog claims clearance. This plan sees the current weekly new claim and renewal intake processed by one team, while the backlog is ring-fenced and a focused team assigned to this work with a clear plan for its elimination.

The team including additional temporary resources has been identified and is already assigned and working on the backlog claims. In order to reduce the time it will take to eliminate the backlog, some claims are being processed outside of Longford Social Welfare Services Office. This team is fully focussed on the elimination of the backlog of claims in the shortest possible timeframe, concentrating in the first instance on those claims which were previously in payment but where payment has expired and continuing on to first-time new claims. Within those categories, those waiting the longest will be processed first.

While it is not possible to clear all claims in the backlog before Christmas, every effort will be made to pay as many eligible claims as possible in that timeframe. It is expected that the backlog will be fully eliminated by the end of March 2013. Claims which are approved by the backlog team will be backdated to the date of claim or the date of expiry of the previous claim, as appropriate, and all arrears due will be paid.

Carer's Allowance Applications

129. **Deputy Patrick Nulty** asked the Minister for Social Protection if an application for carer's allowance in respect of a person (details supplied) in Dublin 15 will be expedited; the reason for the delay; and if she will make a statement on the matter. [53524/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department received an application for carer's allowance from the person in question on the 28th February 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

Invalidity Pension Appeals

130. **Deputy Seán Ó Fearghail** asked the Minister for Social Protection if she will arrange for an urgent oral hearing in respect of an appeal by a person (details supplied) in County Kildare following a refusal of an application for an invalidity pension; and if she will make a statement on the matter. [53536/12]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence allowed the appeal of the person concerned by way of summary decision. The person concerned has been notified of the Appeals Officer decision.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Statutory Sick Pay Scheme

131. **Deputy Robert Troy** asked the Minister for Social Protection if she will reconsider the possible introduction of the illness payment as business are just about surviving and this extra cost could cause them to have to make staff redundant only adding to the numbers on the live register; and if she will make a statement on the matter. [53543/12]

Minister for Social Protection (Deputy Joan Burton): The Government is aware of the concerns expressed by employers regarding the possible introduction of a scheme of statutory sick pay, and such concerns are central to our consideration of the matter.

The position remains that the range of complex issues associated with the introduction of such a scheme - including such matters as the provision of compensatory mechanisms for particularly vulnerable employers, the extent of coverage of such a scheme, the appropriate rate of payment involved and how a scheme would be enforced - continue to be examined in the Department.

As I have indicated previously, all of these issues need to be addressed to the satisfaction of the Government before any decision could be taken on the possible introduction of a statutory sick pay scheme.

Social Welfare Appeals Status

132. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review the decision in respect of application for dietary allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [53602/12]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence disallowed the appeal of the person concerned by way of summary decision.

Social Welfare legislation provides for statutory conditions for entitlements to social welfare payments and Appeals Officers must have regard to these statutory conditions in making their decisions.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Back to Education Allowance Applications

133. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the correct level of back to education allowance payable in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [53603/12]

Minister for Social Protection (Deputy Joan Burton): According to the records of this Department, the person concerned is in receipt of the correct level of back to education allowance for a person of her circumstances.

Social Welfare Benefits Applications

134. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will ar-

range for the further assessment in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [53604/12]

Minister for Social Protection (Deputy Joan Burton): A further medical appointment is being arranged for 31st December 2012 for the person named above and arrangements are being made by the Department to have a Polish translator present at the assessment. A notification will be issued to the customer at his new address shortly.

Social Welfare Benefits Applications

135. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if child dependent allowance is payable in respect of jobseeker's benefit in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [53605/12]

Minister for Social Protection (Deputy Joan Burton): An application form for a child dependant allowance issued to the person concerned and should be returned once completed to the Department for processing.

Jobseeker's Allowance Appeals

136. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason a person (details supplied) in County Kildare receives a reduced level of jobseeker's allowance; and if she will make a statement on the matter. [53608/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned had means of €33.00 per week assessed in relation to her recent jobseeker's allowance application. The person concerned has appealed this decision to the Social Welfare Appeals Office.

Question No. 137 withdrawn.

Carer's Allowance Applications

138. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their application for carer's allowance; the reason for the delay in making a decision on this application; and if she will make a statement on the matter. [53633/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department received an application for carer's allowance from the person in question on the 20th April 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

Question No. 139 withdrawn.

Social Welfare Appeals Status

140. **Deputy John McGuinness** asked the Minister for Social Protection if she will expedite a claim for benefit and supplementary allowance in respect of a person (details supplied) in County Kilkenny. [53652/12]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence allowed the appeal of the person concerned by way of summary decision. The person concerned has been notified of the Appeals Officers decision.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Irish Language Issues

141. **Deputy Dominic Hannigan** asked the Minister for Arts, Heritage and the Gaeltacht his plans to recognise the Irish speaking community as stakeholders in the implementation of the 20 years Strategy for the Irish Language which would include a structure for dialogue between the stakeholders and his Department throughout the implementation of the strategy; and if he will make a statement on the matter. [53483/12]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): The Deputy may be aware that under the Gaeltacht Act 2012, the Gaeltacht will in future be based on linguistic criteria instead of on geographic areas which has been the position to date. The Act provides for a statutory language planning process under which language plans will be prepared at community level in areas seeking to achieve statutory recognition. This approach puts communities at the centre of the language planning process since it gives them the opportunity to take ownership of their own plan in their own community.

In addition to Gaeltacht Language Planning Areas, areas located outside the Gaeltacht may achieve statutory recognition as Gaeltacht Service Towns or as Irish Language Networks, subject to fulfilling language planning criteria. Gaeltacht Service Towns are defined as towns in, or adjacent to, Gaeltacht Language Planning Areas which play a significant role in the delivery of services to those areas. Irish Language Networks are defined as areas, located outside Gaeltacht Language Planning Areas, in which there is a basic critical mass of community and State support for the Irish language.

Since Údarás na Gaeltachta is central to community development in the Gaeltacht and provides funding to various community-based organisations, it will assist communities in preparing and implementing language plans in the 19 Gaeltacht Language Planning Areas. Údarás na Gaeltachta, or Foras na Gaeilge, as appropriate, will assist organisations in towns seeking statutory recognition as Gaeltacht Service Towns with the preparation and implementation of language plans, depending on whether the town is located inside or outside the Gaeltacht Language Planning Areas. In addition, Foras na Gaeilge will assist organisations in areas seeking statutory recognition as Irish Language Networks with the preparation and implementation of language plans in those areas.

All of these communities will be central to the implementation of the *20-Year Strategy for the Irish Language 2010-2030*. Under the Gaeltacht Act, it is envisaged that language plans will be prepared and implemented by these communities with the support of Údarás na Gaeltachta or Foras na Gaeilge, as appropriate.

Exploration Licences Approvals

142. **Deputy Michael Colreavy** asked the Minister for Communications, Energy and Natu-

ral Resources if any person or agency working on behalf of his Department had any meetings with personnel from a company (details supplied); if they have, the nature and outcomes of such discussions; and if he will make a statement on the matter. [53501/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): My Department has met with representatives from Tamboran Resources on a number of occasions, one of which such meetings I attended. These meetings are normal practice in the on-going engagement between my Department as regulator and the holders of exploration authorisations. The most recent meeting took place earlier this month when the company provided my Department with a detailed update on its technical assessment of the petroleum resource potential of the area, as required under the terms of its Licensing Option.

Crime Levels

143. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources if he will provide an update on the threat that the recent rise in metal theft poses to the telecommunications industry; if he has had any dialogue with the main telecommunications and broadcasting companies here on the matter; if he will provide a list of metal communications infrastructure which has been stolen in the past two years; the estimated cost to the State of each of these thefts; and if he will make a statement on the matter. [53529/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The protection of telecommunications industry from metal theft is a matter for the owners of such property in the first instance. The investigation of any individual case of theft, as a criminal offence, is a matter for An Garda Síochána and is not therefore a matter in which I have any statutory role.

I am aware of reports of thefts from public lands and premises of metal for the scrap value. Clearly to the extent that such thefts impact adversely in the provision of telecommunications services then this would be a matter of concern to me. The problem has for example been brought to my attention by RTE in relation to metal theft at RTE sites and I have relayed my concerns on this matter to the Minister for Justice and Equality.

I understand that in the area of metal thefts, a number of initiatives have been developed by the Garda Síochána National Crime Prevention Unit.

A Metal Theft Forum has been established under the Garda National Crime Prevention Unit. This forum has met with stakeholders particularly affected by this type of criminality including those in the communications, energy supply, transport, brewery and farming sectors.

I also understand that a Metal Theft Crime Prevention and Reduction Plan which focuses on crime prevention and regulation of the scrap metal industry is at an advanced stage of development and this work is proceeding in consultation with the stakeholders represented on the Metal Theft Forum.

Question No. 144 answered with Question No. 26.

Tax Code

145. **Deputy Dominic Hannigan** asked the Minister for Communications, Energy and Natural Resources if there are any plans to increase the amount of taxation on oil companies profits

in Ireland considering the advanced technology that enables said companies to retrieve oil more easily from the Irish coast; and if he will make a statement on the matter. [53572/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): Incremental advances in technologies of relevance to the international oil and gas exploration industry will not in general confer any greater advantage on Ireland relative to other countries with whom Ireland competes to attract mobile international exploration investment. Notwithstanding some positive recent indications, it is worth recalling that the Corrib gas field, which was discovered in 1996, was the last discovery in the Irish offshore to be declared a commercial discovery. The only producing gas fields in the Irish offshore are those in the Kinsale area and no oil has been produced to date.

The fiscal terms, which were last revised in 2007, seek to reflect the reality of Ireland's exploration experience and seek to strike a balance between maximising the financial return to the State and the need to set the terms at a level that will encourage a greater share of mobile international exploration investment to the Irish offshore. Without a substantial increase in the level of drilling activity in the Irish offshore, from the current level of about one well per year, the true potential of our natural resources will not to be proven.

Ireland's fiscal terms are set at a level similar to countries such as France, Portugal and Spain, who, like Ireland, have limited petroleum production and with whom we compete for investment, rather than at a level comparable to countries such as the UK and Norway who are major petroleum producers.

Broadband Services Provision

146. **Deputy Nicky McFadden** asked the Minister for Communications, Energy and Natural Resources if he will summarise the results achieved for those of the 2011 applicants noted in Parliamentary Question No. 991 of 18 September 2012 by county and by delivery platform dsl, fwa, mobile, satellite and so on, the number, if any, of applicants now remaining in the rural broadband scheme; the position regarding these applicants; the measures that will be taken on behalf of these applicants and when these measures will take place. [53574/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Rural Broadband Scheme (RBS) was launched last year in recognition of the fact that despite the widespread availability of broadband throughout Ireland, there still remained individual premises that were unable to receive broadband provision. This Scheme is aimed at making a basic broadband service available to un-served premises in rural non-NBS areas.

The Application Phase of the RBS closed on 29 July 2011. The Department received 5,000 applications and of these, approximately 3,700 qualified under the terms of the scheme.

The details of applicants were passed to participating companies and the companies responded to DCENR indicating where they may be able to offer services. A total of 29 companies participated in this part of the Scheme and a total of 2011 applicants gave their consent to receive written offers of service from the participating companies.

Data files concerning these remaining 2011 applicants were sent on 30 March 2011 to the remaining participating companies (29 ISPs, no consents were received from applicants identified by two of the participating ISPs and one other withdrew from the process).

ISPs wrote to applicants during April 2012 with offers of service and sought to conclude matters with applicants (where it was possible to do so) over the period 20th April – 27th July

2012.

With all 29 ISPs having returned data files to the Department, the outcome of the Verification Process was that 509 applicants took up a service offered to them and 1496 applicants did not take up a service.

This can be further broken down on a county basis, showing the number of consents and number of offers accepted per county, along with the relevant percentage measurement as set out in the following table:

County	Consent to Receive Offers	Accepted Offer of Service	% Served per County
Carlow	21	7	33.33%
Cavan	45	11	24.44%
Clare	115	30	26.09%
Cork	146	44	30.14%
Donegal	151	56	37.09%
Dublin	46	9	19.57%
Galway	96	22	22.92%
Kerry	67	25	37.31%
Kildare	87	26	29.89%
Kilkenny	40	15	37.50%
Laois	70	22	31.43%
Leitrim	56	13	23.21%
Limerick	37	9	24.32%
Longford	81	17	20.99%
Louth	37	5	13.51%
Mayo	49	13	26.53%
Meath	97	18	18.56%
Monaghan	119	25	21.01%
Offaly	135	25	18.52%
Roscommon	57	8	14.04%
Sligo	42	12	28.57%
Tipperary	186	42	22.58%
Waterford	33	8	24.24%
Westmeath	102	16	15.69%
Wexford	67	21	31.34%
Wicklow	29	10	34.48%
Overall	2011	509	25.31%

The Internet service providers participating in the scheme were not required to provide information regarding the technology used to serve applicants and accordingly it is not possible to provide a breakdown of delivery platform for applicants served through the scheme.

The data returned by the participating service providers indicates that in the case of a total of 6 applicants, it was not possible to provide a service from any of the service providers who made offers.

In these cases, the next step is for my Department to assess what arrangements are necessary to enable a service to be offered to these applicants. However, as the locations in question are so difficult to serve by any of the existing service operators it is unlikely that a standard installation will be a workable solution and once-off solutions might be necessary. Accordingly, the first step is to arrange for the sites in question be visited by one of the Department's technical officers to assess what, if any, workable solution might be found to assist in providing a basic broadband service at the locations in question. My Department will be contacting the applicants in question shortly to make the necessary arrangements.

Cyber Security Policy

147. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the extent to which he and or his European colleagues have been made aware of the increasing incidents of cyber bullying; if any means have been found to combat the extent to which electronic means are used to threaten or intimidate persons of all ages and young person's in particular; and if he will make a statement on the matter. [53578/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Office of Internet Safety has been established by the Government to take lead responsibility for Internet safety in Ireland particularly as it relates to children. This Office operates under the aegis of the Minister for Justice and Equality. The Office also aims at building linkages and cohesion between all Departments and Agencies to ensure that the State provides the best possible protection for the community and promotes Internet safety.

I also understand the Department of Education and Skills have recently set up an anti-bullying working group to address this issue and to make recommendations on how to tackle the challenges associated with cyber bullying.

My Department has developed a website called *www.makeITsecure.ie* to promote best practice in relation to many issues arising from the use of the Internet. This campaign, which was developed with industry, does provide some information in relation to use of ICT by children. While my Department does not lead on the specific issue of cyber bullying, it is available to assist in any initiative taken forward by the other Departments and continues to engage across all Departments in issues relating to the use of the Internet and ICT generally.

Renewable Energy Generation Issues

148. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the extent to which non-fossil fuel electricity production contributes to the national electricity grid; the extent to which targets have been met regarding this to date; his plans for the future; and if he will make a statement on the matter. [53579/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Under the Renewable Energy Directive, Ireland is legally required to ensure that 16% of all energy consumed is from renewable sources by 2020. This target must be met across the electricity, heating and transport sectors, with a sub-target of 10% in transport. In order to meet 16% of total energy, Ireland requires 40% renewable electricity, 10% renewable transport and 12% renewable heat in 2020.

The Sustainable Energy Authority of Ireland (SEAI) has recently published a report entitled Energy in Ireland. It shows that in absolute terms, the total use of renewables in Ireland has al-

most trebled between 2003 and 2011. In 2011, renewable energy accounted for 6.5% of overall energy:

- 17.6% of electricity usage
- 5% of thermal energy
- 3.6% of transport energy

The use of renewable energy avoided the emission of about 3.6 million tonnes of carbon dioxide in 2011. The use of wind energy in 2011 in Ireland is estimated to have reduced fuel imports by about €300 million. Achieving the requisite increase to meet our legally binding target in the relatively short timeframe available will be challenging.

In the electricity sector, EirGrid's "Gate 3" initiative provides for sufficient new renewable generation to meet the 40% electricity sub-target. EirGrid is ensuring sufficient grid upgrade as part of its Grid25 programme as well as ensuring under the "DS3" programme that the necessary operational changes are made to the grid so that our 40% target can be achieved. It is estimated that around 200 MW of new renewable generation needs to be connected per annum to ensure our target is met. New renewable plants from onshore wind, hydro and biomass can apply to participate in the REFIT (Renewable Energy Feed in Tariff) scheme, administered by my Department.

Renewable Energy Generation Issues

149. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the results to date arising from scientific research into the development of alternative energy sources with particular reference to wind energy, hydro or wave energy or other alternatives; and if he will make a statement on the matter. [53580/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Scientific research into a range of alternative/ renewable energy sources has been taking place over many years, and continues to take place in Ireland and internationally. This is supported from both national and EU sources.

Such work can apply at various stages in the development path from idea to market: from basic research to applied research to development to demonstration to commercialisation. In the case of renewable energies, depending on the state of maturity of the technology, such research can focus on proof of concept (early research), or performance improvement, or cost efficiency. For the technologies referenced in the question, hydro and wind are more mature technologies whereas wave energy is still very much at the research and demonstration stage.

The Sustainable Energy Authority of Ireland (SEAI) hosts an energy research web portal on its website at http://www.seai.ie/Renewables/Energy_Research_Portal/ giving details on projects, technologies and research institutions. SEAI also annually publishes an inventory of energy research in Ireland, including renewable energies, on those pages.

The results of studies to date have indicated that wind energy is in the near term Ireland's most abundant, technologically viable and cost competitive renewable energy resource and have further confirmed that the wind energy resource may contribute up to 40% of electricity demand without compromising a stable and reliable electricity system. It is therefore a renewable energy policy priority to utilise Ireland's wind energy resource to the fullest extent possible to meet national 2020 EU renewable energy targets.

Gas and Electricity Disconnections

150. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the extent to which electricity prices here in respect of both a domestic and industrial consumer compare favourably or otherwise with those applicable in other EU member states within and without the Eurozone; and if he will make a statement on the matter. [53581/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I have no statutory function in the setting of electricity prices, whether in the regulated or non-regulated parts of these markets. Responsibility for the regulation of the retail electricity market is a matter for the Commission for Energy Regulation (CER), which is an independent statutory body. Since 4 April 2011 prices in the electricity retail market have been fully deregulated and business and domestic customers can as a result avail of competitive offerings from a number of electricity supply companies. Price setting by electricity suppliers is a commercial and operational matter for the companies concerned.

Global gas and oil prices have risen sharply since the start of 2011 driven by events in the Middle East, North Africa and Japan and demand from the emerging economies of China and India. There are clear indications that international oil and gas prices will rise further over the coming months. The Government is most concerned at the impact of higher electricity prices on residential and commercial consumers. It is the case that in the main Ireland is at the mercy of international fossil fuel prices which dictate the retail price of electricity.

At a national level, our competitive energy market helps put downward pressure on prices. In addition, we must focus on all possible additional actions to mitigate costs where possible for business and domestic customers. This is essential for competitiveness, employment and for economic recovery. I am committed to working with enterprise and with the energy sector to ensure that the costs of energy are as competitive as possible through those measures at our disposal including sustained focus on energy efficiency and renewables.

The latest analysis of data published by Eurostat for electricity and gas prices is published by the Sustainable Energy Authority of Ireland and covers the period July to December 2011. As usual, price statistics are presented for a number of different business and domestic consumers, differentiated by consumption level. This material is publicly available. Most household electricity consumers saw increases of between 18% and 20% in prices during the second half of 2011. For large domestic electricity consumers, comprising 50% of the share of the domestic electricity market, electricity prices were, on average, 98% of those in the Euro area and 105% of those in the EU area. In the second half of 2011 prices to business users increased by just under 12% for most customers, on average. This meant that in the various business user categories, depending on the level of consumption, prices were from 94% to 116% of the EU area average, and from 90% to 110% of the Euro area average.

Renewable Energy Generation Issues

151. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the number of applications for access to the national grid in respect of wind or other alternative energy generating sources; the average waiting time in respect of such applications based on experience over the past five years; and if he will make a statement on the matter. [53582/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

EirGrid figures show that the total number of applications for renewable energy connection to the national grid to date is 879. Of these applications, wind represents 696 applications and other renewable sources represent 183 applications.

372 of these applications were received and placed in the queue from the date that the Gate 3 applications were closed which was November 2007. Until such time as any next gate process is decided upon these applications are not being processed further.

It is not straightforward to provide an “average waiting time” however the majority of these unprocessed applications were received between November 2007 and December 2009.

There has been considerable growth in the deployment of wind farms in Ireland from around 300 Mega Watts of capacity in 2005, to over 1,600 Mega Watts of capacity operational in the market today.

The latest forecasts from the Sustainable Energy Authority of Ireland as to the amount of renewable generation required to meet our 40% renewable electricity target is around 4000 MW of operational capacity, subject to achieving our energy efficiency goals. Currently, approximately 2000 MW of renewable generation is connected to the grid including over 1600 MW of wind generation. A further 1500 MW of renewable generation, almost all of which is new wind generating capacity, has contracted with either EirGrid or ESB Networks.

The Commission for Energy Regulation (CER) operates a processing approach for wind projects looking to connect to the electricity grid. This allows for a strategic view to be taken of network requirements and serves to put in place efficient connection solutions to cater for a large number of applications and to ensure optimum network development, minimising network costs and, where possible, avoidance of network bottlenecks. The EirGrid GRID25 strategy was devised to put in place the necessary infrastructure needed to underpin this market growth.

To date there have been 3 Gates and in the latest Gate 3 phase some 3900 MW of offers have issued to renewable generators. The take up of Gate 3 offers cannot be quantified as yet. Somewhere around 500 MW of Gate 3 have accepted their offers to date and have already contracted with EirGrid or ESB Networks. It is expected that between what is already built in Gate 1 and Gate 2 and what has already contracted to build along with the remainder of Gate 3 is largely sufficient for the achievement of our 40% target, even if some Gate 3 developers ultimately decide not to accept their offer.

Renewable Energy Generation Issues

152. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the full extent of bio-fuel production with particular reference to biodiesel and ethanol; the full extent of all production facilities currently available; his plans for the future; and if he will make a statement on the matter. [53583/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): According to the most recent Biofuels Obligation Scheme Annual Report, there were four entities producing biofuels participating in the Biofuel Obligation Scheme.

The Biofuel Obligation Scheme was introduced in July 2010 as the primary means to meet the target of at least 10% renewable energy in transport by 2020, which was mandated by the Renewable Energy Directive. It is estimated that 8.4% of the energy in transport in Ireland will be achieved by deployment of biofuels by 2020. The Biofuel Obligation currently requires that the amount of biofuels brought to the market is not less than 4% by volume of the relevant

disposal of petroleum road transport fuels. This obligation will increase over time with the first increase happening from 2013. The biofuel obligation has successfully delivered increased amounts of biofuel in Ireland resulting in 145 million litres of biofuel being placed on the Irish market in 2011. It will ensure the sustainable growth of the Irish biofuels market thus supporting the growth of sustainable indigenous production of biofuels.

Energy Resources

153. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the degree to which this country's dependency on imported fuel/energy sources has changed in relation to its reliance on imported fuels; the extent to which this has developed over the past five years; and if he will make a statement on the matter. [53584/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Sustainable Energy Authority of Ireland (SEAI) released its latest Energy in Ireland report on Tuesday November 27th. This shows that Ireland's overall energy import dependency reached 90% in 2006 but has decreased to 88% in 2011. The SEAI report highlights that a number of factors influence this trend, including reduced production of domestic gas and peat. However, in recent years Ireland has begun to harness significant quantities of renewable resources. In 2011, renewable energy grew by 24% to represent 6.4% of Ireland's gross final energy use.

Energy policy objectives for Ireland and the European Union are delivering security of supply and reducing the impact of energy costs for consumers and business through the development of renewable energy resources, enhanced energy efficiency and greater competition. National and EU energy policy objectives are also informed by the vital work of the IEA on all aspects of energy supply.

Ireland, however, remains critically dependent on imported fossil fuels, particularly oil and natural gas, which are subject to price volatility and geopolitical risks. This dependency underlines the immediate and long term imperatives of enhancing energy security and moving to more sustainable forms of energy. It is also critical for climate change targets. The Government is also committed to continuing and enhancing the delivery of significant energy efficiency improvements across the commercial, public and private sector. Energy efficiency will progressively reduce Ireland's dependence on imported fossil fuels, while supporting energy competitiveness and security as well as employment and economic activity and reducing emissions.

Electricity Generation

154. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the extent to which the full potential of this country's ability to export electricity is likely to be achieved in the short and medium term; the degree to which this is likely to impact on the economy in the future; and if he will make a statement on the matter. [53585/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): In 2011, Ireland had 17.6% renewable electricity, 3.6% biofuels and 5% renewable heating, which amounted in total to 6.5% of all energy consumed being from renewable sources.

Our intention, in order to meet our 2020 binding targets, is to increase renewable energy to 40% in the electricity sector, 10% in the transport sector and 12% in the heating sector, which together amounts to 16% overall, in line with our legally binding target under the EU Renew-

able Energy Directive.

Separate to meeting our challenging national target, the potential for export of renewable electricity was outlined in the Strategy for Renewable Energy 2012-2020, which I published earlier in the year.

The mechanisms by which renewable energy can be traded with another country are provided for under the Renewable Energy Directive in Articles 6-12 on cooperation mechanisms.

Countries can agree statistical transfer, which involves the purchase of renewable credits by the importing country in order to meet their target or they can agree joint projects which involves identifying specific projects for the purpose of renewable trading and agreeing how the projects will be financed and how the renewable value will be counted towards each country's renewable target under the Directive.

The use of these co-operation mechanisms under the Directive requires formal agreement between two or more Governments. Increased interconnection between the UK and Ireland offers Irish developers the prospect of being able to access a much larger electricity market.

The electricity market in GB is around ten times the scale of the electricity market in Ireland. In the short term there are opportunities for on and offshore wind and biomass projects, but in the medium to longer term as technologies mature and become commercially deployable, there will also be opportunities for wave and tidal developers. The volume of such trade that may develop over time depends on the ability of developers to successfully bring their projects through planning stages and achieve market access for their projects in the UK market.

There are currently a number of potential project developers that have expressed interest in renewable export. I have had a number of bilateral discussions with my UK counterpart in this regard and my officials are actively exploring the possibility of trade in renewable energy between the two jurisdictions, with a view to reaching a Memorandum of Understanding by end year. If the Irish Government decides to enter an Inter-Governmental agreement under the Directive with the UK or another Government, it will have to ensure sufficient return and benefits to the state from such projects. This would likely include either a share of the renewable value or the imposition of a royalty of some type.

Telecommunications Services Provision

155. Deputy Bernard J. Durkan asked the Minister for Communications, Energy and Natural Resources if any study has been done on the quality and extent of cover of the various mobile telephone service providers throughout the country; if complaints in relation to the quality of service continue to be monitored and or addressed; if customers in particular areas continue to have a poor quality of service; if the regulator has been made aware of any such deficiencies; if any corrective action is warranted; and if he will make a statement on the matter. [53586/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The provision of mobile phone networks and services is undertaken by telecommunications service providers operating in a liberalised market, regulated by the Commission for Communications Regulation (ComReg). Licences to provide mobile telephony services are granted by ComReg pursuant to the Wireless Telegraphy Act, 1926, as amended, and have been issued to the following Mobile Network Operators (MNOs), Vodafone, O2, Meteor and H3G. There are also a number of Mobile Virtual Network Operators (MVNOs) in Ireland such as Tesco Mobile Ireland, E-mobile, Postfone and Lycamobile who have entered into commercial wholesale network access arrangements with MNOs.

Their licences, among other things, require MNOs to provide a minimum level, of both population coverage and quality of service. In practice in all cases networks exceed the minimum stipulated coverage and quality of service requirements for commercial reasons. Compliance with licence requirements is assessed bi-annually by ComReg. Any discrepancies with the requirements of the Licence, found during the assessment have to be addressed by the MNO concerned to ComReg's satisfaction.

Furthermore, if any consumer raises a complaint with an MNO and the consumer is unhappy with the MNOs response, then, I understand that the ComReg will progress such complaints with the MNO concerned in an attempt to reach a resolution.

Telecommunications Services Provision

156. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources if any particular comparisons have been made with other EU jurisdictions on the extent to which mobile phone roaming charges apply; if particular EU jurisdictions have by one means or another a more beneficial application of such charges; and if he will make a statement on the matter. [53587/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The provision of mobile telephone roaming services within the EU is governed by "EU Regulation 531/2012 of 13 June 2012 on roaming on public mobile communications networks". This Regulation is the third in a series of such regulations which commenced in 2007 to increase the level of consumer protection over time for customers using roaming services.

The current Regulation, which commenced on the 1 July 2012, among other things, continues the process of imposing reductions in the maximum permitted retail charges for roaming services within the EU over time and requires the Body of European Regulators for Electronic Communications (BEREC) to collect data on roaming charges which is made public.

The most recent BEREC report on this matter for the period July-December 2011, which was published in May 2012, concludes that average EU retail prices for roaming voice and SMS services are close to the permitted EU price caps. This indicates there are no significant price variations between member states for these services.

Regulation of the maximum retail price for roaming data services first commenced on 1 July last under the current EU Regulation and price comparisons, benchmarked to the permitted price cap, are not yet available.

Postal Services

157. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the extent to which postal services continue to remain an integral part of the communications infrastructure in all regions throughout the country; the extent to which plans remain in place to ensure the provision and retention of counter services and next day delivery services throughout the entire country; if in the wake of de-regulation provision will continue to be made to meet such requirements; and if he will make a statement on the matter. [53588/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Operational matters in relation to the post office network are a matter for the management and Board of An Post and one in which I have no statutory function. As shareholder, however, I

do have a strong concern in relation to the ongoing commercial position of the Company and I regularly liaise with the Company in this regard.

An Post has many strengths and has the largest retail presence in the country. I have impressed on the Company the need to further exploit its unique position in this regard and have been supportive of its attempts to diversify its income streams and to win a wider range of commercial contracts offering higher margins.

This strategy is bearing fruit with the enhanced arrangement with AIB and its agreement with Aviva for the transfer of Aviva Ireland's branch offices personal insurance business book to One Direct.

In the context of the public sector transformation agenda, I will continue to engage with my colleague the Minister for Public Expenditure and Reform in relation to consideration, as appropriate, of the post office network for transactional elements of the business of Government Departments and Agencies and have stressed to my Government colleagues that the network is ideally configured for over the counter transactions.

In relation to postal services, the Government's core policy goal for the postal sector is to ensure that Irish customers, both business and residential, enjoy competitively priced, high quality postal services. The Communications Regulation (Postal Services) Act 2011 has put in place a robust and appropriate regulatory framework for the postal services market.

While I have overall responsibility for the postal sector, the Act charges the Commission for Communications Regulation (ComReg), as the postal regulator, with the promotion of the development of the postal sector and particularly the availability of the universal postal service, the promotion of the interests of users and the facilitation of the development of competition in the sector. ComReg is in regular contact with my Department.

Under the 2011 Act, An Post is statutorily required, as the designated universal service provider, to provide a universal postal service. The essential element of this obligation is the collection and delivery of mail to every address in the State on every working day.

The universal service obligation is a form of safety net, ensuring by way of regulatory obligations that a minimum set of services is provided at an affordable price for the benefit of all users, irrespective of their geographical location. It is a fundamental principle of the regulatory framework for postal services and is an explicit requirement of the EU Postal Services Directive which has provided for the gradual and controlled opening of the postal services market to competition.

The Deputy may wish to note that the Communications Regulation (Postal Services) Act of 2011 also makes provision for a compensation mechanism, to be met by the postal industry, if it is found that the universal service obligation is an unfair burden on the designated universal service provider.

Broadband Services Speeds

158. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the extent to which high-speed broadband is available nationwide; the efforts being made to address any deficiencies identified; when it is expected that broadband services here will be on par with the best available globally; the particular issues if any impeding such provision; the steps being taken to address these; and if he will make a statement on the matter. [53589/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

The Government accepts that the widespread availability of high speed broadband is a key requirement in delivering future economic and social development. With basic broadband services now widely available across Ireland, the challenge is to accelerate the roll out of high speed services.

The National Broadband Plan aims to radically change the broadband landscape in Ireland by ensuring that high speed services of at least 30Mbps are available to all of our citizens and businesses, well in advance of the EU's target date of 2020, and that significantly higher speeds are available to as many homes and businesses as possible. This plan follows on from the publication of the report of the Next Generation Broadband Taskforce and a period of public consultation. Full details of these reports can be found on my Department's website at the following link: <http://www.dcenr.gov.ie/Communications/Communications+Policy/Next+Generation+Broadband/>

The National Broadband Plan commits to high speed broadband availability across the country – specifically:

- 70Mbps – 100Mbps will be available from the commercial market operators to more than half of the population by 2015;

- At least 40Mbps, and in many cases faster speeds, to at least a further 20% (and potentially as much as 35%) of the population during the lifetime of the Government; and

- A minimum of 30Mbps for every remaining home and business in the country, also during the lifetime of the Government.

It is intended that the private sector will be the key driver of investment with potential State intervention only where the market is unlikely to invest.

The plan contains actions for: investment, demand stimulation, infrastructure barrier removal, spectrum policy, potential contribution of State entities, and policy and regulation.

This approach seeks to achieve a step-change in the level of services available throughout the country, by accelerating private sector investment through a range of actions by public stakeholders, and particularly with regard to rural areas where the State expects to co-invest with the private sector in areas where the commercial case for infrastructure investment does not exist.

During the preparation of the National Broadband Plan, the commercial market operators indicated that they expect to provide 70Mbps to 100Mbps services to 50% of the population by 2015. The areas to be provided with those services will be determined by the commercial market operators.

One of the first steps in delivering on the 30Mbps and 40Mbps commitments will be the completion of a formal national mapping exercise to determine the exact position in relation to commercial service providers' existing and planned broadband services throughout the country. Preparatory work has commenced within my Department to expedite this mapping exercise.

The mapping exercise will identify the areas of the country where there is market failure in the provision of high speed broadband services. It will also identify where the market is expected to succeed and fail in the delivery of high speed broadband over the coming years. This process is expected to take at least a number of months to complete and will identify the precise areas of the country which will require State intervention to ensure that the Government's commitment to ensure that a minimum of 30Mbps is available throughout the country.

Energy Resources

159. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the progress made towards the delivery of product from the Corrib Gas field; the estimated time within which this is likely to be possible; and if he will make a statement on the matter. [53590/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Completion of the Corrib gas field development works by the developer is the principal factor that will determine the date for first gas. Pending such completion, it is not possible to state a date for when gas from the Corrib gas field will become available. It is estimated that construction of the onshore section of the pipeline, which began last year, including the construction of a 5km tunnel, will take in the region of three years. First gas cannot therefore reasonably be anticipated before end 2014.

Energy Schemes Issues

160. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources if he will provide figures for the net voted expenditure by his Department on all national energy retrofit programmes by category for each fiscal year 2000 to 2011 and to date in 2012; the actual moneys spent in respect of the same categories and years; his Department's total not voted expenditure in each of those years; and if he will make a statement on the matter. [53621/12]

161. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources the level of uptake of national home and business retrofit schemes in terms of the moneys committed against the actual figures spent for each year 2006 to date in 2012; and if he will make a statement on the matter. [53622/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 160 and 161 together.

In the time available, it has not been possible to identify and assemble the information requested. My Department is in the process of identifying and assembling the information and I will revert to the Deputy as soon as possible.

Household Charge Collection

162. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government if a household which had not paid the household charge went into probate, would those who take ownership of the home after the process has been completed be liable for late fines or interest on the charge [53408/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislative basis for the Household Charge.

Section 4(3) of the Act provides that where a person who is the sole owner of a residential property dies, the personal representative of the deceased person is not, in respect of that residential property, liable to pay the Household Charge relating to a year in which the liability date falls after the date of death of the deceased person and before the date of issue of a grant of

representation to the estate of the deceased person.

Section 7 of the Act provides that where a person who is the sole owner of a residential property dies and, at the date of his or her death, a Household Charge, a late payment fee, late payment interest or any part of such charge, fee or interest remains unpaid in relation to that property, no further late payment fee or late payment interest is payable in relation to that property until a grant of representation to the estate of the deceased person issues to the personal representative of such deceased person.

The personal representative of a deceased person is, as soon as a grant of representation to the estate of the deceased person issues to him or her, liable to pay to the relevant local authority the full amount due and owing by the deceased, at the date of his or her death, in respect of a Household Charge and any related late payment fee and late payment interest.

The personal representative must pay within 3 months of the date of issue of a grant of representation in order to have no further liability in respect of the said Household Charge and related late payment fee and late payment interest due and owing by the deceased at the date of his or her death. If the personal representative does not pay within 3 months he or she is liable to pay to the relevant local authority, in addition to the said full amount, a late payment fee and late payment interest in respect of each month or part of a month in which any part of such full amount remains unpaid. Interpretation of legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts.

Household Charge Collection

163. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the person who is liable for the payment of the household charge in a situation where a person is only in control of a portion of their home having entered into an agreement with a company (details supplied). [53409/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislative basis for the Household Charge. Under the legislation, an owner of a residential property on the liability date is liable to pay the household charge, unless otherwise exempted or entitled to claim a waiver.

Section 3(4) of the Act provides that where a residential property is owned by two or more persons, those persons shall be jointly and severally liable to pay the Household Charge in respect of that property. Payment of the Household Charge by one co-owner will discharge the liability of each co-owner to pay the Household Charge. Interpretation of legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts.

Traveller Accommodation

164. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government the funding applications for the current Dublin City Council traveller accommodation 2009-2013 that were made; when it was made; the amount for same and specifications of the accommodation funds requested. [53428/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): In accordance with the provisions of the Housing (Travel-

ler Accommodation) Act, 1998, responsibility for the assessment of the accommodation needs of Travellers and the preparation, adoption and implementation of multi-annual Traveller Accommodation Programmes, designed to meet identified housing need, rests with individual housing authorities. The detailed information requested in relation to the cost and specification of the various project proposals and funding applications submitted to my Department by Dublin City Council under the Council's Traveller Accommodation Programme 2009 - 2013 is being compiled and will be forwarded to the Deputy as soon as possible.

Community Development Initiatives

165. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he has received correspondence from Donegal Local Development Company in relation to projects taken over by them from another body (details supplied) which has gone into liquidation; when he will respond to this correspondence; if he will intervene to ensure that the moneys are paid out for these projects; and if he will make a statement on the matter. [53435/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Meitheal Forbartha na Gaeltachta (MFG), the group contracted by my Department to deliver Axes 3 & 4 (LEADER) of the Rural Development Programme (RDP) in Irish Language Areas, went into liquidation on 7 September 2011. Progress, in the context of the legal "winding up" process, is currently ongoing.

Local Action Groups in contiguous geographical areas have been engaged to implement an interim system to facilitate grant payment to projects that were at an advanced stage of development. Many of these project files have now been sent to the relevant Local Action Groups, including the Donegal Local Development Company (DLDC), who are contacting the promoters directly to facilitate payment where appropriate. This also involves a full review of the project files by the Local Action Group. I understand that the process is now well underway to enable Local Action Groups to process eligible claims by project promoters for the payment of grants. My Department is in constant contact with all relevant Local Development Companies including Donegal to ensure that all issues that arise in the context of the resumption of the delivery of RDP funds to Gaeltacht areas are addressed and that the systems are working efficiently and effectively.

In the context of the delivery of Axes 3 & 4 (LEADER) of the RDP in Irish language areas for the remainder of the programming period, a long term delivery solution has been agreed with DLDC for the Gaeltacht areas of Donegal. DLDC is already working with communities on the ground to facilitate the continued delivery of RDP funds.

Household Charge Exemptions

166. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government the reason a housing estate (details supplied) in County Cork was not included in the list of unfinished estates qualifying for a waiver from the household charge. [53443/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): As part of the process of preparing the National Housing Development Survey 2011, launched by my Department in October 2011, local authorities provided details of all unfinished housing developments in their areas. Unfinished housing de-

velopments were divided into four categories as follows:

- Category one, where the development is still being actively completed by the developer, or where no serious public safety issues exist;
- Category two, where a receiver has been appointed;
- Category three, where a receiver has not been appointed and the developer is still in place but effectively inactive; and
- Category four, where the development has been effectively abandoned and is posing serious problems for residents. Other relevant factors for the purposes of the categorisation process include, *inter alia* :
 - the state of completion of roads, footpaths, public lighting facilities, piped water and sewerage facilities and open spaces or similar amenities within the development;
 - the extent to which the development complies with the terms of applicable planning permission;
 - the extent to which it complies with the provisions of the Building Control Acts 1990 and 2007;
 - the provisions of the Local Government (Sanitary Services) Act 1964 as they pertain to dangerous places and dangerous structures within the meaning of the Act;
 - the extent to which facilities within the development have been taken in charge by the local authority concerned and,
 - where there is an agreement regarding the maintenance of such facilities, the extent to which this agreement has been complied with.

This categorisation formed the basis for the list of those unfinished developments eligible for a waiver on the annual household charge. Only households in developments in categories three and four are eligible for the waiver from payment of the household charge. The list of developments in which households are eligible for the waiver in 2012 is set out under the Local Government (Household Charge) Regulations 2012.

Under the legislation, an owner of a residential property on the liability date of 1 January 2012 is liable to pay the household charge, unless otherwise exempted or entitled to claim a waiver. The household charge is on a self-assessment basis and it is a matter for an owner of a residential property on the liability date to determine if he/she has a liability and, if so, to declare that liability and pay the household charge.

Fire Service Issues

167. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that proposals by the National Directorate and Fire Emergency Management Body if adopted would reduce manning levels for Dublin to below the agreed minimum; and if he will assure the public that those proposals will not be accepted and minimum levels will be maintained. [53464/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 492 of 27 November 2012. The position is unchanged.

Tenant Purchase Scheme Applications

168. **Deputy Noel Harrington** asked the Minister for the Environment, Community and Local Government his plans to extend the 2011/2012 local authority tenant purchase scheme due to special circumstances (details supplied); and if he will make a statement on the matter. [53479/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I have this week made regulations extending the final date for completion of sales under the 2011 Fixed-term Tenant Purchase Scheme for Long-standing Tenants from 31 December 2012 to 30 June 2013. This will facilitate the completion of sales in respect of which purchase applications were made by 31 December 2011 but the amending regulations do not permit any further purchase applications to be made under the scheme.

Leader Programmes Funding

169. **Deputy Arthur Spring** asked the Minister for the Environment, Community and Local Government when authority will be transferred to North and East Kerry Partnership and South Kerry Partnership in order that applications for LEADER funding by Kerry companies located in areas in Kerry, which were previously covered by Meitheal Forbartha na Gaeltachta, can be accepted and administered; and if he will make a statement on the matter. [53515/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 148 of 22 November which sets out the position in this matter.

Special Areas of Conservation Designation

170. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government if there is any funding available for a landowner of a quarry which is in an SAC to carry out an appropriate assessment. [53518/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I refer to the reply to Question No. 466 of 13 November 2012, which sets out the position in this matter.

Property Services Regulation

171. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government if there is a central database or register of estates under the management of management companies; and if he will make a statement on the matter. [53527/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): My Department has no function in relation to the operation of property management companies and is not aware of any central database or a register of estates that are under the management of such companies. The Multi-Unit Developments Act 2011, under the remit of my colleague the Minister for Justice and Equality, regulates the management and operation of such companies.

Septic Tank Registration Scheme

172. **Deputy Paudie Coffey** asked the Minister for the Environment, Community and Local Government if he will provide in tabular form the number of specific tanks that have been registered with each local authority; and if he will make a statement on the matter. [53531/12]

173. **Deputy Paudie Coffey** asked the Minister for the Environment, Community and Local Government if he has made any provisions in his budgets to allow for grant assistance for those who may need to upgrade their septic tanks to bring them in line with current regulations; and if he will make a statement on the matter. [53532/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 172 and 173 together.

As of 28 November, applications in respect of the on-site wastewater treatment systems of almost 225,000 owners, who have registered on-line, by post or in person at their local authority offices, have been processed. I understand that there are a further 65,000 registration applications which are waiting to be processed by the bureau operated by the Local Government Management Agency. In total, therefore, some 290,000 householders have registered their systems to date. Census 2011 recorded that there are 497,281 households served by septic tanks or other treatment systems. Householders who have not yet registered have until 1 February 2013 to register their system.

I have stated on a number of occasions that I am prepared to consider all possible options to provide financial support to householders whose wastewater treatment systems are deemed, following inspection under the new legislation, to require substantial remediation or upgrading. The matter is under active consideration in my Department. The provision of any financial support will have regard to the overall budgetary situation and to the financial position of the individual households concerned.

Details of the numbers of processed registrations for each County and City Council are set out in the following table.

Water Services Authority	Estimated total number of on-site waste water treatment systems	Number of on-site waste water treatment systems registered	Number of on-site waste water treatment systems registered as a percentage of the estimated total number
Carlow County Council	7190	3396	47%
Cavan County Council	14477	7529	52%
Clare County Council	19769	13064	66%
Cork City Council	586	304	52%
Cork County Council	57993	22758	39%
Donegal County Council	32955	8360	25%
Dublin City Council	2718	66	2%
Dún Laoghaire Rathdown County Council	1928	653	34%
Fingal County Council	5213	1733	33%
Galway City Council	1145	403	35%
Galway County Council	42161	16785	40%
Kerry County Council	28277	18040	64%
Kildare County Council	16795	7741	46%

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Water Services Authority	Estimated total number of on-site waste water treatment systems	Number of on-site waste water treatment systems registered	Number of on-site waste water treatment systems registered as a percentage of the estimated total number
Kilkenny County Council	15368	8146	53%
Laois County Council	11309	5589	49%
Leitrim County Council	7005	3438	49%
Limerick City Council	420	136	32%
Limerick County Council	24207	9812	41%
Longford County Council	7556	4256	56%
Louth County Council	11633	3998	34%
Mayo County Council	26659	11589	43%
Meath County Council	21687	11426	53%
Monaghan County Council	12065	4760	39%
North Tipperary County Council	12342	5710	46%
Offaly County Council	11170	4924	44%
Roscommon County Council	14297	7325	51%
Sligo County Council	11192	5504	49%
South Dublin County Council	2266	661	29%
South Tipperary County Council	14442	6776	47%
Waterford City Council	488	229	47%
Waterford County Council	11466	4714	41%
Westmeath County Council	12165	5808	48%
Wexford County Council	26267	12207	46%
Wicklow County Council	12070	6864	57%

Drug Treatment Programmes Funding

174. **Deputy Micheál Martin** asked the Minister for the Environment, Community and Local Government if he will confirm that funding will be provided to allow the retention of the important estate management projects in areas (details supplied) in Dublin 24; the concerns of the local community in respect of these projects; and if he will make a statement on the matter. [53555/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The projects concerned operated as mainstreamed drugs projects under my Department’s housing programme. Following significant reductions in the funding available to support the projects in 2012 my Department, exceptionally, provided *pro rata* funding to support the projects until end June 2012.

Following a consultation process South Dublin County Council identified interim funding to maintain the projects during the second half of 2012. The funding was identified on a partnership basis between the Council and the Tallaght Local Drugs Task Force. The Council has

advised that this funding represented a once-off contribution and has allowed the project additional time to explore alternative funding mechanisms and to identify resources to deliver on the overall objectives of the project beyond 2012, including through alternative service delivery models.

The interim funding has also allowed the project to continue while the report of my colleague the Minister of State with responsibility for the National Drugs Strategy on the review of the structures that underpin the strategy at local, regional and national level is finalised. It is understood that this report will be made available once deliberations are completed.

Community Development Initiatives

175. **Deputy Micheál Martin** asked the Minister for the Environment, Community and Local Government his plans for the future of the Dodder Valley Partnership and CPLN Area Partnership; if he will also note that any new plans must ensure provision for strong community representation at board level; and if he will make a statement on the matter. [53556/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Following Government approval I published the local government reform programme, Putting People First, which includes the alignment of local and community development with local government. This involves, *inter alia*, an enhanced role for local government in local and community development and seeks to create greater efficiencies in structural arrangements and service delivery to the citizen, at local level.

In June 2012 my Department requested that CPLN Local Development Company, Dodder Valley Local Development Company and South Dublin County Council (SDCC) develop a plan to establish a single structure for Local and Community Development Programme (LCDP) delivery in the two areas in question. The new structure will operate within the SDCC boundary and will facilitate the generation of efficiencies; in the longer term it will allow a more effective sharing of resources, reducing overall administration and operating costs, while at the same time preserving the core, front-line element of the LCDP.

Following consultations between my Department, the Chairpersons, CEOs and Boards of Management of both companies and SDCC, an agreement was reached. This involves the establishment of a single Company to promote and deliver Local and Community Development Programmes in the South County Dublin Area. In advancing this work and the broader alignment initiative, I am concerned that the integrity of the local development model is protected as outlined in the Alignment Report, while bearing in mind our fiscal constraints.

Guidelines for the governance of all Local Development Companies were drawn up in 2007 and these include a structure for the Board of each Company. The Board structure of the new company will allow for a strong community presence commensurate with the catchment area for the merged entities.

Local Authority Funding

176. **Deputy Joanna Tuffy** asked the Minister for the Environment, Community and Local Government if he will consider granting South Dublin County Council the same level of allocation per resident from the Local Government Fund in 2013 as Fingal County Council; and if he will make a statement on the matter. [53558/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I presume the question relates to General Purpose Grants from the Local Government Fund. General Purpose Grants contribute to meeting the difference between the cost to local authorities of providing a reasonable level of services and the income available to them from local sources and from specific grants.

Local authorities cost and income bases vary significantly from one another and calculating an appropriate distribution of these grants is complex. General purpose grants from the Local Government Fund are structured to bring about equalisation over time; that is a position of balance where the financial needs of local authorities are met by their resources and they are able to provide an appropriate level of service to their customers.

In determining these grants a number of factors are taken into account including the overall funding available for this purpose, the estimated cost to each authority of providing a reasonable level of services to their customers, the income each authority should generate from local sources and the necessity to provide each authority with a baseline allocation that will support its financial stability .

In line with previous years, it is my intention to inform local authorities of their 2013 general purpose grant allocations following the announcement of Budget 2013. I will seek to contribute to the general purpose funding of local authorities to the maximum extent possible in 2013, having regard to the current pressures on the public finances and motor tax income.

Regeneration Projects Status

177. **Deputy Michael Moynihan** asked the Minister for the Environment, Community and Local Government if he will provide an update on the position regarding the new dedicated Office for Regeneration which was announced on 3 February 2012 and according to that announcement, was to be a separate entity with the unified local authorities of Limerick city and council and to have responsibility for the management and administration of the regeneration programme of specific areas of Limerick city and if he will provide and outline the legal status of the Office of Regeneration, what the goals of regeneration now are, the areas covered by the Regeneration Project, what the staffing of the Office of Regeneration is and respective responsibilities of the staff and the chain of accountability within the office and of his office; and if he will make a statement on the matter. [53575/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Following the publication of the Fitzgerald Report on addressing issues of social exclusion in Moyross and other disadvantaged areas of Limerick City the Government agreed to support a regeneration programme for key areas of Limerick City, including Moyross, Southill, Ballinacurra Weston and Kings Island/St. Mary’s Park. The Limerick Regeneration Agencies (Northside and Southside) were established in June 2007 for a five-year term to 14 June 2012 for the purposes of building confidence and trust within the communities in Limerick and to facilitate a coordinated public sector response to the regeneration process. On the completion of their five-year term, the functions, assets, undertakings and liabilities of the Agencies were formally transferred to Limerick City Council, pending the establishment of the new Limerick Unitary Authority, with a new dedicated Office of Regeneration taking responsibility for managing and implementing the regeneration programme.

The Office of Regeneration, with a dedicated staff of 23 administrative, technical and professional personnel, is headed by a Director of Regeneration, reporting directly to the Unitary Authority Manager. The Office currently has four staff at Senior Executive Officer/Project

Manager level to administer the social and economic regeneration programmes and the delivery of the physical implementation plans for the relevant areas. Two senior staff members are located at Moyross and Southill respectively. A complement of staff, including technical and professional staff with appropriate skills in the areas of planning, design and engineering services, are deployed at the Office of Regeneration to support the delivery of regeneration in the city.

The Director is charged with overseeing the transfer of functions from the Agencies to Limerick City Council and progressing the compilation and implementation of strategies and programmes for the physical, social and economic regeneration of the four areas concerned. This new Office, with key decision makers working in a single, unified team, will accelerate the delivery of projects as the regeneration process transitions from the planning to the implementation phase. Regeneration is retained as a separate entity with its own dedicated staff and annual capital budgets which gives a new impetus to regeneration and builds on the foundations laid so far by the Agencies.

Over the past five years, a robust framework has been put in place to facilitate consultation with stakeholder groups on wide-ranging issues relating to the development and implementation of social and physical regeneration strategies. The Office of Regeneration is engaging with this framework to deliver, as a priority, robust Implementation Plans which will act as a road-map for regeneration in the coming years. An Implementation Plan for the physical, social and economic regeneration of the four areas will be published shortly by the Office of Regeneration

My Department retains overall responsibility for the policy and funding of the National Regeneration Programme. The programme is managed by an experienced team of administrative and technical personnel with a range of financial management, project management, planning, design, engineering and quantity surveying skills.

Regeneration Projects Funding

178. **Deputy Michael Moynihan** asked the Minister for the Environment, Community and Local Government if he will [provide an update of the operation of the specific fund of €1 million (details supplied), for community initiatives that would contribute to regeneration in specific areas of Limerick city and to be managed by the new Office for Regeneration; if he will provide details of the way in which the fund will operate, the criteria that will govern the fund; the way the fund relates to the existing funds available for social initiatives within the Regeneration Project; the initiatives that have received monies from this fund to date; and the period the fund will operate; and if he will make a statement on the matter. [53576/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The €1 million fund has been used by the Office of Regeneration to support a broad range of social interventions within the regeneration areas, which heretofore had not been included for funding by the former Regeneration Agencies.

The Office of Regeneration established an Assessment Committee, comprising of suitably skilled personnel, to assess applications against a pre-determined set of eligibility criteria. These criteria are clearly set out in the application process and are based on those already in place for the Social Interventions Fund operated by the Agencies and, more recently, by the Office of Regeneration. The criteria used in assessing applications include the specific need being addressed by the proposed project, consistency with the regeneration strategies and programmes, project sustainability, expected outcomes, value for money and capacity within the promoting body in terms of management skills and governance arrangements.

My Department has asked the Office of Regeneration to submit an end of year report on all the projects approved under the measure, together with details of the funding provided and the expected outcomes.

Regeneration Projects Funding

179. **Deputy Michael Moynihan** asked the Minister for the Environment, Community and Local Government if he will provide details regarding the amount of funding available in 2012 and 2013 to support the community and voluntary sectors delivering the regeneration social interventions under the Limerick Regeneration Project in Moyross, Southhill, St Mary's Park and Ballincurra Weston; and if he will outline the criteria, structures and decision making mechanism by which funding applications for such interventions are to be considered in 2013; and if he will make a statement on the matter. [53577/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): This year my Department is providing €27.5 million to support ongoing regeneration in Limerick. Projected levels of activity in 2013 will be subject to the financial provisions for housing, which will be determined in the context of the 2013 Estimates process.

Some €4 million of the overall 2012 capital allocation is being set aside for the purposes of supporting social intervention initiatives across the four regeneration areas. It will be a matter for the Office of Regeneration to submit to my Department a detailed programme of regeneration projects for funding in 2013, including a programme of social interventions to be delivered by the community and voluntary sectors.

In January 2010, the Local and Community Development Programme (LCDP) superseded the Community Development and the Local Development Social Inclusion Programmes.

The objective of the Programme is to tackle poverty and social exclusion through partnership and constructive engagement between Government, its agencies, and people in disadvantaged communities.

As part of its four high level goals, the Programme supports individuals into employment and self-employment through education, training, work experience, job placement, enterprise, and the social economy in both urban and rural areas.

The Programme is managed by Pobal on behalf of my Department and is delivered at a local level by the nationwide network of 51 Local Development Companies. This year some €55m has been allocated to the Programme. Paul Partnership is based in Limerick city and is one such Local Development Company, with a budget for delivery of the LCDP of some €1.6m in 2012. Two further local development companies, West Limerick Resources Limited and Ballyhoura Development Limited deliver the LCDP in the Limerick county area and have a combined budget of almost €1.2m in 2012.

Leader Programmes Funding

180. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the date on which he expects Mayo North East Leader Partnership to resume the processing of applications for LEADER funding in the area and the payment out of approved applications; and if he will make a statement on the matter. [53613/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Mayo North East Leader Partnership (MNELP) is the Local Action Group contracted by my Department to deliver both the Rural Development Programme (RDP) and the Local Community Development Programme (LCDP) to the North Mayo area.

On foot of correspondence I received in 2011 regarding a possible governance issue at Mayo North East LEADER Partnership Company, I directed my Department to investigate the matter. This investigation is complex but advanced, and approval of projects under the LEADER element of the Rural Development Programme is currently suspended pending its completion. Payment of eligible approved applications is progressing as normal.

My Department will act on the recommendations of the investigation as soon as is possible following its completion and is committed to providing the resources of the Rural Development Programme (LEADER) to the area going forward.

Pyrite Panel Report Implementation

181. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government when the review of insurance issues, recommendations 21 and 22 of the Pyrite Panel, will commence, in view of comments (details supplied). [53616/12]

182. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he will extend the scope of the review of structural guarantee policies beyond exclusions and limits of cover to ensure that warranty providers are independent of the entities who built the insured dwellings. [53617/12]

184. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the expected timeframe to develop a stand-alone specification for hardcore as per Recommendation 15 of the Pyrite Report. [53619/12]

185. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the expected timeframe to provide a single, publically accessible information point with up-to-date information on standards readily available to all involved in the construction industry as per Recommendation 24 of the Pyrite Panel Report. [53620/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 181, 182, 184 and 185 together.

The implementation of many of the recommendations in the pyrite report requires the involvement and co-operation of a number of parties, and implementation will be on a progressive basis. Given their particular impact on affected homeowners, priority is being given to the recommendations dealing with the establishment of a Resolution Board as well as the development of protocols for the testing and categorisation of dwellings and a remediation method statement.

My Department will shortly be contacting the regulatory bodies mentioned in the report to discuss how the recommendations in relation to insurance can be progressed. However, the issue raised in relation to the independence of warranty providers is more appropriate to the remit of the regulatory body for insurance.

I understand that the National Standards Authority of Ireland (NSAI) has commenced work on the development of a standalone specification for hardcore. While a specific timeframe is not set for the completion of this work the NSAI is aware of the urgency I attach to it.

In relation to provision of a publicly accessible information point with up-to-date information on standards, this is a matter for consideration by the NSAI and my Department will be discussing the implementation of this recommendation with them.

Pyrite Remediation Programme Issues

183. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the composition of the various pyrite related technical committees that have or are to be established. [53618/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The National Standards Authority of Ireland (NSAI) is a statutory body under the aegis of the Department of Jobs, Enterprise and Innovation and my Department has no function in relation to its operation. As the official national standards body, I asked the authority to undertake work in relation to the development of protocols for testing and categorisation and to establish a methodology for pyrite remediation work on foot of the recommendation of the independent Pyrite Panel. The processes and procedures it follows in the discharge of its functions, including the establishment and composition of technical committees, is a matter for the Authority itself.

My Department has not established and does not plan to establish any pyrite related technical committees. However, I recently announced that I am proceeding with the establishment of a Resolution Board as recommended by the independent Pyrite Panel. The composition of this board is not yet finalised. Discussions with stakeholders in relation to possible funding mechanisms for a remediation scheme are at an advanced stage and I expect them to conclude very shortly. I will then be in a position to finalise arrangements for the establishment of the Resolution Board including its membership.

Questions Nos. 184 and 185 answered with Question No. 181.

Pyrite Panel Report Recommendations

186. **Deputy Róisín Shortall** asked the Minister for the Environment, Community and Local Government the action he will take to assist businesses where it has been discovered that there is pyrite in their business premises; and in view of the threat which this causes to the viability of the business and the potential for significant job losses in some cases if he will outline the support that he will provide for business people in these circumstances. [53656/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The commissioning, sale or lease of commercial buildings will typically be subject to private contractual arrangements which provide protection for the contracting parties in the event of disputes, including legal recourse. Under company law the governance and operation of private companies is a matter for the directors or principals concerned and my Department has no function in, or responsibility for, such matters.

The report of the independent Pyrite Panel, which deals with pyrite in private housing and which I published in July 2012, is a detailed and informative document which may provide useful guidance to anyone dealing with pyrite problems.

Local Authority Housing Waiting Lists

187. **Deputy Martin Heydon** asked the Minister for the Environment, Community and Local Government the options available to a person (details supplied) in County Kildare who cannot get on the housing list in the local authority; and if he will make a statement on the matter. [53657/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Paragraph (1) of Regulation 22 of the Social Housing Assessment Regulations, 2011 provides that a household with alternative accommodation that would meet its housing need is ineligible for social housing support. Paragraph (2) of the Regulation effectively ensures that paragraph (1) does not operate to exclude from eligibility for social housing support an applicant who owns accommodation that is occupied by his or her spouse, from whom he or she is separated or divorced.

The Regulation allows that once there is a Deed of Separation in place this aspect of eligibility for social housing support can be determined. There is no need therefore to await judicial separation or divorce to get a decision on social housing support in these cases. I consider that this provision is reasonable in most cases.

I acknowledge, however, that situations may exceptionally arise that may not easily be dealt with under the current Regulations. My Department is keeping the social housing assessment provisions under on-going review and in this context will consider what wider discretion might be given to housing authorities to address the individually difficult and complex cases which may present to them.

Road Traffic Offences

188. **Deputy Finian McGrath** asked the Minister for Justice and Equality when a person is caught speeding and fined, if Gardai have to show the defendant the evidence or speed gun evidence that they have against them. [53427/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will appreciate that I have no role in relation to the interpretation of the law and, in particular, in commenting on evidential matters in the taking of prosecutions.

Garda Vetting of Personnel

189. **Deputy Pearse Doherty** asked the Minister for Justice and Equality when an application for Garda vetting in respect of a person (details supplied) in County Donegal was submitted to the central Garda Vetting Unit and when same will be processed. [53432/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that a vetting application on behalf of the person concerned was received by the Garda Central Vetting Unit. The application is currently being processed and it is anticipated that a response will issue to the registered organisation involved in the coming week.

Residency Permits

190. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the options available to a person (details supplied) in County Kildare in respect of their residency status; if he will re-examine this file with a view to upgrade of Stamp 2 to Stamp 4; and if he will make

a statement on the matter. [53454/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person in question who was the subject of Parliamentary Questions number 428 on 2 October 2012 and number 178 on 20 September 2012 made an application to General Immigration division on 5 October, 2012. Applications are dealt with in chronological order and this division will be in touch with this person in due course.

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

Judicial Investigations

191. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will order a judicial inquiry into the cover-up of the murder of Fr. Niall Molloy in 1985 and implement his pledge to the Molloy family. [53513/12]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will be aware from the response on my behalf during a Topical Issues Debate on this matter in this House on 27 November, the Garda examination of the case referred to by the Deputy is ongoing. The Garda Commissioner has assured me that each and every line of inquiry is being or will be pursued. Upon receipt of a final report from the Commissioner I will review the situation.

I understand that the officers carrying out the examination are continuing to keep the family members of the deceased updated on progress. While I fully appreciate the concerns expressed about the case, the best form of justice for the Molloy family would be for anyone with a criminal liability for their relative's death to be brought to account through facing charges. This can only be achieved through a Garda investigation and, where evidence of criminal wrongdoing is available, through the submission of a file by the Gardaí to the Director of Public Prosecutions. I hope the Deputy will therefore agree that, in the first instance, we need to allow the present Garda examination to proceed to its conclusion.

Courts Service Issues

192. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality the outcome of the Comprehensive Review by Courts Service of courthouses in County Mayo; the proposals for County Mayo courthouses that are being considered; the consultation with stakeholders that has taken place in the course of the Review; and if he will make a statement on the matter. [53537/12]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service which is independent in exercising its functions, which include the provision of accommodation for court sittings.

However, in order to be of assistance to the Deputy, I have had enquiries made and have

been informed that the Courts Service has been reviewing all aspects of its organisational and operational structures throughout the country with the specific objective of ensuring that the Service can continue to maintain the delivery of front line court services and an appropriate level of service to court users. I understand that no court venue has been singled out for or indeed exempted from the review.

In this context the Courts Service has established a general framework within which venues are being considered for closure taking into account a range of criteria such as caseload, proximity to an alternative venue, physical condition of the building, availability of cells etc. The likely impact on other Justice agencies, such as An Garda Síochána and the Irish Prison Service, is also taken into account. The review identified a range of venues nationwide which, based on the criteria applied, could be considered for closure subject to a detailed assessment and the preparation of a business case in respect of each identified venue which has now commenced.

However, the Courts Service has assured me that no decision in relation to the future of any County Mayo courthouse will be taken without prior consultation with local interested parties and court users. Such consultation has already begun and the views received will be taken into account in the decision making process which will be a matter for the Courts Service Board.

Naturalisation Applications

193. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position in respect of residency and or eligibility for naturalisation in the case of a person (details supplied) in Dublin 22; the further procedures to be complied with in this regard; and if he will make a statement on the matter. [53591/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) that an application for a certificate of naturalisation was received from the person referred to by the Deputy in February, 2012.

The application is being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and will be submitted to me for decision as expeditiously as possible.

The applicant currently has permission to remain in the State until September, 2014.

As well as being a significant event in the life of its recipient, the granting of Irish citizenship through naturalisation as provided for in law is also a major step for the State which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

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

Deportation Orders Data

194. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will grant extended residency and defer deportation in the case of a person (details supplied) in

County Dublin; and if he will make a statement on the matter. [53592/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned arrived in the State in late 2011 and was re-united with his mother soon after. Given that he had no valid basis to remain in the State, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 15th November, 2012, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against him.

The 15 working day period referred to in my Department's letter of 15th November, 2012 expires on 6th December, 2012. It is open to the person concerned to make written representations in support of his case to remain in the State within that period. In any event, the case of the person concerned will not be further processed until the 15 working day period referred to has elapsed.

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

Asylum Applications

195. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current and or expected position in the matter of residency or eligibility for naturalisation in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [53593/12]

Minister for Justice and Equality (Deputy Alan Shatter): The family concerned encompasses a father, a mother and their three young children. The father applied for asylum on 3rd November, 2007. The mother applied for asylum on 3rd April, 2006, an application which included her eldest child as a child dependant, while the second and third children are the subject of individual asylum applications lodged on 20th January, 2009 and 12th July, 2010 respectively.

All the asylum applications have been formally refused. In the context of the father's, the mother's and the second child's cases, they proceeded to apply for Subsidiary Protection with the mother's application again including her eldest child as part of her application. Following the consideration of these individual applications, it was determined that the persons concerned were not eligible for Subsidiary Protection. The persons concerned were notified of these decisions by individual letters dated 22nd June, 2011. The decision in the mother's case applied equally to her child dependant.

The position in the State of the four persons concerned now fall to be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted, including those of a medical nature, will be considered before final decisions are made. Once decisions have been made, these decisions, and the consequences of the decisions, will be conveyed in writing to the four persons concerned.

In relation to the case of the youngest child, an infant, she was notified, by letter dated 13th

August, 2012, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against her. In addition, she was notified of her entitlement to apply for Subsidiary Protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006.

The youngest child has submitted an application for Subsidiary Protection. When consideration of this application has been completed, she will be notified in writing of the outcome. In the event that the application for Subsidiary Protection is refused, the position in the State of this youngest child will then be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once a decision has been made, this decision, and the consequences of the decision, will be conveyed in writing to the child concerned.

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

Asylum Applications

196. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in respect of residency or eligibility for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [53594/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned is a failed asylum applicant. Arising from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 29th July, 2010, that the then Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against her. In addition, she was notified of her entitlement to apply for Subsidiary Protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once a decision has been made, this decision, and the consequences of the decision, will be conveyed in writing to the person concerned.

Given that the person concerned has no right of residency in the State, the issue of an ap-

plication for naturalisation does not arise at this time.

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

Naturalisation Applications

197. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding residency and eligibility for naturalisation in the case of persons (details supplied) in County Kildare currently the subject of deportation; if their case is affected by the Zambrano judgement; and if he will make a statement on the matter. [53595/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the persons referred to by the Deputy are the subjects of Deportation Orders, signed on 27th July 2010, following a comprehensive and thorough examination of their asylum claims and applications for subsidiary protection, and a detailed examination of the representations they submitted for consideration under Section 3 of the Immigration Act 1999 (as amended). There is no record of any application for Zambrano having been received from the person concerned.

However, if new information or circumstances have come to light, which has a direct bearing on their case and which has arisen since the original decision to make the Deportation Orders was made, there remains the option of applying to me for revocation of the Deportation Orders pursuant to the provisions of Section 3 (11) of the Immigration Act, 1999, as amended. However I wish to make clear that such an application would require substantial grounds to be successful.

The effect of the Deportation Orders is that the persons concerned must leave the State and remain thereafter out of the State.

The enforcement of the Deportation Orders is an operational matter for the Garda National Immigration Bureau.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Visa Applications

198. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will facilitate an update of Stamp 4 in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [53596/12]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my replies to Parliamentary Questions numbered 627 of 11th January 2012, and 1261 of 18th September, 2012.

I am advised by the Irish Naturalisation and Immigration Service (INIS) that the person concerned was granted permission to remain in the State for one year in 2000 under the arrangements then in place for the non-EEA national parents of Irish born children. This permission was renewed subsequently and the last renewal was valid to 1st September 2008, the expiry date on the passport of the person concerned.

I am informed that an application was received in the INIS on 23rd August 2012 from the solicitor of the person concerned to regularise her status in the State. I understand that a request was made for additional documentation on 5 October, 2012 by officials in the INIS. However, I am informed that no response has been received to date. Upon receipt of the appropriate documentation, the case of the person concerned will be further examined. Once all documentation required to enable a decision to be made is received a decision will be made on her case and the consequences of the decision will be conveyed in writing to the person concerned.

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

Naturalisation Applications

199. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a person (details supplied) in County Kildare meets the necessary residency requirements in terms of Stamp 4 compliance to facilitate application for naturalisation; the extent of any further requirements on their behalf; and if he will make a statement on the matter. [53597/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned was granted Leave to Remain in the State in February, 2008, following the consideration of her case under Section 3 of the Immigration Act 1999 (as amended). This Leave to Remain was subsequently renewed, most recently on 23rd February, 2012, with the consequence that the person concerned now has Leave to Remain up to 17th February, 2015.

It is open to the person concerned to lodge an application for a Certificate of Naturalisation if and when she is in a position to meet the statutory requirements. Detailed information in relation to the lodgement of an application for a Certificate of Naturalisation can be found on the Irish Naturalisation and Immigration Service (INIS) Website - www.inis.ie.

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

Visa Applications

200. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if arising from the recent fee increase from €175 to €300 in respect of an update of Stamp 4, if deferred payment arrangements can be put in place in situations of hardship; and if he will make a statement

on the matter. [53598/12]

Minister for Justice and Equality (Deputy Alan Shatter): Section 19 of the Immigration Act, 2004 (as amended), provides that a non-national is required to pay a fee to the registration officer, An Garda Síochána, for the issue of a registration certificate. This fee is set by regulations made by the Minister for Justice and Equality with the consent of the Minister for Public Expenditure and Reform. The registration officer concerned may refuse to issue a registration certificate if the appropriate fee has not been paid.

The increase in the fee in respect of the issue of a registration certificate under the Immigration Act, 2004 came into effect on 19 November, 2012. Any person issued with a registration certificate from that date will be required to pay the new fee of €300 unless they come within those categories exempted from the charge. There is no deferred payment arrangement.

In recognition of the circumstances of certain categories of person, there are specific exemptions from paying the registration fee set out in the regulations; these are the following: UN Convention Refugees; Family members of such refugees who have been admitted to the State in accordance with section 18 of the Refugee Act 1996; Persons who are under 18 years of age at the time of registration; Spouses, civil partners, widows and widowers of Irish citizens; Spouses and Dependants of EU nationals who receive a residence permit under EU Directive 38/04; Programme Refugees, as defined by section 24 of the Refugee Act, 1996; and persons subject to arrangements for victims of human trafficking.

Asylum Applications

201. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Parliamentary Question No. 1202 of 18 September 2012, if arrangements will be made to facilitate the return to this jurisdiction of a person (details supplied) in County Dublin who inadvertently as part of a musical touring group travelled from Northern Ireland to Scotland where they are currently detained; and if he will make a statement on the matter. [53599/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned applied for asylum on 28th September, 2009 and was advised on 25th January, 2010 that the Refugee Applications Commissioner was recommending that he be refused a declaration of refugee status. His appeal to the Refugee Appeals Tribunal was heard in July, 2010. The Refugee Appeals Tribunal ‘affirmed’ the recommendation of the Refugee Applications Commissioner. On 8th August, 2011, the person concerned was advised that his application for Subsidiary Protection was unsuccessful.

All representations made pursuant to Section 3 (6) of the Immigration Act 1999 and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement were considered before a decision was taken to make a Deportation Order in respect of the person concerned. The Deportation Order was formally served on the person concerned by registered letter dated 30th August, 2011.

The person concerned lodged Judicial Review proceedings in the High Court on 10th October, 2011, challenging the decision to make a Deportation Order and to refuse his Subsidiary Protection application. Given that these proceedings are ongoing, it would not be appropriate to comment further on the case of the person concerned at this time.

I understand that the person concerned was encountered on 25th October, 2012 at Belfast International Airport as he was endeavouring to travel from there to the UK. I understand that contacts are ongoing between the Irish and UK immigration authorities in relation to the person

concerned and once these consultations have been concluded, the person concerned will be advised as to the approach to be taken in his case.

Visa Applications

202. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in the determination of visa applications in respect of persons (details supplied) in County Kildare; and if he will make a statement on the matter. [53600/12]

Minister for Justice and Equality (Deputy Alan Shatter): The individuals referred to currently have visa applications under consideration. Whilst preliminary assessments of the applications have been completed, they are awaiting a comprehensive examination. Applications of the nature of the case referred to by the Deputy require more in depth consideration than straightforward 'visit' visas.

I can advise that each visa application is considered on its individual merits, the onus as always resting with the applicant to establish to the satisfaction of the Visa Officer as to why the visa sought should be granted. The applicants will be notified of the decision as soon as it is made.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Naturalisation Applications

203. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding determination of eligibility for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [53601/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation was received from the person referred to by the Deputy in August, 2010.

The application is at an advanced stage of processing and the applicant will be informed of my decision in due course.

It is recognised that all applicants for citizenship would wish to have a decision on their application without delay. Considerable resources are deployed to process applications and these resources together with the necessary administrative arrangements are kept under review.

As well as being a significant event in the life of its recipient, the granting of Irish citizenship through naturalisation as provided for in law is also a major step for the State which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Queries in relation to the status of individual immigration cases may be made directly to

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

Garda Vetting of Personnel

204. **Deputy Michael McCarthy** asked the Minister for Justice and Equality when a Garda clearance certificate will issue in respect of a person (details supplied) in County Cork; if this case will be expedited; and if he will make a statement on the matter. [53643/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that on the basis of the information provided by the Deputy and in the time available, it has not been possible to ascertain the status of the application. I will communicate directly with the Deputy when the information becomes available.

Departmental Contracts

205. **Deputy Heather Humphreys** asked the Minister for Justice and Equality if he will confirm the percentage of poultry produce used in meals for prisons that is of Irish origin; and if he will make a statement on the matter. [53644/12]

Minister for Justice and Equality (Deputy Alan Shatter) (Deputy Alan Shatter): I can advise the Deputy that the current contract for the provision of fresh poultry products for the Irish Prison Service was placed with Crossgar Foodservices, a Northern Ireland company, following an open tender competition in accordance with EU Procurement Directives.

I am advised by the Irish Prison Service that poultry being currently supplied under this contract is not of Republic of Ireland origin.

The Irish Prison Service are obliged to carry out the procurement of food products in an open and transparent manner and in line with National and EU Public Procurement Guidelines. The Irish Prison Service have absolutely no discretion in this regard.

Garda Síochána Ombudsman Commission Issues

206. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality the number of outstanding bench warrants, committal warrants, penal warrants and estreatment warrants and detailing the number in each District Court area; if he will confirm whether or not the figures given by the Gardai under PULSE correlate with the Court Service records; and if he will make a statement on the matter. [53678/12]

Minister for Justice and Equality (Deputy Alan Shatter): In the time available it has not been possible for the Garda authorities or the Courts Service to supply the information requested by the Deputy. I will contact the Deputy again when the information is to hand.

Garda Vetting of Personnel

207. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality the position regarding a dismiss under the Probation of Offenders Act 1907 and the significance that is attached to it under Garda Vetting procedures. [53679/12]

Minister for Justice and Equality (Deputy Alan Shatter): Section 1 (1) of the Probation of Offenders Act 1907 allows a court of summary jurisdiction, in a case where the court thinks the charge is proved but it is inexpedient to inflict any punishment, to release the offender on probation without proceeding to a conviction and make an order dismissing the charge or discharging the offender conditionally.

Garda Vetting disclosures are made to registered organisations following the signed authorisation of a vetting subject permitting the Garda Central Vetting Unit to disclose to the registered organisation “details of all prosecutions, successful or not, pending or completed, and/or convictions which may be recorded in respect of them in the State or elsewhere”; or alternatively that there are “no prosecutions or convictions recorded in respect of them”. To the extent that all prosecutions are disclosed under existing arrangements, a prosecution resulting in an order dismissing the charges under the Probation of Offenders Act 1907 would be disclosed.

However, this will no longer be the case following the enactment and commencement of the National Vetting Bureau (Children and Vulnerable Persons) Bill 2012. Under that Bill, “criminal records” which will be subject to automatic disclosure are defined (in section 2) as

“(a) a record of the person’s convictions, whether within or outside the State, for any criminal offences, together with any ancillary or consequential orders made pursuant to the convictions concerned, or

(b) a record of any prosecutions pending against the person, whether within or outside the State, for any criminal offence,

or both;”.

As automatic disclosures will be limited to convictions or pending prosecutions, an order dismissing the charge under the Probation of Offenders Act 1907, will not be automatically disclosed on foot of an application for a vetting disclosure following the commencement of the new vetting legislation. However, it may be information which could be disclosed under the category of ‘specified information’. Under the Bill, this is information, other than criminal records, which concerns a finding or allegation of harm to another person which is of such a nature as to reasonably give rise to a bona fide concern that the person may harm a child or vulnerable person. However, the disclosure of such information is subject to the prior notice of the vetting subject and requires a pre-disclosure assessment as to the relevance of the information concerned to the type of work or activity to which the application for vetting relates. There is also provision for the vetting subject to appeal a decision to disclose such information.

It is expected that the National Vetting Bureau (Children and Vulnerable Persons) Bill which is currently being considered by Seanad Éireann, having passed all stages in Dáil Éireann, will be enacted by Christmas with commencement scheduled for March 2013.

Sentencing Policy

208. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality when he will provide for the commencement of Section 18 the Fines Act 2000 thus providing for community service being imposed on a convicted person as opposed to a fine to address the current situation whereby community service orders are currently made in lieu of a prison sentence only;

and if he will make a statement on the matter. [53680/12]

209. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality when he will provide for the commencement of Section 19 of the Fines Act 2000; and if he will make a statement on the matter. [53681/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 208 and 209 together.

As the Deputy will be aware, the Government recently approved the drafting of the Fines (Amendment) Bill 2012, the Scheme of which is available on my Department's website (www.justice.ie). The Scheme provides, inter alia, for the introduction of attachment of earnings orders to collect unpaid fines. It also recasts a number of the key provisions in the 2010 Act in relation to instalments, recovery orders and community service orders, which will necessitate amendments to sections 15, 16 and 18 of the Act, as well as consequential changes to section 19. In the circumstances, it is not my intention to commence the remaining sections of the Act until after the necessary amendments have been made. I hope that it will be possible to enact the Fines (Amendment) Bill during 2013.

Departmental Contracts

210. **Deputy Heather Humphreys** asked the Minister for Defence if he will confirm the percentage of poultry produce used in meals for army barracks that is of Irish origin; and if he will make a statement on the matter. [53644/12]

Minister for Defence (Deputy Alan Shatter): The current contract for the provision of fresh poultry products to the Defence Forces was placed with Kildare Farm Foods, an Irish Company based in Kildare in May 2011 following an open tender competition. The contract value is in the region of €630,000 (ex VAT) over a two year period.

I am advised by the Defence Forces that 80% of all the poultry products provided by Kildare Farm Foods for the Defence Forces are sourced from Irish suppliers. The remainder is sourced by Kildare Farm Foods from European suppliers. The Defence Forces are satisfied that the poultry products from Kildare Farm Foods are fully certified in all respects and that the products meet the required Irish, English and EU specifications.

The Defence Forces are obliged to carry out the procurement of food products in an open and transparent manner and in line with National and EU Public Procurement Guidelines. The Defence Forces have absolutely no discretion in this regard.

Commonage Division

211. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if he will review the proposals for the new commonage framework in view of the adverse affect it will have on County Kerry farmers. [53399/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Commonage Framework Plans, first published in 2002, have been reviewed to take account of the current vegetative condition of commonages nationally. This review which will replace the Commonage Framework Plans has been carried out by the National Parks and Wildlife Service in co-operation with my Department. The review was carried out on a commonage LPIS parcel basis and sets a minimum and maximum number of ewe equivalents (EE) required to graze

the commonage parcel to ensure that it is maintained in Good Agricultural and Environmental Conditions (GAEC). I am currently considering an implementation plan to take account of the changed stocking levels.

My Department is trying to reconcile the reality of commonages with the EU requirements of GAEC. I will work with the farmers, farm organisations and others to design a practical solution.

Coillte Teoranta Lands

212. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine if there is forestry land for sale in County Donegal owned by Coillte or the State; his plans for the sale of forestry lands owned by Coillte within the State; if he will reiterate the promise made at the McGill summer school in 2012 (details supplied); and if he will make a statement on the matter. [53406/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I understand that Coillte is selling forestry land in Co. Donegal by public tender. This transaction is an operational matter at the discretion of the company and is separate from the Government decision that a concession for the harvesting rights to Coillte's forests be put forward for sale. Under that process, the identification of the forestry assets involved, the determination of their value and the consideration of a number of issues associated with the proposed harvesting rights concession are at an advanced stage. I wish to confirm that, as announced by the Government in February 2012, this consideration about the sale of some forestry assets of Coillte excludes the sale of land.

Single Payment Scheme Payments

213. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine when single farm payments and disadvantaged area payments will issue in respect of a person (details supplied) in County Limerick. [53423/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The 50% advance payment under the Single Payment Scheme issued to the person named on 16 October; the balancing payment is due to issue on 1 December.

Payment under the Disadvantaged Areas scheme is due to issue shortly, as the holding concerned has only recently been confirmed as satisfying the stocking requirements.

Bovine Disease Controls

214. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if he will introduce a compensation scheme for suckler producers whose herds have been infected by BVD and who have had multiple PIs taken out of their herd and undertake to ensure the continuation of the €100 compensation on the dams of PI calves plus reduced knackery charges for producers affected in 2013. [53440/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I have received a request to provide funding in respect of the compulsory phase of the BVD programme. This request must be placed in the context of the economic benefits accruing to farmers arising

from the eradication of this disease and, particularly, the short payback time involved as well as the budgetary resources available to my Department. It has been estimated that the overall benefit for the eradication of this disease is beneficial to farmers. I should also emphasise that it is important that my Department concentrates its scarce resources in continuing to support Animal Health Ireland in its ongoing work in establishing control programmes for non-regulated diseases of livestock in Ireland.

Agriculture Schemes Payments

215. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine if he will explain his budgetary position is on maintaining payment levels on the rural environmental option scheme and on the agri environment option scheme, disadvantaged areas and suckling cows; and if he will make a statement on the matter. [53467/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The funding for all schemes and services administered by my Department is determined in the annual Estimates process taking account of the expenditure ceilings set out in the Government's Medium Term Expenditure Framework, 2012-14. The preparations for the 2013 Estimate are currently under way. All budget lines in my Department's Vote are being examined critically as part of that process. Under the expenditure ceilings, the funding allocation for my Department has been reduced by €114 million in 2013 compared with 2012. Very difficult choices will have to be made in relation to the funding of schemes and services in order to remain within the reduced allocation. My aim is to ensure the resources available to my Department are managed to provide the optimum benefit to economic activity in the agricultural, food, fisheries and forestry sectors and to realise the potential which exists for the sectors to contribute to the economic recovery.

Common Agricultural Policy Review

216. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine if he will explain his position in relation to a fully funded Common Agricultural Policy for Pillar 1 and Pillar 2; and if he will make a statement on the matter. [53468/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Government's strong position is that the Common Agricultural Policy (CAP) makes an important contribution to economic growth and job creation. This is not only the case in Ireland, where the CAP underpins our national agri-food development strategy, but also at European level, where the agriculture sector can contribute significantly to economic recovery. My Government colleagues and I are fully committed to securing a properly funded CAP budget in the context of the ongoing negotiations on the EU Multiannual Financial Framework (MFF) for the 2014-20 period. We are also committed to defending Ireland's share of it by ensuring our levels of direct payments and rural development funding are protected to the maximum extent possible. We are disappointed that it was not possible to reach a deal on the MFF at last week's European Council meeting, but we will continue to strongly support the CAP budget lines in the renewed negotiations. As regards the overall level of CAP funding, the Commission's original proposal to maintain spending at 2013 levels in nominal terms was regarded by Ireland as a reasonable starting point in the negotiations. At last week's European Council meeting, the Taoiseach again strongly defended CAP funding, as did some other Heads of Government. Ireland will continue to work with others to get the best possible deal for the CAP in the MFF. In relation to the distribution of CAP funds, Ireland is broadly supportive of the Commission's proposals on

Pillar 1. On the distribution of Pillar 2 funds, we still await a definitive proposal from the Commission but we will again be seeking to ensure that Ireland receives its fair share, recognising our effectiveness in using these funds in the past.

Agriculture Schemes Appeals

217. **Deputy Joe Carey** asked the Minister for Agriculture, Food and the Marine if he will report on an appeal regarding the Burren farming for conservation programme in respect of a person (details supplied); and if he will make a statement on the matter. [53478/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In 2010, my Department invited applications from eligible farmers in the Burren to participate in the Burren Farming for Conservation Programme. As total funding available under the Programme is €1 million per annum, it was necessary, at the outset, to place an upper limit on the number of places in the Programme in order to maximise its effectiveness within the budgetary provision. Since the numbers who applied to enter the Programme greatly exceeded the number of places available, all applications were assessed and ranked according to specific criteria. The person named was an eligible applicant but did not score sufficiently highly on the basis of the criteria laid down to be included in the Programme. The applicant was notified of this outcome by letter dated 29 July 2010. Applicants were advised of the opportunity to appeal their scoring by 19 August 2010, should any of the data used have required correction. The person named did not appeal at that time but has since appealed the Department's decision in a letter dated 6 September 2012. Unfortunately, my Department had to reject the appeal as it was over two years late.

Research and Development Supports

218. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the licensing arrangements involved for a private person or company to carry out general research into different grass varieties; and if he will make a statement on the matter. [53499/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are no particular licences required for a private person or company to carry out general research into different grass varieties in Ireland. However, normal Plant Health and Seed Certification requirements relevant to seed of grass varieties are applicable. My Department is the relevant Competent Authority for official trials carried out under S.I. 525 of 2002 - European Communities (National Catalogue of Agricultural Plant Varieties) Regulations 2002 and which gives effect to Council Directive 2002/53/EC providing for the EU common catalogue of varieties of agricultural plant species. Official Evaluation of agricultural grass varieties for the purpose of establishing the Value for Cultivation and Use (VCU) in Ireland is the responsibility of my Department.

Ash Dieback Threat

219. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine his plans to provide a public awareness and education campaign in the identification of ash dieback and remediation steps to be taken; and if he will make a statement on the matter. [53520/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Since *chalara*

fraxinea, the fungus which causes ash dieback, was first detected in Ireland in October 2012, my Department has issued several Press Releases to inform the public about the disease. Information is also available on the Department's website, including information on the symptoms of the disease and contact information for anyone who believes they may have infected trees. A poster providing information about the disease is currently being distributed for display in the offices of my Department, Teagasc, Coillte and NPWS throughout the country, as well as other relevant private sector offices. In addition, the Minister of State with responsibility for forestry, Shane McEntee, has had a number of meetings with representatives of the forest industry in relation to this disease, including forest nurseries, hurley makers, forest owner organisations, professional foresters and forestry contractors. This week, my Department provided training to Coillte staff and registered private foresters on how to recognise *chalara fraxinea* infected ash trees in winter months. It is envisaged that these measures will provide forest owners and managers with the knowledge and skills to identify the symptoms of the disease and allow for early intervention. In terms of remediating forests affected by *chalara fraxinea*, my Department is examining the options available for re-establishing those forests and restoring them to their condition prior to the outbreak of this disease.

Rural Environment Protection Scheme Payments

220. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine when rural environmental protection scheme payments will be granted in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [53521/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in June 2008 and has received payments for the first three years of their contract. REPS 4 is a measure under the 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. This process is nearing completion for 2012 REPS 4 applications and I expect that payments will commence shortly.

Dairy Equipment Scheme Applications

221. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 514 of 9 October 2012, the position regarding an application for the dairy equipment scheme in respect of persons (details supplied) in County Clare; and if he will make a statement on the matter. [53542/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The persons named are applicants for grant-aid under the Dairy Equipment Scheme and have been successful in the selection process for the most recent tranche under the Scheme which has just been completed. The application is now being processed further with a view to issuing an approval as quickly as possible. The Deputy will be aware that it is a standard condition of all my Department's on-farm investment schemes that no work can commence until written approval has issued from my Department.

Single Payment Scheme Applications

222. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine when a single farm payment will be processed in respect of a person (details supplied) in Coun-

ty Leitrim. [53566/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An advance under the Single Payment Scheme issued to the person named on 15 November and full payment under the Disadvantaged Area Scheme issued 22 November. The remaining balance due under the Single Payment is due to issue on 1 December.

Single Payment Scheme Applications

223. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine when a final notification will be issued in respect of a person (details supplied) in County Donegal. [53567/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2012 Single Payment/Disadvantaged Areas Scheme was received from the person named on 19th March 2012. In order to comply with EU requirements, the applicant was one of a number selected for inspection. This inspection resulted in findings of an over-declaration in area of between 3% and 20% under the Single Payment Scheme and an over-declaration in Mountain Forage area of over 20% under the Disadvantaged Areas Scheme, which, under the terms and conditions of the Schemes, resulted in reduced payments under both. The applicant has been notified of this outcome and the reasons for it. The applicant has also been advised of the right to seek a review and also of the right to appeal the outcome of any such review, in due course, to the independent Agriculture Appeals Office.

Afforestation Programme

224. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine if lands (details supplied) will be approved for afforestation; and if he will make a statement on the matter. [53568/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The application for pre-planting approval submitted by the person named included an area located within a Special Protection Area (SPA) designated for the protection of the hen harrier. Given the restrictions that apply to planting and other developments within this designated area, it was not possible to approve the application to plant. On 7 February 2012 the person named was asked to submit a revised application for approval (with maps) excluding the area within the SPA. To date, he has not submitted the revised application. If he wishes to proceed with an application he should now submit the required documentation to the Department.

Single Payment Scheme Payments

225. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Cork got a reduced single farm payment of €7.14 [53629/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named is an applicant under the 2012 Single Payment Scheme. In order to comply with EU requirements, the application was one of a number which was selected for inspection. Arising from this, an over-claim was confirmed and accordingly a reduced advance payment issued on 15 November. The applicant is due to receive the balancing payment under the Single Payment

Scheme on 1st December and, since the full penalty was deducted from the advance payment, this will not be subject to any further deduction.

Single Payment Scheme Appeals

226. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine the reason subsidy payments are not being granted in respect of a person (details supplied) in County Kilkenny. [53648/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named is an applicant under the 2012 Disadvantaged Area and Single Payment Schemes.

In order to comply with EU requirements, the application was one of a number which was selected for inspection. Following the completion of the inspection and related processes, an over-claim of greater than 50% was determined and application of the relevant penalties resulted in no payment being due. The position was set out in detail by letter to the person named on 18th October. An appeal has been received and is being processed.

Single Payment Scheme Applications

227. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine the reasons for the delay in granting a single farm payment in respect of a person (details supplied) in County Carlow; and if he will expedite the matter. [53653/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application was received on 15th May 2012 requesting the transfer of 32.15 standard entitlements by way of change of legal entity (formation of a company) from the person named to the Company. During processing of this application, it was noticed that the application form was not signed by a second director named in the Memorandum and Articles of Association of the company, therefore the form was returned for signing by this person. In addition, as the herd number was transferred to the company name from 30th May 2012 after submission of the 2012 Single Payment application, it was necessary to request that the company named complete a Declaration of Undertaking whereby the company undertakes all responsibilities relating to the Single Payment Scheme for that year. This additional documentation was received on 14th November 2012.

This transfer was then processed and letters issued to both parties on 16th November 2012. Payment will issue shortly.

Ash Dieback Threat

228. **Deputy Mattie McGrath** asked the Minister for Agriculture, Food and the Marine the reason the forestry were slow in taking action to try to limit the spread of ash dieback; the reason they waited until 90% of Denmark's ash trees were destroyed before starting to introduce measures to try to prevent the importation of additional sources of the disease; in view of the fact that the disease has been spreading across Europe for 10 to 15 years, the reason there has not been an information campaign to warn persons of the risk of importing a disease source; the way he can assure the Irish people that this disease has not been recently imported into several areas of the country through young ash plants, firewood, hurley butts, hurley planks or another source; the measures being taken to prevent the spread of the next tree disease to seep across

Europe in years to come; with so many foresters retiring over recent years, if we have the experience and resources within Coillte to identify and tackle tree diseases; the percentage of Coillte employees that are actually trained and actively working foresters with the ability to work on the ground to combat this disease; and if he will make a statement on the matter. [53675/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney) (Deputy Simon Coveney): *Chalara fraxinea* is a fungal pathogen which causes ash dieback. Since 2008 the Forest Service of my Department has been carrying out surveys for the disease to determine its status in Ireland and has also been monitoring imports of ash plants and wood products. This is a relatively new disease of ash which was first named in 2006 but the reproducing and harmful stage of the disease, *Hymenoscyphus pseudoalbidus*, was not scientifically described until 2010. This is important because in drafting the legislation required to prohibit the importation of material from infected areas, it was necessary to accurately identify and name the causal agent. Furthermore, in order to bring in emergency measures under the EU Plant Health Directive, a Member State must first demonstrate that a disease has not established itself in the territory. There must also be a scientifically based Pest Risk Analysis or, at minimum, a Preliminary Pest Risk Analysis carried out for the disease.

I can confirm that surveys have been carried out in respect of *Chalara fraxinea* and we are continuing to carry them out. The Preliminary Pest Risk Analysis has also been completed. In addition, under the EU Plant Health Directive, the island of Ireland is treated as a single unit for Plant Health purposes so it was vitally important that any new legislative provisions on the importation of material from infected areas were jointly agreed with the Northern Ireland authorities. We have this agreement and the required legislation to prohibit the importation of both plant material and wood has now been introduced in both jurisdictions, the only EU Member States to do so to date.

Since the disease was first detected in Ireland in October 2012, my Department has issued several Press Releases to inform the public about the disease. Information is also available on the Department's website, including information on the symptoms of the disease and contact information for anyone who believes they may have infected trees. A poster providing information about the disease is currently being distributed for display in the offices of my Department, Teagasc, Coillte and NPWS throughout the country, as well as other relevant private sector offices. In addition, the Minister of State with responsibility for forestry, Shane McEntee, has had a number of meetings with representatives of the forest industry in relation to this disease, including forest nurseries, hurley makers, forest owner organisations, professional foresters and forestry contractors.

The Forest Service of my Department has overall responsibility for the protection of the national forest estate from harmful insects and diseases. Site surveys by Department Forestry Inspectors are continuing, focusing on sites which are at most risk from infection, including recently planted forests where ash plants imported from the continent were used. Examinations of imported ash wood and planting material have also been increased to enforce recently enacted legislation. Departmental Inspectors are also surveying for the disease in garden centres, nurseries and landscape plantings. In addition specialist training on the winter symptoms of the disease has been provided to over 100 trained foresters in the Forestry Inspectorate, Teagasc, Coillte and the private sector foresters, who are all assisting in the surveillance effort. In relation to other disease threats I can confirm that Ireland has Protected Zone status for a total of 15 forestry related harmful organisms under the EU Plant Health Directive.

Child Detention Centres

229. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs when the Health Service Executive report surrounding the absconding from Gleann Alainn Special Care Unit in October 2011 will be published. [53471/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The HSE have advised that this report is currently subject to detailed internal considerations with relevant staff to ensure learning is maximised and further action is taken as appropriate. The report and full details of associated action will be made available in early Spring 2013. The HSE also advised that following the incident in Gleann Alainn there was an immediate management review and a series of changes including, the appointment of a new Unit Manager and the number of places available in the Unit was reduced. A detailed programme of management intervention and support was initiated and an external review of the incident was commissioned. HIQA undertook a further inspection of Gleann Alainn in May 2012 and found that considerable progress has been made since the previous inspection.

Respite Care Services

230. **Deputy Sandra McLellan** asked the Minister for Children and Youth Affairs if there is any respite support available for a single parent of four children ranging in ages from four years to 10 years; and if she will make a statement on the matter. [53397/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Family Support Agency provides support for families under the Family Resource Centre (FRC) Programme. The aim is to combat disadvantage and improve the functioning of the family unit. Key services provided by FRCs include:

- Information, advice and support for groups and families at local level.
- Childcare facilities for those attending courses provided by the FRC.
- After-school clubs.
- Education courses and training opportunities.
- Assistance to community groups (such as training and the shared use of facilities).

A key role for FRCs is in providing information and advice. In 2010, over 136,000 people were advised directly by an FRC and a further 56,000 people were referred onwards to other information providers. The VECs and the Money Advice and Budgeting Service (MABS) were the services to which people were most frequently referred. FRCs have a broad range of involvement with children and young people and work closely with many local schools. The range of interventions include early childhood care and education, initiatives to retain children and young people in school, breakfast clubs, homework clubs, youth cafés, community based youth work, facilities and services for young people, work with particular target groups of vulnerable young people and work on issues of particular concern/risk to young people e.g. alcohol and drugs prevention, etc.

The Agency also provides funding to voluntary and community organisations providing marriage, relationship, child and bereavement counselling services. Some 600 organisations are funded each year. These services aim to support people deal with difficulties they are experiencing in their relationships, to help children whose lives have been affected by parental separation and to support families who have experienced the death of a family member. Over 20,000 individual counselling sessions were delivered within FRCs in 2010.

The pressures exerted by a range of issues - financial, interpersonal, behavioural, etc. - can have a negative influence on the family unit, and in turn impact on the health and/or welfare of a child or children. Children in such circumstances must be protected. In this context the Health Service Executive (HSE) has a duty under the Child Care Act, 1991 to promote the welfare of children who are not receiving adequate care and protection. If a child is in need of care and protection and is unlikely to receive it at home, the HSE has a duty to ensure they receive the appropriate level of care. Parents can and do seek the assistance of the HSE. Through direct provision or through its funding of a variety of family support and related community/voluntary providers the HSE works to support families. The HSE also receives children into care on a voluntary basis where parents indicate they need this support on a temporary or short-term basis because of their inability to cope. At all times the HSE seeks to support families in accessing all of the services and benefits to which they are entitled to meet the needs of their children. Only where there is a risk to the protection or welfare of a child does the HSE seek to take the child into care under a care order.

Looking to the future, the Family Support Agency will, along with the HSE's Children and Family Services, form an integral part of the new Child and Family Support Agency, due to be established in 2013. Plans for the transition to this new entity are well under way. I believe this will provide for greater integration of these complementary services, with their shared aims of supporting parents and families and ensuring the welfare and protection of children are adequately safeguarded.

Early Child Care Education Issues

231. **Deputy Patrick Nulty** asked the Minister for Children and Youth Affairs if an application under the early childhood care and education scheme in respect of a child (details supplied) in Dublin 15 will be expedited; the reason for the delay; and if she will make a statement on the matter. [53488/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Early Childhood Care and Education (ECCE) programme was introduced in January 2010 and provides a free preschool year to all eligible children in the year before commencing primary school. Approximately 66,000 children are availing of the ECCE programme in the current school year and €175.8 million has been provided in 2012 to cover the cost of the programme.

The objective of the ECCE programme is to make early learning in a formal setting available to eligible children in the year before they commence primary school. To achieve this, services participating in the preschool year are expected to provide age-appropriate activities and programmes to children within a particular age cohort and therefore minimum and maximum limits to the age range within which children will qualify for the free preschool provision have been set. Children qualify for the free preschool year where they are aged more than 3 years 2 months and less than 4 years 7 months at 1 September in the relevant year. Children born between 2 February 2008 and 30 June 2009 qualified for the free preschool year in September 2012 and children born between 2 February 2009 and 30 June 2010 will qualify for the programme in September 2013. There are no exceptions for children who are below the qualifying age. The child referred to by the Deputy is outside the age range for eligibility for the programme in the school year commencing in September 2012 but will be eligible for the programme in the school year commencing in September 2013.

Special Educational Needs Services Provision

232. **Deputy Micheál Martin** asked the Minister for Health the position regarding the recent reduction in occupational therapy and speech language services to pupils at a school (details supplied) in Dublin 11; and if he will make a statement on the matter. [53553/12]

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

Mobility Allowance Appeals

233. **Deputy Peter Mathews** asked the Minister for Health the reason a person (details supplied) in Dublin 16 was refused mobility allowance; and if he will make a statement on the matter. [53624/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Hospital Procedures

234. **Deputy Clare Daly** asked the Minister for Health his plans for the approval, development or analysis of artificial disk replacement surgery as an approved treatment for a disease of the spine that requires surgery [53407/12]

Minister for Health (Deputy James Reilly): The HSE National Service Plan sets out the health and personal social services that will be delivered during 2012 from within the HSE budget. In relation to the specific matter which is the subject of the Deputy's query, as this is a service issue it has been referred to the HSE for direct reply.

Health Services Provision

235. **Deputy Seán Ó Fearghail** asked the Minister for Health if he will ask the Health Service Executive to expedite an application for occupational therapy services in respect of a child (details supplied) in County Kildare; and if he will make a statement on the matter. [53411/12]

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

Services for People with Disabilities

236. **Deputy Seán Ó Fearghail** asked the Minister for Health the services available from the Health Service Executive in respect of a person (details supplied) suffering from significant disabilities; if a previously available day care facility will again be provided; and if he will make a statement on the matter. [53412/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Day services for adults with disabilities provide a network of support for over 25,000 people who have a wide spectrum of need, ranging from those with severe and profound disabilities who are likely

to need long-term specialist service provision to people with lower support needs and greater potential for community participation and inclusion. Pending completion of the national estimates, budgetary and service planning process for 2013 it is not possible to predict the day service levels to be provided by the HSE next year.

In relation to the specific query raised by the Deputy, as this is a service issue it has been referred to the HSE for direct reply.

Mental Health Services Provision

237. **Deputy Finian McGrath** asked the Minister for Health if he will honour the €35 million pledge on community mental health. [53426/12]

256. **Deputy Michael McCarthy** asked the Minister for Health the position regarding the €35 million ring-fenced for community mental health teams; and if he will make a statement on the matter. [53552/12]

260. **Deputy Tom Fleming** asked the Minister for Health if he will ensure that the promise to invest €35 million annually in community mental health service is honoured in Budget 2013; and if he will make a statement on the matter. [53630/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 237, 256 and 260 together.

Funding from the €35 million special allocation for mental health will be used primarily to further strengthen Community Mental Health Teams in both Adult and Children's mental health services. Some of the funding will also be used to advance activities in the area of suicide prevention and to initiate the provision of psychological and counselling services in primary care, specifically for people with mental health problems. Provision is also being made to facilitate the re-location of mental health service users from institutional care to more independent living arrangements in their communities, in line with *A Vision for Change*.

414 posts were approved to implement the €35 million package of special measures. To date 17 posts have been filled and over 270 offers of employment have already been accepted and the appointments are proceeding. Most start dates are expected to commence in December 2012. Mental health is a priority for this Government and we remain committed to engaging these professionals as soon as is feasible.

With regard to the level of funding for mental health next year, this is being considered as part of the Estimates and budgetary process for 2013 which is currently underway.

Hospital Staff Issues

238. **Deputy Gerry Adams** asked the Minister for Health the number of vacant consultant posts that are at present in the Mid Western Regional Hospital in Limerick, Ennis Hospital and in the Clare Mental Health Services; in each case, the discipline in which the vacancy arises; if any or all of these vacancies are covered by locums; and the steps being taken to fill these posts [53431/12]

Minister for Health (Deputy James Reilly): In regards to this particular issue, I have asked the Health Service Executive to reply directly to the Deputy.

Hospital Facilities

239. **Deputy Gerry Adams** asked the Minister for Health his plans to address the delays being faced by patients in attending the fracture clinic at Our Lady of Lourdes Hospital, Drogheda, County Louth [53441/12]

Minister for Health(Deputy James Reilly): As this is a service matter, I have referred the Deputy's question to the Health Service Executive for direct reply.

Hospital Waiting Lists

240. **Deputy Colm Keaveney** asked the Minister for Health when a person (details supplied) in County Galway may expect to be called for a procedure. [53451/12]

Minister for Health (Deputy James Reilly): The management of inpatient and daycase waiting lists for patients awaiting public health care is based on the principle that after urgent and cancer patients are treated, then clinically assessed routine patients should be seen in chronological order (i.e. longest waiter first).

Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and hospital involved.

In relation to the specific query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

Medical Card Appeals

241. **Deputy Tom Fleming** asked the Minister for Health if he will expedite a decision on a medical card appeal in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [53460/12]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

Home Help Service Provision

242. **Deputy Ciarán Lynch** asked the Minister for Health if home help care will be provided in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [53469/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Speech and Language Therapy

243. **Deputy Patrick Nulty** asked the Minister for Health when a child (details supplied) in Dublin 15 will receive speech and language therapy: the reason for the delay; and if he will make a statement on the matter. [53482/12]

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

Hospital Waiting Lists

244. **Deputy Jack Wall** asked the Minister for Health when a person (details supplied) in County Kildare will receive a hospital appointment for tests; and if he will make a statement on the matter. [53494/12]

Minister for Health (Deputy James Reilly): Improving access to outpatient services is the next priority for the Government. Building on work already undertaken by the HSE, the NTPF has now taken over the reporting of outpatient waiting time data. The collation and analysis of outpatient waiting time data in a standardised format will reveal the distribution of long waiters across all hospitals. In the first instance, this will allow the SDU and NTPF to target their resources towards those patients who are waiting longest and ensure that they are seen and assessed. A maximum waiting time target has now been set of 12 months for a first time outpatient appointment by 30 November 2013.

In parallel with reducing the numbers of longest waiters, the SDU will also work with the HSE Clinical Programmes to reform the structure, organisation and delivery of outpatient services to ensure that the right patient is seen and assessed by the right health professional at the right time.

Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and hospital involved.

In relation to the specific query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

Health Services Staff Issues

245. **Deputy Michael McCarthy** asked the Minister for Health if there are any plans to establish a panel within the Health Service Executive for new graduates in the near future similar to the previous one which was set up in 2008; and if he will make a statement on the matter. [53511/12]

Minister for Health (Deputy James Reilly): The Government has decided that the numbers employed across the public service must be reduced in order to meet its fiscal and budgetary targets. The health sector must make its contribution to that reduction.

Plans to establish panels within the Health Service Executive for new graduates is a matter for the HSE, and as such, the Deputy's enquiry has been referred to them for direct reply.

Home Help Service Provision

246. **Deputy Arthur Spring** asked the Minister for Health if a full assessment of a person's (details provided) in County Kerry case has been carried out and if all medical evidence has been taken into consideration prior to the reduction in their home help hours; the review process

is available; and if he will make a statement on the matter. [53512/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): In the context of measures recently adopted to reduce Home Help expenditure, the focus of the HSE is to ensure that services are directed towards personal care for the most vulnerable, in line with individual assessed need and resource availability at local level.

As this is therefore a service matter it has been referred to the Health Service Executive for direct reply.

HSE Funding

247. **Deputy Jim Daly** asked the Minister for Health if the Health Service Executive has sufficient funding to fit bilateral cochlear implants to babies when necessary to do so in line with guidelines of the National Institute for Health and Clinical Excellence; and if he will make a statement on the matter. [53514/12]

Minister for Health (Deputy James Reilly): The HSE National Service Plan sets out the health and personal social services that will be delivered during 2012 from within the HSE budget. In relation to the specific matter which is the subject of the Deputy's query, as this is a service issue it has been referred to the HSE for direct reply.

Services for People with Disabilities

248. **Deputy Finian McGrath** asked the Minister for Health not to cut disability services by 6% to 10% in 2012 as it will lead to hardship for families. [53523/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Pending completion of the national estimates, budgetary and service planning process for 2013 it is not possible to predict the service levels to be provided next year.

Medical Card Applications

249. **Deputy Patrick Nulty** asked the Minister for Health if a medical card application in respect of a person (details supplied) in Dublin 15 will be granted; and if he will make a statement on the matter. [53525/12]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

Medicinal Products Supply

250. **Deputy Simon Harris** asked the Minister for Health if his attention has been drawn to the issues around the provision of generic anti-epileptic drugs; the action he intends to take to implement the recommendations of the 2010 Moran report regarding AEDs; and if he will make a statement on the matter. [53526/12]

251. **Deputy Maureen O'Sullivan** asked the Minister for Health if his attention has been drawn to the potential negative effects the Health (Pricing and Supply of Medical Goods) Bill

2012 will have on the costs of medicines for those suffering from epilepsy; if protection measures will be put in place in the Bill either at Committee Stage or Fourth/Fifth Stage in order that sufferers from epilepsy will not be adversely affected by the changes in prices due to legislation; and if he will make a statement on the matter. [53530/12]

Minister of State at the Department of Health (Deputy Alex White): I propose to take Questions Nos. 250 and 251 together.

Under the Health (Pricing and Supply of Medical Goods) Bill, the Irish Medicines Board has statutory responsibility for establishing and publishing a List of Interchangeable Medicinal Products.

In deciding whether to add a group of medicinal products to the List of Interchangeable Medicinal Products, the Board must be satisfied that each medicinal product which falls within the group:

(a) has the same qualitative and quantitative composition in each of its active substances as each of the other medicinal products which fall within the group;

(b) is in the same pharmaceutical form as, or in a pharmaceutical form that is appropriate for substitution for, each of the other products in the group; and

(c) has the same route of administration as each of the other medicinal products which fall within the group.

In addition, the Bill provides that the Board is not permitted to add a group of medicinal products to the List of Interchangeable Medicinal Products where, for example, any of the medicinal products cannot be safely substituted for any one or more of the other medicinal products in the group. To further enhance the patient safety aspect of generic substitution, Section 13 of the Bill allows a prescriber to indicate on a prescription that a branded interchangeable medicinal product should, for clinical reasons, not be substituted.

I am satisfied that these provisions address the concerns raised by the Deputies.

It is important to point out that generic medicines must meet exactly the same standards of quality and safety and have the same effect as the originator medicine. All of the generic medicines on the Irish market are required to be properly licensed and meet the requirements of the Irish Medicines Board.

The Health (Pricing and Supply of Medical Goods) Bill 2012 was published on the 13th of July 2012. The Bill completed its passage through the Seanad on Wednesday, the 19th of September, and is currently continuing its passage through the Dáil. An Implementation Group on Generic Substitution and Reference Pricing has been established and it held its inaugural meeting on the 9th of August 2012. The Group met with the Irish Epilepsy Association, amongst others, on the 20th of November as part of its stakeholder meetings.

Health Services Staff Issues

252. **Deputy Michael Healy-Rae** asked the Minister for Health if there is any truth in the suggestion that the Health Information Quality Authority require the movement of staff for no good reason, that is, if there are two hospitals near each other they interchange the staff despite the fact that many members of staff might have been employed in the one hospital for 10, 20 or 30 years and all of a sudden they are being told they have to move to a different hospital and the

suggestion is that it is a HIQA requirement. [53538/12]

Minister for Health (Deputy James Reilly): The Health Information and Quality Authority (HIQA) is a statutory body responsible, *inter alia*, for driving quality, safety and accountability in residential services for children, older people and people with disabilities in Ireland. The Authority is responsible for driving improvements in the quality and safety of healthcare on behalf of patients. In this context, it is a matter for the Chief Inspector to determine, for each health care centre, whether the staffing level and mix is appropriate. However, it is the responsibility of the registered provider in each centre to ensure that there are sufficient appropriately qualified staff to ensure services are delivered in accordance with HIQA National Standards and the needs of the residents.

Given the budgetary position and financial challenges, there is an ongoing need for reform, including greater flexibilities in work practices and rosters, as well as redeployment in the health sector. The HSE is committed to fast-tracking new, innovative and more efficient ways of using reduced resources, including greater flexibilities in work practices and rosters (especially of nursing and medical staff) and changing skill-mix.

Under the Public Service Agreement appropriate arrangements to redeploy staff within and across each sector of the public service have been agreed. In relation to the health sector this protocol applies to all employees of the HSE and health employers funded by the HSE. Redeployment of employees may be required for a number of reasons including to redirect or develop skills and competencies required to meet evolving patient or service user needs.

Primary Care Centres Provision

253. **Deputy Gerald Nash** asked the Minister for Health the position regarding the development of a new primary care centre (details supplied) in County Meath ; if the Health Service Executive has identified a group or groups of GPs to operate the centre; the timeframe that will be applied for completion and operation of the centre; and if he will make a statement on the matter. [53540/12]

Minister for Health (Deputy James Reilly): Laytown/Bettystown Co Meath is one of the 35 potential locations for primary care centres for development by way of PPP as announced in July in the Government's Infrastructure Stimulus Package. Of the 35, approximately 20 will be offered to the market subject to a) agreement between the local GPs and the HSE on active local GP involvement in the centres and b) site suitability and availability. The HSE is currently analysing the available sites in each location and engaging with the GPs in each location to determine their interest in participating in the primary care centre development.

Hospital Accommodation Provision

254. **Deputy Catherine Byrne** asked the Minister for Health if St James' Hospital, Dublin intends to take over the new community nursing unit in Inchicore Hollybrook; if there is any legal impediment to the hospital running this unit and transferring long stay patients from the hospital to this unit; the implications this will have for fair deal applicants who wish to be accommodated in Hollybrook; if 18% of the beds in Hollybrook will be allocated to people from the local community as promised by the Health Service Executive in 2008; if he will provide a date for the opening of this unit; and if he will make a statement on the matter. [53550/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): In view of

the public sector moratorium and the significant additional reductions in staff numbers required over the next two years, the HSE is exploring all avenues available to it regarding the opening of the community nursing unit at Inchicore. No decisions have been taken in relation to its future vis a vis St. James's Hospital at this stage, and all legal issues will have to be resolved before any decision is taken. In that context no timeline is available as yet.

The Nursing Homes Support Scheme which commenced in 2009 contains a commitment to patient choice. A person who avails of the scheme may choose any public or approved private nursing home subject to the availability of a place and the suitability of the home to meet the person's care needs.

In relation to the specific queries raised by the Deputy, as they relate to operational matters they have been forwarded to the HSE for direct reply.

Health Services Allowances

255. **Deputy Catherine Byrne** asked the Minister for Health if a resident of a long stay facility (details supplied) in Dublin 20 is entitled to an allowance for shoes; the amount this allowance amounts to; how often is this allowance paid; when will this person next receive this allowance; and if he will make a statement on the matter. [53551/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Question No. 256 answered with Question No. 237.

Maternity Services

257. **Deputy Micheál Martin** asked the Minister for Health the position regarding previously announced plans for the Maternity Hospital at Tallaght Hospital, Dublin, if he will give assurances to the community; and if he will make a statement on the matter. [53554/12]

Minister for Health (Deputy James Reilly): A comprehensive review of maternity and gynaecology services in the greater Dublin area was completed in 2008. The 2008 KPMG Independent Review of Maternity and Gynaecology Services in the Greater Dublin Area report noted '*it is well recognised that for optimal clinical outcome, maternity services should be co-located with adult acute services, or in the case of neonatology and fetal medicine tri-located with adult and paediatric services*'. The report noted that Dublin's model of stand alone maternity hospitals is not the norm internationally and recommended that the Dublin maternity hospitals should be co-located with adult acute services and that one of the three new Dublin maternity facilities should be built on the site of the new national paediatric hospital. Maternity and paediatric service co-location has advantages for infants with congenital malformations, for fetal medicine or complications which require neonatal surgery. Maternity and adult service co-location has advantages for mothers in providing on-campus rapid and ready access to non-obstetric specialist expertise, and to specialist surgery and intensive care in the case of major obstetric emergency.

In this context the proposal in 2008 was that the National Maternity Hospital be relocated to St Vincent's Hospital, the Coombe to Tallaght Hospital and the Rotunda to the Mater Hospital, and the maternity hospitals have been working with the relevant adult sites to progress this.

Recently the Government made the decision to build the new national children's hospital on the St James's campus. Given the need to plan for the provision of maternity services along with paediatric and adult services on the site selected for the new children's hospital, there will be early discussions with the Dublin maternity hospitals regarding their maternity /adult co-location plans. My Department will engage in discussion with the Coombe Hospital in relation to co-location plans in the near future.

Drug Treatment Programmes Availability

258. **Deputy Micheál Martin** asked the Minister for Health his views on the notified proposed reduction in clinical sessions at the satellite drugs clinics in Tallaght, Dublin 24; if he will understand the concerns of the projects in this regard; and if he will make a statement on the matter. [53557/12]

Minister of State at the Department of Health (Deputy Alex White): I understand that the Deputy is referring to the review and reconfiguration of nursing services in the Addiction Services in the HSE Dublin Mid-Leinster region. I am advised by the HSE that the provision of nursing services in drug treatment centres will not change under the new arrangements. However, access to nursing services in satellite drug clinics which deal with smaller numbers and cater for those whose drug use has stabilised, will be determined through referral from the clinic doctor. An appointment system will be managed by nurse management. In this way the needs of the service users attending satellite clinics will be accommodated and they will not be compromised clinically by this change. The arrangements put in place by the HSE would appear to be reasonable in the circumstances.

Patient Transport Provision

259. **Deputy Peter Mathews** asked the Minister for Health if he will ensure that a effective patient transport is provided in respect of a person (details supplied) in Dublin 16; and if he will make a statement on the matter. [53623/12]

Minister for Health (Deputy James Reilly): The cost to the health service of providing non-emergency patient transport, in particular for patients going to outpatient (OPD) appointments, has escalated in recent years. As the HSE has no statutory obligation to provide patient transport, other than emergency transport, non-essential transport provision has been identified for budgetary control. Accordingly, criteria have been revised considerably and a uniform approach to providing such transport is being rolled out across the health regions.

In general, patients are expected to make their own way to and from hospital and OPD appointments, using private or scheduled public transport. The exceptions are for patients whose appointments are directly related to dialysis, radiotherapy and chemotherapy or post-operative transplant treatment. Transport may also be provided where, in the clinician's view, the patient would be unable to make the journey without clinical assistance or where the patient must be transported on a stretcher.

Where transport has been withdrawn, having previously been provided, this may be as a result of the Local Health Office (LHO) beginning to implement the national criteria. If a patient feels there is a genuine case for provision, then they should approach the LHO and their clinician should make a clinical case for it.

Under the supplementary welfare allowance scheme, the Department of Social Protection

may make a single payment to help meet exceptional expenditure which a person could not reasonably be expected to meet out of their weekly income. These payments are known as Exceptional Needs Payments (ENPs). The amount paid, if any, is assessed by that department on a case by case basis. There is no automatic entitlement to such payments and the fact that a person is dependent on a social welfare or HSE payment does not necessarily mean that they will qualify for an ENP.

As this question relates to a query about an individual and is, therefore, an operational matter for the HSE, it has been forwarded to the HSE for direct reply to the Deputy.

Question No. 260 answered with Question No. 237.

Speech and Language Therapy

261. **Deputy Róisín Shortall** asked the Minister for Health if he will provide details of the numbers on waiting lists in respect of assessment and treatment for speech and language therapy, physiotherapy, and occupational therapy with a breakdown by therapy and by duration on the waiting list and by area and by age category [53635/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

262. **Deputy Heather Humphreys** asked the Minister for Health if he will confirm the percentage of poultry produce used in meals for hospitals that is of Irish origin; and if he will make a statement on the matter. [53641/12]

Minister for Health (Deputy James Reilly): The management of hospital services generally, is a matter for the Health Service Executive and the individual hospitals concerned. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to make enquiries as to the provenance of the poultry used in hospital meals and reply directly to the Deputy.

Hospital Waiting Lists

263. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when a person (details supplied) in County Monaghan will receive an appointment for a consultation with an orthopaedic surgeon at Our Lady's Hospital, Navan, County Meath; and if he will make a statement on the matter. [53646/12]

Minister for Health (Deputy James Reilly): Improving access to outpatient services is the next priority for the Government. Building on work already undertaken by the HSE, the NTPF has now taken over the reporting of outpatient waiting time data. The collation and analysis of outpatient waiting time data in a standardised format will reveal the distribution of long waiters across all hospitals. In the first instance, this will allow the SDU and NTPF to target their resources towards those patients who are waiting longest and ensure that they are seen and assessed. A maximum waiting time target has now been set of 12 months for a first time outpa-

tient appointment by 30 November 2013.

In parallel with reducing the numbers of longest waiters, the SDU will also work with the HSE Clinical Programmes to reform the structure, organisation and delivery of outpatient services to ensure that the right patient is seen and assessed by the right health professional at the right time.

Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and hospital involved.

In relation to the specific query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

Respite Care Services

264. **Deputy John McGuinness** asked the Minister for Health if extra home help will be provided in the case of a person (details supplied) in County Kilkenny; and if respite will be arranged. [53647/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Home Help Service Provision

265. **Deputy John McGuinness** asked the Minister for Health if the home help arrangement which is now in place in respect of a person (details supplied) in County Kilkenny will be continued; and if he will make a statement on the matter. [53650/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Nursing Home Subventions

266. **Deputy John McGuinness** asked the Minister for Health if an appeal relative to an application under the fair deal scheme in respect of a person (details supplied) in County Kilkenny will be expedited and approved; and if he will make a statement on the matter. [53651/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Home Help Service Provision

267. **Deputy John McGuinness** asked the Minister for Health if increased home support hours and respite at night will be provided in respect of a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [53654/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for the question to be referred to the

Health Service Executive for direct reply to the Deputy.

Motorised Transport Grant Eligibility

268. **Deputy Seán Kyne** asked the Minister for Health if the criteria pertaining to the motorised transport grant will be re-examined with a view to permitting applications from parents of children with mobility limiting conditions particularly in view of the fact that the grant guards against social exclusion and is particularly relevant and necessary for more rural areas which do not have the same access to public transport. [53670/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I wish to inform the Deputy that there are no proposals to expand the qualifying criteria for the motorised transport grant.

Road Projects Contracts

269. **Deputy Willie Penrose** asked the Minister for Transport, Tourism and Sport if he has received an application for funding from Westmeath County Council in respect of a project (details supplied); if same will be approved without delay because of its importance in terms of safety; and if he will make a statement on the matter. [53662/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act. Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

Road Projects Contracts

270. **Deputy Noel Grealish** asked the Minister for Transport, Tourism and Sport if funding is still available for the new M17/M18 motorway; the date on which contracts will be signed for this project; and if he will make a statement on the matter. [53402/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Act 1993 to 2007 in conjunction with the local authorities concerned.

The Gort-Tuam PPP project is one of a number of road projects identified in the Government's Financial Stimulus Package. As the investment and Capital Expenditure Framework 2012 - 2016 did not include a financial provision for this project, an additional multi-annual allocation is required to cover the Exchequer element of the project costs. As the allocation of such funds is related to the planned sale of State assets, clarification has been sought from the Department of Public Expenditure and Reform on the timelines involved. Once appropri-

ate funding arrangements are put in place, the NRA will be in a position to prepare the project implementation schedule.

Road Improvement Schemes

271. **Deputy Billy Timmins** asked the Minister for Transport, Tourism and Sport the position regarding funding for the entrance to a complex (details supplied) in County Wicklow; if funding will be allocated for this work as a matter of urgency; and if he will make a statement on the matter. [53430/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The improvement and maintenance of regional and local roads is a statutory function of each road authority in accordance with the provisions of Section 13 of the Roads Act 1993. The carrying out of works on these roads is a matter for the relevant local authority to be funded from its own resources supplemented by State road grants.

In July this year, the National Roads Authority (on behalf of the Department) invited applications for consideration for funding in 2013 under the Low Cost Safety Improvement Grants Scheme in respect of regional and local roads. It is open to Wicklow County Council to prioritise this project at Vale Road Arklow and to submit it among its applications for funding.

Under the Low Cost Safety Improvement Works scheme the criterion for approval and grant allocation is based on accident data, discussions between the local authority and the National Roads Authority together with inspection of sites. Works include a variety of safety work measures including road signage, road line works, surface works including anti-skid surfaces and works for improved vision at junctions and other locations. However the initial selection and prioritisation of works to be funded is a matter for the Council. Alternatively the council may fund these works from its Discretionary Grant or from its own resources. I will announce the 2013 regional and local road grant allocations early in the new year.

Road Signage

272. **Deputy Charles Flanagan** asked the Minister for Transport, Tourism and Sport if he will conduct a review of motorway signage indicating places of interest to include businesses and commercial sites in close proximity to the State's motorway network; and if he will make a statement on the matter. [53455/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act. Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

Bus Éireann Services

273. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport if he will request Bus Éireann to provide a bus shelter in Killorglin town, County Kerry, as a matter of urgency; and if he will make a statement on the matter. [53522/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue of bus stop improvements is a matter for the National Transport Authority (NTA) in conjunction with Bus Éireann. I have referred the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Road Safety Issues

274. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport if there are any laws regarding the use of dimmed headlights on any category of road during day light hours; and if he will make a statement on the matter. [53559/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Daytime Running Lights (DRL) involve motorists either using their dipped headlights during the hours of daylight or fitting dedicated daytime running lights in an effort to make vehicles more conspicuous and hence increase road safety by reducing the number and severity of road traffic collisions. An increasing number of vehicles have dedicated DRL fitted as standard, and it became mandatory on all new cars entering the national fleet from 2011 onwards in accordance with EC Directive 2008/89/EC. New trucks and buses are required to have dedicated DRL from August 2012. It is estimated that through the gradual renewal of the national fleet almost all vehicles will be equipped with DRL by 2024.

DRL is not mandatory in Ireland. In recent years the RSA undertook a review of the policy options available for the mandatory introduction of DRL and concluded that DRL should not be made obligatory at this moment in time. Experience in other countries especially Sweden where DRL has been mandatory since 1977, shows that mandatory DRL works best where all vehicles are fitted with dedicated DRL and where there has been intensive promotion and awareness campaigns prior to DRL being made mandatory. In Ireland most vehicles do not yet have dedicated DRL and the RSA analysis has shown that the costs of retrofitting DRL at the current time outweighs the benefits. The RSA has recommended that the position be reviewed again in circa 4 years.

In the meantime, the RSA will intensify the promotion of DRL with a view to significantly increasing the use of DRL on a voluntary basis, in particular, during the period September to March and in wet or poor conditions. With this in mind the RSA recently launched an awareness campaign promoting the use of DRL on national radio which is reinforced by "*The Bright Way To Save Lives*" section on its website www.rsa.ie, which extols the benefits of DRL.

Taxi Regulations

275. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will report on the taxi industry testing process being carried out for the National Transport Authority by Prometric; his views that applicants who fail the test should be provided with the breakdown of the sections of the test they failed; the reason questions in the knowledge entry tests can relate to county areas outside the 30 kilometre county zone where SPSV drivers have the right to refuse journeys; the reason an applicant who pass the entry test but fails the knowledge test have to re-sit both tests at a cost of €86.10; and if he will make a statement on the matter. [53560/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The regulation of the small public service vehicle (SPSV) industry, including the operation of the testing process under the SPSV skills development programme, is a matter for the National Transport Authority (NTA) under the Taxi Regulation Act, 2003. I have referred your question to the NTA for direct reply. Please advise my private office if you do not receive a response within 10 working days.

Sports Capital Programme Applications

276. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport if he will allocate capital sports grant funding to a club (details supplied) in County Kerry to allow for the development of their new playing pitches and facilities; and if he will make a statement on the matter. [53561/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): My Department has received over 2,170 applications for funding under the 2012 Sports Capital Programme. This is the largest number of applications ever received under the Programme.

Departmental officials are processing all applications and this process will take some time due to the volume of applications received.

I expect to be able to announce the list of successful applicants later this year. All applicants, including the one referred to by the Deputy, will be informed of the outcome of their application at that stage.

Sports Capital Programme Applications

277. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport if he will allocate capital sports grant funding to a club (details supplied) in County Kerry who need to upgrade their existing playing pitches as they are catering for a huge catchment area. [53562/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): My Department has received over 2,170 applications for funding under the 2012 Sports Capital Programme. This is the largest number of applications ever received under the Programme.

Departmental officials are processing all applications and this process will take some time due to the volume of applications received.

I expect to be able to announce the list of successful applicants later this year. All applicants, including the one referred to by the Deputy, will be informed of the outcome of their application at that stage.

Pilot Training Courses

278. **Deputy Finian McGrath** asked the Minister for Transport, Tourism and Sport his plans to provide continued training to the trainee pilots of PTC Waterford; his plans to put in place an interim compensation scheme for affected pilots; and if he will make a statement on the matter. [53563/12]

279. **Deputy Finian McGrath** asked the Minister for Transport, Tourism and Sport following the recent meeting of the Joint Oireachtas Committee on Transport and Communications on

24 October 2012 on the issue of PTC Waterford, his plans to refer this case to the Director of Corporate enforcement. [53564/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 278 and 279 together.

On 28 September last the High Court ordered the liquidation of the Pilot Training College Waterford (PTC). Unfortunately PTC is not an isolated example – there have been other similar failures in other European Member States in the recent past, including in the UK, where students also suffered losses. I fully understand the frustrations of the students and their families who have lost considerable sums of money to PTC and while I have great sympathy for their plight, neither the Government, nor the Irish Aviation Authority (IAA), have any liability in this regard; the taxpayer cannot be liable for the failures of private sector companies. Accordingly there are no plans to set up a compensation scheme.

The IAA has worked with other approved flight training centres to explore how the students involved might be facilitated in completing their training elsewhere either in Florida or in Ireland at as reasonable a cost as possible; I am informed that many students are continuing their training.

I understand that a complaint has been made to the Office of the Director of Corporate Enforcement in relation to this company and that body is the appropriate body to investigate any potential breaches of company law.

Public Transport Provision

280. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport his views on the process by which advertisements are cleared for use on publicly owned public transport services; the steps a person can take if they believe an advertisement to not be suitable for use on publicly financed transport services; and if he will make a statement on the matter. [53672/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): This is a matter for the relevant public transport provider and the advertiser in conjunction with the Advertising Standards Authority for Ireland (ASAI). The ASAI set standards for advertising and adjudicate on complaints received, including those for alcohol drinks advertisements.

29 November 2012

29 November 2012

