

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, inclusive, answered orally.

Public Procurement Contracts Social Clause

11. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the consideration he has given to the inclusion of a social clause in capital public procurement projects to the value of €1 million euro or more. [24631/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The matter of social clauses in public contracts is something that I have been examining closely recently.

Social clauses can be used in public procurement in cases where they are targeted at factoring into the procurement process consideration of social issues such as employment opportunities, equal opportunities and social inclusion. In order to be compatible with EU law, they must be made known to all interested parties and must not restrict participation by contractors from other Member States.

The European Commission issued guidance in 2010 that identified a range of social considerations that could be relevant for procurement including promoting employment opportunities for young unemployed or long-term unemployed and promoting compliance with core labour standards. This guidance stressed that when incorporating social considerations into the procurement process one of the key challenges is ensuring compliance with the EU Treaty Principles and the Procurement Directives. The EU procurement directive primarily envisages that social considerations may be included as contract performance conditions, provided they are not discriminatory and are included in the contract notice or in the contract documents and relate to the performance of the contract. For example, the EU Directive states that contract performance conditions may be intended to favour on-site vocational training, the employment of people experiencing particular difficulty in achieving integration, the fight against unemployment or the protection of the environment.

Challenges arise from the need to ensure that: value for money is not adversely affected; additional costs are not placed on domestic suppliers relative to other potential suppliers; and the targeted benefit is capable of being measured and monitored during execution of the contract.

The Deputy may be aware that proposals for a revised set of EU Directives governing public procurement are being considered at present. The inclusion of social considerations in public procurement procedures, specifically at the contract award stage, is an issue that is being addressed in the reform of the procurement directives. In this regard, the revised directive, when implemented, should provide greater scope and legal clarity in relation to the use of social

criteria at contract award stage. Reaching agreement on the public procurement dossiers is a key priority for the Irish Presidency of the European Union.

The Government Contracts Committee for Construction (GCCC) has recently approved a pilot initiative to be included in a series of 3 bundles under the National Development Finance Agency (NDFA) Devolved Schools Build Programme Design and Build Framework, which will require the Contractor to provide for the employment of some members of the workforce employed under a public works contract to be recruited from the ranks of the long-term unemployed, in addition there is a requirement to provide opportunities for apprentices.

Flood Relief Schemes Funding

12. **Deputy John McGuinness** asked the Minister for Public Expenditure and Reform the number of flood alleviation projects that will be carried out by the Office of Public Works in 2013; the funding to be allocated to these projects; the way this compares to previous years; and if he will make a statement on the matter. [24666/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Office of Public Works addresses flood risk under the following main programmes:

1. Major Capital Works Programme
2. Minor Works and Coastal Protection Scheme
3. National Catchment Flood Risk Assessment and Management (CFRAM) Programme
4. Drainage Maintenance Programme
5. Hydrometric and Hydrological Programme

The total allocation included in the OPW's Vote in 2013 for these programmes is €61m, of which €45m is allocated for flood alleviation works projects, including the National Catchment Flood Risk Assessment and Management Programme.

Some projects under the Major Capital Works Programme are delivered directly through the OPW's own resources while others are delivered by local authorities with funding and technical input from the OPW.

There are 9 projects at construction stage under this Programme at present. It is expected that another five schemes will commence construction before the end of 2013, subject to completion of procurement and other preparatory formalities and continued availability of funding. There are currently 26 other schemes at various stages of design and planning. The comparable position as regards Major Capital Works projects in the years 2010-2012 was as follows:

MAJOR WORKS SCHEMES

-	2010	2011	2012	2013*
At Construction	14	12	13	9
Pre-construction	21	22	20	26

* Figures shown for 2013 represent the position at end-April while figures for other years show year-end position. Five schemes currently at Pre-construction stage are expected to progress to At Construction stage before end-2013.

Under the Minor Works and Coastal Protection Scheme, the OPW provides funding to local authorities for smaller scale, more localised flood mitigation measures they wish to undertake in their areas. It is open to any local authority to submit an application to the OPW for funding under the scheme. Each application will be assessed in accordance with the criteria now in place and having regard to the overall availability of financial resources for such works in 2013. The relevant local authority is responsible for the procurement, planning, detailed financial management and day-to-day implementation of all aspects of the projects approved under the Scheme. A summary of projects approved for funding by the OPW under this scheme each year since 2010 is as follows:

MINOR WORKS & COASTAL PROTECTION SCHEME

-	2010	2011	2012	2013 to date
No. of projects	193	75	78	10
Funding allocated	€16.6m	€4.6m	€4.4m	€0.5m

In addition to capital flood relief works, the OPW will continue in 2013 with a programme of Catchment Flood Risk Assessment and Management studies which will produce an integrated Flood Risk Management Plan setting out a prioritised set of measures to address flood problems in areas where there is significant risk in each major catchment in the country.

Under the ongoing arterial drainage maintenance programme, the OPW will also continue in 2013 to undertake maintenance of completed arterial drainage and flood relief schemes, which also contributes to reducing flood risk. The OPW will also continue to gather hydrometric data used to design flood defences. A total of €16m has been provided for these programmes in the OPW Vote in 2013.

Public Sector Pensions Issues

13. **Deputy Micheál Martin** asked the Minister for Public Expenditure and Reform his plans to consolidate the 156 defined benefit schemes listed for public sector employees; and if he will make a statement on the matter. [24661/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I understand that the Deputy is referring to the public service pension schemes listed in the Occupational Pension Schemes (Funding Standard) (Amendment) Regulations 2013 which were signed by the Minister for Social Protection on 18 April 2013. These schemes are exempt from the funding standard provisions of Part IV of the Pensions Act 1990.

Consolidation of particular public service pension schemes has taken place from time to time in the past, and individual instances of such consolidation may occur in the future. The consolidation of particular schemes could arise, for example, on foot of the merger or other re-organisation of State Bodies. It is also a fact that many public service schemes adhere to the standard rules set out in the 'Model' superannuation scheme for non-commercial state bodies.

Notwithstanding consolidation events which may arise in this way, and subject to the very important exception case of the Single Public Service Pension Scheme, I have no plans for widespread consolidation of existing public service pension schemes. For the most part the schemes concerned are localised to particular sectors of the public service, such as the civil service and local government, or to individual bodies, agencies and institutions. These schemes often originate from legislation specific to the area or body concerned, such as when the foun-

dation Act of a State body makes specific provision for the establishment of a pension scheme for the workforce of that body. This legislative background, along with differences in rules between schemes, would mean that any attempt at wholesale consolidation would be a difficult, complex and potentially expensive undertaking.

An effective consolidation of public service pension schemes will in any event be achieved over time by way of the Single Public Service Pension Scheme, which I launched on 1 January 2013. The Single Scheme applies to all areas of public service employment, and is now the default pension scheme for first-time new-joiner public servants. In general the only new-joiner public service personnel who can be enrolled in pre-Single Scheme public service schemes are those with a recent work history elsewhere in the public service. In this sense the multitude of public service schemes to which the Deputy refers can mostly be regarded as semi-closed to new entrants, and will be fully displaced over time by the Single Scheme.

Banking Inquiry

14. **Deputy Alan Farrell** asked the Minister for Public Expenditure and Reform if he will outline the aim of the proposed bill to allow for a banking enquiry; the resources that will be made available to the committee selected to carry out the proceedings; the timeframe that has been given for the completion of the enquiry; the projected cost of this enquiry to the Exchequer; the way the Oireachtas will be protected from making adverse findings against individuals; if the enquiry will affect in any way, judicial proceedings; and if he will make a statement on the matter. [24517/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy will be aware, the Government, at its meeting on 14th May 2013, approved the publication of the text of the Houses of the Oireachtas (Inquiries Privileges and Procedures) Bill 2013. The aim of this Bill is to establish a comprehensive statutory framework for the Oireachtas to conduct inquiries within the current constitutional framework.

The Bill envisages a central role for the Oireachtas in both initiating and conducting a parliamentary inquiry. Under the Bill, responsibility is assigned exclusively to the Houses of the Oireachtas to determine the requirement for a formal inquiry, the terms of reference of that inquiry, the appropriate committee to conduct an inquiry and the procedural and organisational aspects of the inquiry.

It is a matter for the Oireachtas to determine the resources that will be made available to any committee conducting an inquiry. The Bill obliges a committee, prior to conducting an inquiry, to prepare a report containing an estimate of the costs and expenses to be incurred in conducting an inquiry to be placed before the House.

In advance of a decision by the Oireachtas to conduct a banking inquiry and agreement on the type of inquiry and its terms of reference, it is not possible to make any assessment on the cost or duration of a banking inquiry.

It was firmly established in the Supreme Court judgment in the *Abbeylara* case that Oireachtas Inquiries do not, in general, have the power to make findings of fact adverse to the good name of any person who is not either a Member of the Houses or directly accountable to the Houses by virtue of the terms of their contract or statutory appointment. Only in such limited cases (or cases of impeachment of officeholders) may the reputations of individuals be put in issue.

The operation of an inquiry will not impede any judicial proceedings. Section 12(2) of the

Bill provides that, if rules and standing orders so provide, a factor that may be considered by the Houses prior to determining the terms of reference resolution is the likelihood of the inquiry prejudicing any criminal proceedings that are pending or in progress in the State. Section 26 makes clear that evidence given or sent to a committee for the purposes of an inquiry is not admissible as evidence in any proceedings, including disciplinary proceedings. Additionally, Section 30 of the Bill permits a committee conducting an inquiry to omit from the final report information that could lead to the identification of a person if, in the committee's opinion, disclosure of the information could reasonably be expected to prejudice any criminal proceedings that are pending or in progress in the State or any criminal investigation that is currently being conducted in the State or, *inter alia*, it would not be in the interests of justice to disclose the information. Section 68 makes clear that a committee may not direct a person to give evidence or a document to it if it could reasonably be expected to prejudice any criminal proceedings that are pending or in progress in the State or any criminal investigation that is currently being conducted in the State.

National Lottery Licence Sale

15. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform if he will include in the tender documents for the National Lottery licence a clause that requires the successful bidder to abide by a social responsibility charter; and if he will make a statement on the matter. [24650/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy is aware, I announced in April 2012 that there will be a competition for the next National Lottery licence. A document inviting Expressions of Interest from parties interested in participating in the competition was published by my Department on 8th May 2013. It is envisaged that the competition will commence shortly.

The robust regulation of the National Lottery during the period of the next licence has been a priority for my Department since the outset of this process. The National Lottery Act 2013, which was recently enacted, provides for the establishment of a new independent Regulator for the National Lottery. Under the Act, the Regulator will be responsible for ensuring that the National Lottery is run with all due propriety, that the interests of participants in the National Lottery are protected, and that the long term sustainability of the National Lottery is safeguarded.

The protection of players of the National Lottery will be central to the arrangements for the next licence. Under the terms of the licence, the licence holder will be required to prepare, for the approval of the Regulator, codes of practice which will deal with issues such as relations with participants, advertising and promotions, and sales of tickets.

Departmental Legal Costs

16. **Deputy Michael Moynihan** asked the Minister for Public Expenditure and Reform his views on whether sufficient progress is being made in reducing the State's legal bill across his Department and State agencies under his aegis; and if he will make a statement on the matter. [24669/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In the normal course, my Department uses the services of the Office of the Attorney General and the Office of the Chief State Solicitor in dealing with its own legal business.

In addition, my Department, in line with its general statutory responsibilities, has been engaged with the State's law offices, who are critically involved in the engagement of legal services, with a view to pursuing reductions in overall costs. Reductions in legal costs are being achieved over the last few years through a number of different measures:

- The Financial Emergency Measures in the Public Interest (FEMPI) Act 2009 imposed reductions on levels of professional fees, including legal fees.

- The State Claims Agency has reduced fees paid to barristers by 25% and has established a legal costs unit to handle third party costs associated with the Mahon and Moriarty Tribunals.

- A range of Departments and Offices have achieved reductions in legal fees and enhanced mechanisms for rigorous examination of claims have been introduced in both the Chief State Solicitor's and the Director of Public Prosecutions' Offices.

In relation to the procurement of legal services generally by the State, the position is that such services are not exempt from public procurement rules and many authorities tender for their legal services. To raise awareness in this regard, my Department, following consultations with the Attorney General's Office, will very shortly issue a circular underlining the importance of competitive tendering for such services to all public bodies.

In addition, the National Procurement Service (NPS) has set up a working group on legal services to examine ways to assist public bodies that procure legal services and to determine how resources can be leveraged to achieve best value for money. The Working Group consists of representatives from the NPS, my Department, the Department of Justice & Equality, the Chief State Solicitor's Office and the Office of the Attorney General. The work of this group will now be absorbed into the operations of the newly-formed Office of Government Procurement.

Sale of State Assets

17. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he will outline the full extent of the anticipated disposal of any State assets in the context of public expenditure reform and the targets set in the context of the Troika agreement by his predecessors; and if he will make a statement on the matter. [24673/13]

19. **Deputy Richard Boyd Barrett** asked the Minister for Public Expenditure and Reform if he will provide a progress report on the consideration of State asset disposals such as Coillte and other State assets; and if he will make a statement on the matter. [24624/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 17 and 19 together.

The House will be aware from my announcement in February of last year of the overall shape and scale of the State asset disposal programme that is being pursued. In brief, the disposal programme that the Government has agreed consists of:

The sale of Bord Gáis Éireann's energy business (but not including BGÉ's gas transmission or distribution systems or the two gas interconnectors, which will remain in State ownership);

The sale of some of ESB's non-strategic power generation capacity;

Disposal of the State's remaining shareholding in Aer Lingus, when market conditions are favourable in circumstances that accord with Government transport policy and at an acceptable

price to Government;

After further consideration, and having ruled out the sale of Coillte's land holdings, the Government has also determined that a concession for the harvesting rights to Coillte forests would be proposed for sale.

I am pleased to report that significant progress has been made to-date: **Bord Gáis Éireann** formally launched the sale process for its energy business on 3rd May last and I expect that the sale will be concluded by the end of this year. **ESB** is also about to commence the sale of some of its non-strategic power generation assets, as announced last October. I expect that the sale of two of ESB's overseas assets – at Marchwood in the UK and Amorbieta in Spain - will complete in 2013.

In regard to **Aer Lingus**, the European Commission's recently completed investigation of Ryanair's bid for the company has been a complicating factor in the disposal of the State's stake. The UK's Competition Commission has now also reopened its investigation into Ryanair's holding in its rival. Until this and possible appeals processes are exhausted, it is unlikely that optimal conditions will exist for a sale of the Government's remaining shareholding. Nevertheless, the Government remains open to considering opportunities to dispose of its shareholding and will, in the meantime, continue to manage the holding in a responsible manner in order to protect the State's interests and with the aim of maximising its value.

In regard to **Coillte**, on foot of the Government's decision last year that a concession for the harvesting rights to the company's forests be considered for sale, an Inter-Departmental Steering Group was established, comprising representatives of my Department, the Department of Agriculture Food and the Marine and NewERA, to progress the proposed transaction and advise on how it should be implemented.

The Steering Group has worked closely with Coillte to analyse the various financial, policy and technical issues that arise in the context of a sale of harvesting rights. These covered all of the concerns that have been raised by various interest groups, including, amongst others, the issue of public access to the forests, replanting obligations to ensure the continued existence of our forests, harvesting policy, the issue of supply of timber to sawmills, as well as the implications for a post-transaction Coillte. In this context, the Steering Group also met with representatives of the Coillte Board and management, representatives of the Coillte Group of Unions, and the Chairman and members of the Irish Timber Council.

A number of detailed financial, technical and other specialist reports were also prepared for Coillte in late 2012 by external specialist consultancy bodies, in full consultation with the Board of Coillte and its executive management, which have also been considered by the Steering Group.

The Steering Group has now reported to the Minister for Agriculture Food and the Marine and myself in relation to its work to date. It is our intention to bring a memorandum to Government on this matter in the near future.

Public Procurement Contracts Tenders

18. **Deputy Billy Kelleher** asked the Minister for Public Expenditure and Reform his view on fears expressed by the Small Firms Association that plans to centralise the way in which it buys goods and services threaten to cut small businesses out of State contracts and lead to job losses; and if he will make a statement on the matter. [24655/13]

28. **Deputy Pádraig Mac Lochlainn** asked the Minister for Public Expenditure and Reform the feedback he has received from the small and medium enterprise and micro-business sectors with regards to collaborative procurement. [24629/13]

32. **Deputy Mick Wallace** asked the Minister for Public Expenditure and Reform his views on reports that his plans to centralise procurement will exclude many small businesses from the tendering process, resulting in business closures and job losses; and if he will make a statement on the matter. [24623/13]

35. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform if he will provide a progress update on the work of the new National Procurement Office. [24630/13]

36. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform the collaborative procurement training he intends to provide for business tendering for public procurement contracts. [24632/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 18, 28, 32, 35 and 36 together.

Reform of public procurement is one of the major projects of key strategic importance in the Government's Public Service Reform Plan, which was published in November 2011. Procurement of supplies and services accounts for around €9 billion of current spending by the State per annum. This represents a very significant portion of overall spending and it is, therefore, essential that the Public Service achieves maximum value for money and operational efficiency in its approach to public procurement.

Progress has been made on several of the actions for procurement reform contained in the Public Service Reform Plan. The Government agreed on 12 June, 2012 to implement mandatory arrangements in respect of the centralised purchasing frameworks organised by the National Procurement Service (NPS).

The National Procurement Service (NPS) has put in place a number of national arrangements designed to secure better value for money from leveraging the public service's buying power in relation to a range of goods and services that are commonly purchased across the public service. These national arrangements have benefits that include:

- cash savings;
- administrative savings from reduced duplication of tendering;
- greater purchasing expertise;
- improved consistency; and,
- enhanced service levels.

Last year my Department issued Circular 06/12 which implements the Government decision by making it a mandatory requirement that public service bodies avail of specified national arrangements put in place by the NPS. These national arrangements will secure best value for money and facilitate contracting authorities to deliver services within their budgetary constraints.

While the key purpose of Circular 6/12 is to enable the State to do more with less by aggregating procurement to secure better value for money, it is worth noting that such aggregation arrangements can be implemented in a manner that achieves value for money with a minimal negative impact, or indeed a positive impact, on SMEs. While a number of the categories of

goods and services mandated under the Circular are suited to single supplier national arrangements, these need not be accepted as the norm. The greater use, where appropriate, of multi-supplier frameworks can address local supplier issues while also ensuring on-going cost competitiveness of the framework itself. Such multi-supplier frameworks may also offer SMEs the opportunity to participate in national level contracts, thereby offering valuable reference work when competing for public procurement contracts in other jurisdictions.

In order to encourage greater SME participation the NPS, over the past three years, has conducted a targeted programme of education for suppliers who wish to learn more about doing business with the Irish Public Service. This programme consists of seminars, workshops and large scale ‘meet the buyer’ events hosted nationwide. To date the NPS has facilitated workshops and presented at seminars to over 4,500 SMEs nationwide. Parallel with these events the NPS also works closely with business representative bodies such as ISME and IBEC to provide briefings for their members.

Larger enterprises were also encouraged to consider the practical ways that SMEs could be included in their proposals to maximise the social and economic benefits of the contracts that result from these tenders. For example, the indigenous company, which won the Stationery contract, with an estimated value of €10m per annum, is sourcing up to 60% of their products using 136 local agents and manufacturers.

In addition, an external review of the central procurement function was commissioned by the Department of Public Expenditure and Reform. The report of the review, which was published in September, found that significant savings can be achieved through the implementation of a transformational change to the central procurement model.

In December 2012, arising out of recommendations in the report of the review of the central procurement function the Minister announced the appointment of a Chief Procurement Officer (CPO) to lead a key element of the Government’s Public Service Reform agenda. The new approach to public procurement will involve:

- integrating procurement policy, strategy and sourcing in one office;
- strengthening spend analytics and data management;
- much greater aggregation of purchasing across public bodies to achieve better value for money;
- examining the specifications set out for goods and services;
- evaluating demand levels to assess how demand and volume can be reduced; and
- strengthening supplier and category management.

Since the appointment of Paul Quinn, CPO, on 28 January 2013, he has initiated and completed a series of engagements (workshops and one-to-one meetings) with key stakeholders within the public sector and their representatives in relation to the development of the proposed governance structures, implementation plan, transition arrangements and savings targets for the procurement function. The following sectors were engaged in workshops/meetings: Health, Education, Local Government, Defence, Justice, and other Central Government Departments.

To summarise: we in government want better value for money for our substantial procurement spend and we want Irish SMEs, where necessary, to form alliances and networks to ensure they can tender on a competitive basis for this work. To ensure the reform process take account of the needs of stakeholders further consultations will be undertaken with employees and work-

ers' representatives as the new Office for Government Procurement is established. We are committed to ensuring that SMEs are fully engaged in the process and will be encouraged, where necessary, to form alliances and networks to ensure they can tender on a competitive basis for this work.

Question No. 19 answered with Question No. 17.

Public Sector Staff Remuneration

20. **Deputy Niall Collins** asked the Minister for Public Expenditure and Reform his plans to implement a more streamlined process of negotiating pay and conditions for public sector employees; and if he will make a statement on the matter. [24647/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The public service currently employs some 290,000 employees across individual Sectors, Departments and Agencies each with a diversity of terms and conditions of employment, skills, professional backgrounds and expertise. They are represented by a wide variety of individual representative associations and unions. Accordingly public service wide negotiations on pay and conditions are inevitably complex and challenging.

However, as they reflect the diversity of the workforce I am satisfied with the consultative and representative structure which applies in each sector and deals with day to day matters concerning the terms and conditions of employment of public servants. That is underpinned by the industrial relations machinery of the State, including the Labour Court and the Labour Relations Commission, or internal conciliation and arbitration mechanisms in specific sectors.

Public Service Reform Plan Measures

21. **Deputy Catherine Murphy** asked the Minister for Public Expenditure and Reform if he has considered expanding the State's eGovernance capacity by following the Norwegian Altinn model of online service provision (details supplied); if the platform used by the Revenue service at present could be adapted to cover a much wider range of citizen interactions with the State, thereby potentially reducing costs significantly; if any cost benefit analysis has been conducted on this topic; if not, if he will commit to investigating the potential for the State offered by such a system; and if he will make a statement on the matter. [24518/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): My Department's eGovernment Policy Unit is responsible for coordinating the development and implementation of eGovernment policy. The Government's overarching approach to eGovernment is set out in the eGovernment Strategy which is available online (egovstrategy.gov.ie).

The eGovernment Policy Unit also fulfils an important role researching and investigating international best practices in eGovernment. The Unit is aware of the Norwegian *Altinn* portal for businesses, as well as one-stop-shop approaches adopted by other countries. Ireland's gov.ie portal received generally positive comment in the student case study provided by the Deputy.

The Revenue Online Services are regularly enhanced to improve the quality of services to citizens and businesses taking account a of number of factors including costs and benefits. Revenue already cooperates with a range of public bodies, including the Motor Tax Office, the Companies Registration Office and the Valuation Office to enhance their service delivery.

In addition, the Public Service CIO Council examines potential improvements to online ser-

vice delivery. This includes analysis of national and international best practice. The one-stop-shop model is already applied within specific sectors. For example, the Companies Registration Office CORE system is a one-stop-shop for business registration activities. Revenue's online services are considered as best practice internationally.

Easy access to a wide range of information and services is provided via gov.ie and the Citizen's Information Board website.

Public Expenditure Statistics

22. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform if he will indicate his targets on public expenditure for budget 2014; the extent to which these targets are influenced by the EU Two-Pack regulations; his current views on the mix of strategies he intends to pursue to meet those targets. [24520/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Departmental current expenditure ceilings for 2014 were set out in the *Comprehensive Expenditure Report 2012-2014*, published in December 2011, which first set out Departmental expenditure ceilings on a three year basis. Updated 2014 ceilings, taking account of pressures and adjustments, were set out in the Expenditure Report 2013 (published in December 2012) together with an aggregate current expenditure ceiling for 2015. It is intended that the Departmental expenditure ceilings for the period 2014-2016 will be agreed by Government as part of the Budget and published at that time.

The "two-pack" is a set of two EU regulations which recently finalised, and which introduces a common budgetary timeline across all euro area Member States. It requires that all Member States must publish their draft budget for central government and the main parameters of all other General Government sub-sectors no later than 15 October each year and that the final budget should be adopted or fixed upon annually by 31 December. To summarise, the "two-pack" focuses on the harmonisation of budgetary processes across Euro member states.

As regards fiscal planning, a common set of EU rules have been set out in the Fiscal Compact Treaty and the so-called "six-pack" of EU regulations and one directive. Ireland's reformed domestic fiscal arrangements including the recently enacted *Fiscal Responsibility Act* and the published *Ministers & Secretaries (Amendment) Bill* are set within the context of these new EU rules.

While the structural economic and budgetary reforms that the Government is delivering will bring a return to prosperity and growth over the medium term, the current international economic position combined with the high levels of uncertainty across the world's financial market will require Ireland to maintain fiscal discipline into 2014. In this regard, the *Expenditure Report 2013*, published on 5 December 2012, includes further well-specified expenditure savings measures across every area of Government spending. These will be developed further in Budget 2014.

Coillte Teoranta Harvesting Rights Sale

23. **Deputy Richard Boyd Barrett** asked the Minister for Public Expenditure and Reform if he will report on his deliberations on the proposed sale of the harvesting rights of Coillte; the recommendation he will be making in relation to this proposal; and if he will make a statement on the matter. [24626/13]

25. **Deputy Mick Wallace** asked the Minister for Public Expenditure and Reform if he will provide an update regarding the sale of Coillte's harvesting rights; and if he will make a statement on the matter. [24622/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 23 and 25 together.

On foot of the Government's decision last year that a concession for the harvesting rights to Coillte's forests be considered for sale, an inter-Departmental Steering Group was established, comprising representatives of my Department, the Department of Agriculture Food and the Marine and NewERA, to progress the proposed transaction and advise on how it should be implemented.

The Steering Group has worked closely with Coillte to analyse the various financial, policy and technical issues that arise in the context of a sale of harvesting rights. These covered all of the concerns that have been raised by various interest groups, including, amongst others, the issue of public access to the forests, replanting obligations to ensure the continued existence of our forests, harvesting policy, the issue of supply of timber to sawmills, as well as the implications for a post-transaction Coillte. In this context, the Steering Group also met with representatives of the Coillte Board and management, representatives of the Coillte Group of Unions, and the Chairman and members of the Irish Timber Council.

A number of detailed financial, technical and other specialist reports were also prepared for Coillte in late 2012 by external specialist consultancy bodies, in full consultation with the Board of Coillte and its executive management, which have also been considered by the Steering Group.

The Steering Group has now reported to the Minister for Agriculture Food and the Marine and myself in relation to its work to date. It is our intention to bring a memorandum to Government on this matter in the near future.

Budget Measures

24. **Deputy Gerry Adams** asked the Minister for Public Expenditure and Reform the consideration he has given to the Scottish model of equality budgeting. [24634/13]

29. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform in the context of the current changes to the annual budgetary process if he will consider the inclusion of equality budgeting within the new framework. [24633/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 24 and 29 together.

With regard to budgetary matters, when focusing on the primary objectives of reducing the deficit and returning sustainability to the public finances, it has been of vital importance to the Government to spread the burden of the adjustments in as fair and equitable a manner as possible, while also seeking to minimise their negative impact on economic growth. The Government must also try to ensure that the available resources are spent carefully and that critical services continue to be delivered.

I would note that the Scottish model of Equality Budgeting has similar parallels to a number of recent reforms we have implemented. Most notably the Scottish budgetary process involves the publication of a draft budget, which allows for public consultation and debate on the par-

ticalars of the budget before it is finalised. As you know, the new ‘whole-of-year-budgeting’ reform, announced in the *Comprehensive Expenditure Report 2012-2014* enhances the role and the policy relevance of the Oireachtas in particular with regard to the role of Committees in *ex ante* consideration of resource allocation priorities in each area. This provides a forum in which Oireachtas Committees and Departments can assess and discuss the equality implications of any policy proposal in advance of the final Estimates.

A recent OECD report, published on 15 May, found that income distribution among Irish households was more equal than the average across the rest of all other OECD nations. In addition to this, the most recent Survey on Income and Living Conditions (SILC) 2011 illustrates the strong performance of social transfers in protecting those on the lowest incomes. In 2011, social transfers (including pensions) reduced the at-risk-of-poverty rate from 50.7 per cent to 16 per cent.

The Programme for Government contains a clear commitment that all public bodies would take due note of equality and human rights in carrying out their functions. The State and its bodies must, of course, comply with all provisions of equality legislation in the development and delivery of policies and services.

Finally, Cabinet procedures require that proposals put to Government indicate clearly whether there is any impact of the proposal on, amongst other things, gender equality, persons experiencing or at risk of poverty or social exclusion and people with disabilities and these considerations are taken into account when taking Government decisions on Budget matters.

Question No. 25 answered with Question No. 23.

EU Presidency Expenditure

26. **Deputy Willie O’Dea** asked the Minister for Public Expenditure and Reform the cost to date to the Office of Public Works of Ireland’s EU Presidency; the expected total cost; and if he will make a statement on the matter. [24642/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The cost to date to the Office of Public Works of Ireland’s EU Presidency is €9,616,404.21. The expected total cost is €12.2 million.

Legislative Programme

27. **Deputy Pádraig Mac Lochlainn** asked the Minister for Public Expenditure and Reform when he intends to introduce whistleblower legislation. [24628/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The drafting of the Protected Disclosures Bill 2013, which provides for a comprehensive legislative framework for the protection of persons who are penalised by their employers following the reporting of wrongdoing in the workplace, is at an advanced stage and I expect to seek Government approval for the publication of the Bill shortly.

Question No. 28 answered with Question No. 18.

Question No. 29 answered with Question No. 24.

Capital Programme Expenditure

30. **Deputy Éamon Ó Cuív** asked the Minister for Public Expenditure and Reform if he has requested ministerial colleagues to prepare a list of capital projects which are ready for commencement; the way he envisaged these would be funded; and if he will make a statement on the matter. [24638/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Public infrastructure is funded in two main ways - Exchequer financing and Public Private Partnership (PPP) sourced-funding. My Department is responsible for setting the overall capital allocations across Departments and information in relation to expenditure at project level is a matter for individual Ministers and their Departments.

As regards PPPs, the Deputy will be aware that Departments and Agencies are obliged to consider procurement options for delivery of capital projects with a value in excess of €20 million. The National Development Finance Agency (NDFA) assists Departments in this respect and helps to identify projects that are suitable for delivery through Public Private Partnership. This form of procurement involves upfront financing of the project by a private sector partner with the State making an annual payment to the company, following the construction period, which is performance based and covers the cost of maintaining and servicing the asset.

In 2013, €3.4 billion will be invested through the Exchequer public capital programme. The breakdown of this investment is laid out in the Revised Estimates 2013 which can be viewed on my Department's website (www.per.gov.ie). Additionally, in July 2012 I announced a Government Infrastructure Stimulus Package which included an Exchequer element of some €850 million. This Exchequer stimulus will be funded through the use of some of the proceeds from the sale of State assets and the new arrangement for the National Lottery licence. Progression of this element of the Stimulus Package is dependent on the realisation of those proceeds which are due to begin coming on stream at the end of this year. In preparation for this, my Department has been examining what Growth Enhancing projects could be progressed with this additional funding. That work is on-going and I expect that a number of worthwhile and labour intensive projects will be identified and progressed to an advanced stage of readiness before the State asset and National Lottery moneys come on stream.

Flood Prevention Measures

31. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform the steps being taken to address flood risks within the Shannon basin; and if he will make a statement on the matter. [24513/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Flood risks within the Shannon basin are being addressed by the River Shannon Catchment Flood Risk Assessment & Management (CFRAM) Study which is a comprehensive assessment being carried out for the Office of Public works (OPW) by Jacobs Engineering. The work on the CFRAM study is progressing well. Details of the CFRAM Study and regular updates can be found on www.cfram.ie or <http://shannoncframstudy.ie>.

Operational control of water flows and levels on the Shannon is the responsibility of both the ESB and Waterways Ireland. With the co-operation of both bodies, the OPW plans to carry out a water level monitoring exercise, involving controlled raising and lowering of weir boards at selected locations, subject to favourable hydrological conditions. The situation is being monitored closely so that when suitable conditions prevail the exercise can proceed.

The ESB has agreed also to a trial lowering of the Spring/early Summer target levels in Lough Ree to reduce somewhat the risk of summer flooding in the callows.

Question No. 32 answered with Question No. 18.

Open Government Partnership

33. **Deputy Gerry Adams** asked the Minister for Public Expenditure and Reform if he has concluded his review of the case for Ireland's membership of the multilateral global Open Government Partnership. [24635/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I wish to advise the Deputy that following the completion of the assessment, which included consultations with a number of civil society organisations, I recently secured approval from Government for Ireland to participate in the Open Government Partnership (OGP). A letter of intent confirming the Government's commitment to the principles underlying the OGP and the intention to prepare Ireland's first National Action Plan issued to the Co-Chairs of the OGP earlier this week. The Deputy may wish to note that a copy of the letter of intent is available on my Department's website.

Public Procurement Regulations

34. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform if he will amend procurement rules requiring locally based agencies to purchase products from local suppliers when they are able to offer similar or better value to the nationally appointed provider, for example, when a local school has discretion to purchase stationery from a local supplier who is able to offer similar or better value than the nationally appointed supplier; and if he will make a statement on the matter. [24512/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Under EU law, public contracts above a certain values must be advertised EU-wide and awarded to the most competitive tender in an open and objective process. The aim is to promote an open, competitive and non-discriminatory public procurement regime which delivers value for money. It would be a breach of the rules for a public body to favour or discriminate against particular candidates on grounds of location or nationality and there are legal remedies which may be used against any public body infringing these rules.

The National Procurement Service (NPS) has put in place a number of national arrangements designed to secure better value for money from leveraging the public service's buying power in relation to a range of goods and services that are commonly purchased across the public service. These national arrangements have benefits that include:

- cash savings;
- administrative savings from reduced duplication of tendering;
- greater purchasing expertise;
- improved consistency; and,
- enhanced service levels.

Last year my Department issued Circular 06/12 which makes it a mandatory requirement that public service bodies avail of specified national arrangements put in place by the NPS. These national arrangements will secure best value for money and facilitate contracting authorities to deliver services within their budgetary constraints.

While the key purpose of Circular 6/12 is to enable the State to do more with less by aggregating procurement to secure better value for money, it is worth noting that such aggregation arrangements can be implemented in a manner that achieves value for money with a minimal negative impact, or indeed a positive impact, on SMEs. While a number of the categories of goods and services mandated under the Circular are suited to single supplier national arrangements, these need not be accepted as the norm. The greater use, where appropriate, of multi-supplier frameworks can address local supplier issues while also ensuring on-going cost competitiveness of the framework itself. Such multi-supplier frameworks may also offer SMEs the opportunity to participate in national level contracts, thereby offering valuable reference work when competing for public procurement contracts in other jurisdictions.

In order to encourage greater SME participation the NPS, over the past three years, has conducted a targeted programme of education for suppliers who wish to learn more about doing business with the Irish Public Service. This programme consists of seminars, workshops and large scale 'meet the buyer' events hosted nationwide. To date the NPS has facilitated workshops and presented at seminars to over 4,500 SMEs nationwide. Parallel with these events the NPS also works closely with business representative bodies such as ISME and IBEC to provide briefings for their members.

Larger enterprises were also encouraged to consider the practical ways that SMEs could be included in their proposals to maximise the social and economic benefits of the contracts that result from these tenders. For example, the indigenous company, which won the Stationery contract, with an estimated value of €10m per annum, is sourcing up to 60% of their products using 136 local agents and manufacturers. To summarise: we in government want better value for money for our substantial procurement spend and we want Irish SMEs, where necessary, to form alliances and networks to ensure they can tender on a competitive basis for this work.

Questions Nos. 35 and 36 answered with Question No. 18.

Croke Park Agreement Issues

37. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform if he will report on the impact of the proposed agreement on Croke Park 2 on medium term expenditure targets on public spending up until Budget 2017. [24521/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The economic forecasts underpinning Budget 2013 were consistent with the expenditure consolidation set out on Budget day and included provisions for savings through a reduction in the public service pay bill of €300m in 2013 and an overall reduction of €1bn by 2015. These forecasts were updated at the end of last month for the Irish Stability Programme – April 2013 Update. They continue to reflect the consolidation envelope laid out at Budget time as well as the outturn for 2012 as estimated by the CSO. As set out in the forecasts, the government consumption component of GDP is set to decline in every year to 2015, consistent with policy-related objectives of reducing the public sector pay bill.

Croke Park Agreement Issues

38. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which he expects public expenditure and reform targets to be met in the current and subsequent years throughout the public sector with particular reference to the review of the Croke Park 2 agreement; and if he will make a statement on the matter. [24672/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Government continues to make good progress on achieving all of our deficit targets and priorities, as articulated in the Government Programme. We are bringing public expenditure back onto a sustainable path and driving forward the public service reform agenda to ensure that efficiencies and reformed work practices play a full part in contributing to the overall budgetary consolidation effort which is essential to achieving economic recovery. To date, all quantitative fiscal targets set as part of the EU/IMF Programme of Financial Support have been met in full and I am confident that the 2013 target will, likewise, be achieved in full, including the appropriate contribution from public service pay and pensions.

Diplomatic Representation

39. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade the countries with whom Ireland has diplomatic relations who have never received an Irish Ministerial visit; if he is considering making progress regarding same in view of the economic opportunities it might create for Ireland; and if he will make a statement on the matter. [24945/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): We currently maintain diplomatic relations with 176 states. Economic and trading opportunities are a key focus in those relations. While the research involved in identifying countries which have not received a Ministerial visit since the foundation of the State would be disproportionate in the current context, I can assure the Deputy that Ministerial visits are a central part of the Government's Trade Strategy which is overseen by the Export Trade Council, which I chair, and implemented on the ground abroad in our priority markets by Ambassadorial-led local market teams.

Ministerial involvement in visits with an economic dimension is varied. For example, proposals for Ministerial-led trade missions to priority markets involving Enterprise Ireland client companies are submitted each year for consideration simultaneously to both the Minister for Jobs, Enterprise and Innovation and myself.

Delivering an intensive programme of Ministerial-led trade missions is a key commitment in the Government's Action Plan for Jobs 2013. The number of Ministerial-led Enterprise Ireland trade missions conducted with the active support of the Embassy network has more than doubled over the past two years, up from eight in 2011 and 16 in 2012. In 2013, a record number of Ministerial-led Enterprise Ireland trade missions are scheduled. In order to leverage Ireland's role as EU Presidency, trade missions in the first half of 2013 are mainly Europe-focused, with an increased focus on high growth economies in Asia, the Middle East and South America in the second half of the year. As part of the programme co-ordinated and approved by the Minister for Jobs, Enterprise and Innovation and myself, over 1,000 Enterprise Ireland client companies will take part in 18 Ministerial-led trade missions and 87 international events during the year in major target markets in North America, Europe, Asia, the Middle East and Latin America.

I led a trade mission to Turkey last month involving 24 Enterprise Ireland client companies. Deals secured during the visit are expected to reach well over €30m in value.

We have also ensured that the programme of Ministerial travel for St Patrick's Day is used to greatest possible effect in terms of economic and trade promotion. This year it comprised Ministerial visits to 21 countries, including a senior Ministerial visit to the Philippines and Indonesia for the first time, to Saudi Arabia for the first time in over a decade, and to Japan and South Korea for the first time since 2010.

In addition to these missions, whenever Ministers travel on official business overseas, every effort is made to ensure that appropriate opportunities are taken for a substantive economic and promotional dimension to the visit.

In April for example, Minister of State for Trade and Development, Joe Costello TD, was the first Irish Minister to visit Mongolia, where he attended the summit of the Community of Democracies Ministerial and, while there, had a series of bilateral engagements, including meeting the Foreign Minister of Mongolia, Luvsanvandan Bold, Irish business people resident in Ulaanbaatar, representatives of a number of Mongolian Government Ministries, and a leading mobile internet and telephony company which utilises the services of an Irish technology company.

I would note also that our Embassy network continues to be strongly focused on supporting opportunities for trade, investment and tourism in all their countries of accreditation, including where they are not resident, assisted in many cases by our Honorary Consuls and local Irish business networks and organisations.

Our Ambassador in Hanoi, for example, last week led a delegation of Irish companies to Myanmar/Burma. The visit, which was organised in close co-operation with Enterprise Ireland, was the first ever trade trip by a group of Irish companies to Myanmar/Burma.

VAT Rates Application

40. **Deputy Tom Fleming** asked the Minister for Finance following on from the decision to reduce the VAT rate from 13% to 9% and the significance of this reduction to the tourism sector here and the positive implications it has had on the industry in creating and maintaining jobs, giving value for money and so on, if he will keep the VAT rate at 9% to ensure a strong and competitive tourism industry; and if he will make a statement on the matter. [24843/13]

Minister for Finance (Deputy Michael Noonan): Any proposals to maintain the 9% rate into 2014 will be considered in the context of Budget 2014.

Pension Provisions

41. **Deputy Clare Daly** asked the Minister for Finance the tax relief available on pension contributions to a person who has a workplace pension, but who also makes contributions to another pension scheme for which they have no associated income payments. [24926/13]

Minister for Finance (Deputy Michael Noonan): I am assuming that the question is referring to a situation where an employee is making pension contributions to his or her employer sponsored occupational pension scheme and is also making contributions to a personal pension plan in respect of which the individual does not have a source of relevant earnings against which to claim relief on the contributions. I am advised by the Revenue Commissioners that a possible scenario in which such a situation could arise would be where, in addition to paying contributions to an occupational pension scheme, an individual is also making contributions

to a PRSA (other than to an AVC PRSA associated with the occupational pension scheme). A PRSA can be effected by anyone with or without a source of relevant earnings, which, in the context of PRSAs, in essence means earnings from employment or from a self-employed trade or profession. However, tax relief on any contributions made is dependent on the existence of an amount of relevant earnings. Where an individual is already in pensionable employment, his or her employment earnings would not, however, constitute relevant earnings for the purposes of tax relief on contributions to a PRSA. If no relevant earnings exist, the PRSA contributions can be carried forward indefinitely for set-off against future relevant earnings, subject to whatever limits apply to tax-relieved pension contributions in those future years.

I am further advised by the Commissioners that information, with examples, on how tax relief for pension contributions operates in practice is set out in Revenue eBrief 74/2009 which can be accessed on the Revenue website www.revenue.ie.

Finally, should the person to whom the Deputy's question relates have any further queries regarding tax relief on pension contributions as it affects their particular circumstances, they might forward those queries to the Financial Services (Pensions) Unit of the Revenue Commissioners either by email to lcdretirebens@revenue.ie or in writing to the following address Financial Services (Pensions), Large Cases Division, Ballaugh House, 73/79 Lower Mount Street, Dublin 2.

Tax Code

42. **Deputy Andrew Doyle** asked the Minister for Finance the taxation benefits that are available to couples after entering into same-sex civil partnerships; if these tax benefits can be availed of by opposite-sex civil partnerships; and if he will make a statement on the matter. [24936/13]

Minister for Finance (Deputy Michael Noonan): A couple that enters into a civil partnership under the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 is entitled to the same treatment for income tax, capital gains tax, capital acquisitions tax and stamp duty as a married couple. The relevant taxation provisions were introduced in the Finance (No. 3) Act 2011. They allow civil partners to claim the benefits of joint assessment including the tax bands and tax credits that are available to married couples. The tax legislation also provides for relief for maintenance payments made on the breakdown of a civil partnership the same as is provided for separated or divorced spouses. There is also capital gains tax relief for property transfers made on foot of such an arrangement. The Act also provided for similar capital taxes and stamp duty reliefs on the transfer of property by gift or inheritance. For example, transfers of property between civil partners now qualify for the exemption from stamp duty that is available to married couples.

Further information can be obtained from the Frequently Asked Questions on the Revenue website at <http://www.revenue.ie/en/personal/faqs/taxation-civil-partnerships.pdf> and from leaflet IT2 - Taxation of Married Persons and Civil Partners - at <http://www.revenue.ie/en/tax/it/leaflets/it2.html>.

Under the provisions of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010, a civil partner is defined as either of two persons of the same sex who are parties to a civil partnership registration or to a class of legal partnership otherwise recognised under the Acts of a civil partnership.

Where a couple, whether same sex or opposite sex, is cohabiting other than as married or in

a civil partnership, they are treated as separate and unconnected individuals for the purpose of income tax. Each partner is a separate entity for tax purposes. Such cohabiting couples cannot file joint assessment tax returns or share their tax credits and tax bands in the same manner as married couples or civil partners.

However, there is specific provision made for granting tax relief for maintenance payments if the cohabiting arrangement ceases, in circumstances where one cohabitant was previously in receipt of financial support from the other partner, similar to that provided between separated spouses. Section 1031Q of the Taxes Consolidation Act 1997 provides for tax relief in respect of legally enforceable maintenance arrangements made under section 75 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 with the person making the maintenance payment getting relief for the payment and the beneficiary being taxed on same. There is also Capital Gains tax relief for property transfers made on foot of such an arrangement.

Fodder Crisis

43. **Deputy Patrick O'Donovan** asked the Minister for Finance in view of the decision taken by the Shannon Airport Authority to allow farming organisations to cut grass on property owned by it to help alleviate fodder shortages in the local area, if he will ask those agencies, companies, authorities, boards and so on who come within his remit to consider similar initiatives on suitable public lands owned by them in conjunction with representatives of local farming organisations; and if he will make a statement on the matter. [24937/13]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy's question there are no suitable bodies under the remit of my Department who could be of assistance in alleviating the current fodder shortage affecting the farming community.

IBRC Liquidation

44. **Deputy Michael McGrath** asked the Minister for Finance the reason the completion of the Irish Bank Resolution Corporation liquidation will be delayed; and if he will make a statement on the matter. [24958/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Special Liquidators that the valuation of IBRC's loan assets will be completed by no later than 30 November 2013 and that the sale of IBRC's assets shall be agreed or completed by no later than 31 December 2013 or as soon as practicable thereafter. It is the view of the Special Liquidators based on the internal documentation and information within IBRC that this timetable will afford the best opportunity for delivering value for the State.

Central Bank of Ireland Investigations

45. **Deputy Michael McGrath** asked the Minister for Finance when compensation payments to persons who were mis-sold payment protection insurance will commence; the length of time he expects the process to take; and if he will make a statement on the matter. [24959/13]

49. **Deputy Michael McGrath** asked the Minister for Finance the number of payment protection insurance policies sold by entities regulated by the Central Bank of Ireland since mid-2007 and currently subject to the ongoing investigation by the CBI into the sale of PPI

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policies; if he will provide details of the current stage of the investigation; when he expects it to be concluded; the restitution options for customers who are found to have been mis-sold a PPI policy; and if he will make a statement on the matter. [24969/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 45 and 49 together.

I have been advised by the Central Bank that it is conducting an on-going investigation into the sale of Payment Protection Insurance (PPI) by firms from July 2007. In September 2012 the Central Bank broadened its investigation to include a number of other banks and credit institutions. Approximately 340,000 PPI policies were sold by bank/credit institutions since 2007.

The Central Bank issued an update on its on-going investigation into the sales of Payment Protection Insurance policies on 17 May 2013. Ten firms are currently undertaking reviews of their Payment Protection Insurance sales. At the request of the Bank, the firms previously informed all their customers included in the PPI sales review of their intention to provide updates to them as the review progresses.

The firms have commenced writing to their customers who purchased PPI in July 2007 to inform them of the outcome of the review as it relates to their situation. Approximately 13,000 customers will receive letters over the coming week. The Central Bank is advising customers who receive a letter and have any questions, to contact their bank or credit institution directly.

It is too early at this stage to comment on the number of consumers that will receive refunds or the total amount to be refunded. Some firms may be able to indicate to their July 2007 customers how much they will be restituted but the majority will not, until customers have decided if they wish to have restitution, or to keep the policy subject to further suitability assessment. The Central Bank will make a comprehensive statement at the conclusion of the overall process.

Throughout 2013, firms will continue to conduct the review and will directly contact all other PPI customers included in the review with the outcome of the on-going review. The Central Bank will continue to require firms to take an orderly, co-ordinated and consistent approach to the review and will monitor progress on an on-going basis with the firms involved, and with the independent third party overseers who were appointed at the request of the Central Bank.

Corporation Tax

46. **Deputy Michael McGrath** asked the Minister for Finance if he will set out in tabular form the gross amount of corporation tax paid in each year from 2008 to 2012 by the top 10 multinational firms as measured by corporation tax paid; and if he will make a statement on the matter. [24960/13]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that the amount of corporation tax paid by the top 10 multinational companies (as measured by corporation tax paid) is per the following table. The table includes the gross amounts paid in corporation tax for each year and the net corporation tax paid for each year. The difference could be for a number of reasons e.g. if a company overestimates its preliminary tax, a repayment may be due when the return is filed and the actual figures are available.

Year	Gross Amount Paid in Corporation Tax by top 10 multinational companies	Net Amount Paid in Corporation Tax by top 10 multinational companies
2012	€1,423M	€1,420M

Year	Gross Amount Paid in Corporation Tax by top 10 multinational companies	Net Amount Paid in Corporation Tax by top 10 multinational companies
2011	€1,422M	€1,420M
2010	€1,412M	€1,399M
2009	€1,516M	€1,440M
2008	€843M	€828M

Corporation Tax

47. **Deputy Michael McGrath** asked the Minister for Finance if he has received representations from the UK authorities in respect of their views on the operation of Ireland's corporation tax regime; and if he will make a statement on the matter. [24961/13]

50. **Deputy Michael McGrath** asked the Minister for Finance his views on the references to Ireland at the recent House of Commons public accounts committee hearing regarding Google's tax affairs; and if he will make a statement on the matter. [24970/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 47 and 50 together.

I am precluded from discussing the tax affairs of any particular individual or company, but I can confirm that I have received no such representations from the UK authorities in respect of the operation of Ireland's corporation tax regime.

Ireland has a positive international reputation based on transparency and co-operation, as is confirmed by our extensive tax treaty network with countries throughout the world, including the United Kingdom.

Tax Compliance

48. **Deputy Michael McGrath** asked the Minister for Finance if he will arrange for a letter to be issued to a person (details supplied) in County Cork explaining the netting off of separate issues regarding their income tax affairs. [24965/13]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that as a result of a previous review of the taxpayer's affairs (Question No. 56 of 9 February 2012), some additional liabilities were identified. These have been partially dealt with by offsetting superannuation relief, and Revenue has been in touch with the taxpayer in relation to the balance. Revenue will now write again to the taxpayer fully explaining the situation.

Question No. 49 answered with Question No. 45.

Question No. 50 answered with Question No. 47.

IBRC Liquidation

51. **Deputy Michael McGrath** asked the Minister for Finance if he will provide a detailed update on the work of the special liquidator of Irish Bank Resolution Corporation; and if he will make a statement on the matter. [24971/13]

Minister for Finance (Deputy Michael Noonan): The liquidation of IBRC is progressing

well and I am satisfied with the work performed by the Special Liquidators to date. Unfortunately due to commercial sensitivities and the potential detrimental impact that a disclosure of the details of work performed might have on asset recovery in the impending sales process, I cannot provide a detailed update on the work of the Special Liquidators.

The Department of Finance is in regular contact with the Special Liquidators. Weekly meetings are held at which the Special Liquidators provide an update on key developments and outstanding issues. Furthermore a monthly report is furnished to the Department detailing the progress on all matters in relation to the liquidation including the valuation and sales process, finance, deposits, derivatives and hedging, legal issues and litigation, HR, IT operations, compliance and governance and overall project management. Overall I am satisfied that the liquidation is progressing well.

Departmental Legal Costs

52. **Deputy Sean Fleming** asked the Minister for Finance his views on whether sufficient progress is being made in reducing the State's legal bill in his Department and any State agencies under his aegis; and if he will make a statement on the matter. [25167/13]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy's question my Department has developed in house legal capacity which manages a portion of the Department of Finance legal work and seeks to minimise the use of external counsel for general matters.

With effect from 5 August 2011 the functions of the Banking Unit of the National Treasury Management Agency were transferred to the Department of Finance. Prior to transferring to the Department, the Banking Unit had put in place a legal panel of three external law firms using a competitive tendering process. When the functions of the Banking Unit were transferred, the contract for legal services with those external law firms was novated to the Department. It is intended that the Department of Finance will re-tender for a panel of external law firms and it is expected that further savings will be made through this tender process.

Counsels fees in relation to litigation in which the Department of Finance is involved are regularly reviewed by the Office of the Attorney General and the Chief State Solicitors Office to ensure that costs are minimised and duplication is avoided.

State Agencies under the remit of my Department have provided me with the following information:

Financial Services Ombudsman's Bureau

The Financial Services Ombudsman's Bureau tendered for legal services in 2012. They now have three legal firms working with the Bureau which will lead to better value being achieved going forward.

National Assets Management Agency (NAMA)

Since its establishment, NAMA has sought to minimise legal costs to the greatest extent possible. It has established panels of legal firms and runs mini-tenders in order to ensure that pricing for any work assignment is as competitive as possible. In 2010 and 2011, NAMA incurred legal costs arising from the requirement to carry out legal due diligence on its acquired loans; these costs were part of overall due diligence costs which were largely recovered from the participating institutions. As regards on-going legal costs incurred by NAMA in the management of its acquired portfolio of loans, these fell from €9.5 million in 2011 to €4.6 million

in 2012. The higher level of legal costs in 2011 reflected costs associated with NAMA's establishment. NAMA legal costs include costs incurred in defending litigation initiated by debtors who NAMA has to defend to protect the taxpayers interest and this element of cost is therefore outside of the Agency's control. In addition, some of the legal costs incurred by NAMA are recoverable from debtors and, in the case of enforcement, from the proceeds of asset disposals by receivers.

National Treasury Management Agency (NTMA)

The NTMA has a range of functions providing asset and liability management services to Government. These include borrowing for the Exchequer and management of the National Debt, the State Claims Agency (SCA), the New Economy and Recovery Authority (NewERA), the National Pensions Reserve Fund (NPRF), the National Development Finance Agency (NDFA) and National Asset Management Agency (NAMA). The NTMA assigns staff to NAMA and also provides it with business and support services and systems. NAMA reimburses the NTMA for the cost of these staff and services from its operations. NAMA is responsible for its own legal costs.

The NTMA typically sources legal advice in-house and, apart from exceptional matters such as implementation of the various Government responses to the economic and financial issues facing the State, expenditure on external law firms and barristers by the NTMA has generally been limited. The NTMA recently conducted a competitive tender for the appointment of a panel of external legal advisers in relation to Irish law and it is expected that the panel appointments will take effect in June 2013. The panel will operate for a period of three years (with an option for the NTMA to extend it for a further 2 year period) and the fees rates will be fixed for the initial three year period. The legal panel will also cover the NPRF and NewERA.

The NDFA incurs external legal fees on behalf of State Authorities principally associated with its mandate for procuring public private partnerships projects. All appointments of external legal advisers in respect of such projects are by competitive tender.

The NDFA is designated as the State Claims Agency when performing the claims management and risk management functions delegated to it under the National Treasury Management Agency (Amendment) Act 2000.

Following a competitive tender process, legal fees paid to defence solicitors relating to CIS* and ELPLPD** claims were capped at 40% of the plaintiffs' professional legal fees down from the previous figure of 50%. Some tenderers accepted fee levels of less than the 40% cap. The combined impact of the tendering process and the 8% government reduction*** has reduced solicitors' legal fees by as much as 20% in some instances.

* Clinical Indemnity Scheme (CIS) relates to the management of all clinical claims taken against health enterprises/hospitals and clinical, nursing and allied healthcare practitioners covered by the Scheme.

** Employer Liability (EL) means the liability of an employer to its employees for its negligent acts or omissions, and those of its employees. Public Liability (PL) means the liability of an owner/occupier of premises for its negligent acts or omissions affecting members of the public. Property Damage (PD) Liability means the liability of an owner/occupier for its negligent acts or omissions leading to damage to a third party's property.

*** All fees for external legal services provided to the SCA are subject to the 8% reduction as implemented by Government Decision S180/20/10/0964C of 3 February, 2009 which came into effect from 1 March 2009 for services rendered after that date.

The State Claims Agency (SCA) has also imposed caps on the levels of the fees paid to its panel solicitors in District, Circuit and High Courts and in respect of catastrophic injury.

In August 2012, the SCA announced a new procurement structure requiring barristers to engage in a competitive tendering process under which their fees were capped at up to 25% below prior levels. This was the first time a State agency had procured barristers for personal injury claims in this way.

Under the new procurement arrangements, barristers were required to set out their fees and compete with each other, subject to the respective caps specified by the SCA, for a wide range of legal services in respect of the High Court, District Court and Circuit Court. The Invitation to Tender was posted on the State's public procurement website, www.etenders.gov.ie and closed in October 2012. The barrister panels will be announced in June. In total the SCA received approximately 1,000 responses to the invitation to tender. The new procurement structure also contained a provision that for the first time enabled barristers who have been in practice for less than five years to supply their services to the Agency. It is expected that this initiative will reduce the overall level of fees paid to barristers by as much as 35%.

The SCA endeavours wherever possible to reduce defence legal costs. Only a proportion of the claims managed result in defence legal costs as a significant volume of these are managed by the SCA's in-house legal team or due to their nature can be managed directly by the SCA's claims management team without resort to legal services thereby limiting the use of external legal services.

Revenue Commissioners

I am advised by the Revenue Commissioners that the Revenue Solicitor provides legal services for Revenue and in that capacity engages external barristers in circumstances that require specific legal advices and legal opinions in Tax, Customs and general litigation, for advising proofs for Court and Administrative Tribunal cases and for providing full advocacy services in the conduct on Tax, Customs and general litigation (both civil and criminal) before the District, Circuit, High and Supreme Courts, Appeal Commissioners and other administrative tribunals. External solicitors are engaged for debt collection and recovery. These are key components of Revenue's care and management of tax and duties.

Enhanced procedures governing the payment of professional fees to the panel of Counsel instructed by the Revenue Solicitor's Division were introduced in 2011 and further augmented and strengthened in 2012. The Revenue Solicitor and Deputy Revenue Solicitor manage the approval, selection and payment of Counsel. The procedures are designed to achieve the objectives of transparency, good governance and value for money.

Indicative capped fees have been fixed for Counsel briefs and other items relating to Revenue litigation. Advisory work provided by Counsel will be paid on the basis of hours worked by Counsel subject to capped fees. The panel has also been expanded to ensure the utilisation of the appropriate level of counsel and to ensure value for money.

In addition to internal procedures to ensure value for money, all brief fees paid to counsel in excess of €10,000 exclusive of VAT, are considered and advised on by the Office of the Attorney General and then considered and sanctioned by the Department of Public Expenditure and Reform. Revenue also consults with the Chief State Solicitor's Office and the Attorney General's Office on fees paid to counsel to ensure consistency across State agencies.

The total fees paid in the years 2008, 2009, 2010, 2011, 2012 are shown in Table 1.

Table 1

Total fees paid to Counsel in respect of services provided to Revenue Commissioners, including VAT.

2008	2009	2010	2011	2012
€1,949,170	€1,660,464	€1,489,762	€1,720,556	€ 2,168,905

Revenue has contracts with six firms of solicitor to provide legal services associated with debt collection and recovery. These contracts were entered into following an open tendering process undertaken in 2009. The contract came into operation on 1 January 2010 and will remain in place for six years.

A Value for Money Policy Review (VFMPR) on the “Use of External Solicitor Enforcement to Recover Tax Debt” was undertaken to as part of the Revenue Commissioners’ programme of review under the VFMPR initiative. The object of the evaluation was to assess whether the expenditure by Revenue on the use of external solicitors to pursue tax debts represented value for money. The overall conclusion was that such expenditure did represent value for money.

The report, which was laid before the Houses of the Oireachtas in March 2012 can be accessed through the following link:

<http://www.revenue.ie/en/about/publications/vfmpr-external-solicitor-enforcement.pdf>

The total fees paid in the years 2008, 2009, 2010, 2011, 2012 are shown in Table 2.

Table 2

Total fees paid to External Solicitors in respect of services provided to Revenue Commissioners.

2008	2009	2010	2011	2012
€4,387	€4,803	€4,804	€4,909	€ 5,000

While Tables 1 and 2 show increased expenditure, this is attributable to significant volumes of work, I am satisfied that the underlying trend in costs is downward.

Residential Institutions Redress Scheme

53. **Deputy Marcella Corcoran Kennedy** asked the Minister for Education and Skills the reason the Good Shepard Mother and Baby Home, Dunboyne, County Meath, has not been included under the scheme of State involvement in religious run residential institutions; and if he will make a statement on the matter. [24920/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Schedule to the Residential Institutions Redress Act, 2002 included 123 specified institutions and section 4 of the Act enabled the Minister for Education and Science to provide for the insertion into the Schedule of “any industrial school, reformatory school, orphanage, children’s home, special school which was established for the purpose of providing education services to children with a physical or intellectual disability or a hospital providing medical or psychiatric services to people with a physical or mental disability or mental illness in which children were placed and resident and in respect of which a public body had a regulatory or inspection function.”

Two Orders were made specifying 16 additional institutions, in November 2004 and July

2005, bringing the total number of scheduled institutions to 139. Since then, no further institutions have been added to the Schedule. Following the publication of the Ryan Report in May 2009, there were a range of demands for the redress scheme to be extended, including demands to include specific institutions and categories of institutions. Having considered these demands, the then Government announced its decision not to revise the arrangements in its press statement of 15th April, 2010.

The closing date for receipt of applications by the Redress Board was 15th December, 2005. The Board could however accept late applications in exceptional circumstances, up until September 2011. The Board is currently finalising the remaining applications it received.

Requests to include Mother and Baby Homes in the Schedule were refused as they did not satisfy the eligibility conditions of section 4. St Patrick's Mother and Baby Home was included on the basis that it also operated as children's home and therefore came within the scope of section 4.

Student Grant Scheme Payments

54. **Deputy Charles Flanagan** asked the Minister for Education and Skills if he will clarify the level of contribution a postgraduate student (details supplied) in County Laois received following their appeal to Student Universal Support Ireland; and if he will make a statement on the matter. [24834/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland that the student referred to by the Deputy has been awarded a post graduate fee contribution, which for the academic year 2012/13 is €2,000.

National Educational Psychological Service Administration

55. **Deputy Robert Troy** asked the Minister for Education and Skills if he will make funding available for a student to undergo a psychological report (details supplied) in County Longford [24910/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I can inform the Deputy that all primary and post primary schools have access to psychological assessments either directly through the National Educational Psychological Service (NEPS), or through the Scheme for Commissioning Psychological Assessments (SCPA), full details of which are on the Department's website. Where a NEPS psychologist is not assigned to a school, authorities therein may access psychological assessments through SCPA. Under this scheme schools can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly.

It should also be noted that in common with many other psychological services, NEPS encourages a staged assessment process, whereby each school takes responsibility for a pupil's initial assessment, educational planning and remedial intervention. Only if there is a failure to make reasonable progress in spite of the school's best efforts, will a child be referred for individual psychological assessment.

It is the responsibility of the school Principal in the first instance to identify and prioritise pupils for assessment under the process described above. I have made enquiries in relation to

the student referred to in the Deputy's question and understand that no request has been made by the school to NEPS in respect of this individual. I have asked that a Psychologist from this Service make contact with the school to discuss its needs both in general terms and specifically in relation to this student.

I would advise that the school Principal, in the first instance, should be contacted in relation to concerns for any pupil which require intervention from the NEPS service.

Schools Building Projects Status

56. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the reason it is intended to build a new school in Knocknacarra, Galway, when there are already schools within a short distance of Knocknacarra that have empty classrooms; and if he will make a statement on the matter. [24916/13]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware, in June 2011, I announced that 20 new primary schools are to be established in the coming years across a number of locations to meet significantly increasing demographics in those areas. This announcement included a proposal to establish a new primary school in the Knocknacarra area in 2014. The Deputy will be aware of extensive housing developments in this particular area in recent years. The new school is required to meet a demographic need emanating from those developments. Applications for patronage of this new primary school are currently being sought by my Department from prospective patrons.

Further Education and Training Programmes Funding

57. **Deputy Joanna Tuffy** asked the Minister for Education and Skills the educational institutions that are entitled to apply to offer Springboard or Momentum skills places; and if he will make a statement on the matter. [24928/13]

Minister for Education and Skills (Deputy Ruairí Quinn): It is open to all public, private and not for profit higher education providers to submit proposals for courses to be funded under Springboard. All courses approved for funding are selected by an independent panel with industry and educational expertise, having regard to published selection criteria and following a competitive tendering process. A call for proposals for courses to be run under Springboard 2013 was issued by the Higher Education Authority in February 2013 with a deadline for receipt of proposals of 9 April. The call documentation is available on the Higher Education Authority website (www.hea.ie/en/node/1502). Details of the courses selected for funding by the independent panel will be available in the coming weeks. More information on Springboard is available at www.Springboardcourses.ie.

Both public and private providers were also eligible to apply for funding from the Momentum fund, subject to a tender process. There were two stages in this process: (i) pre-qualification and (ii) project proposals assessment. Notification of the pre-qualification for the current round of funds was published on the e-tenders website last summer. Pre-qualified providers had the opportunity to submit proposals which were considered in line with the tender specification. No subsequent notification has been published. More information on Momentum is available at www.Momentumskills.ie

Special Educational Needs Staffing

58. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills further to Parliamentary Question No. 242 of 14 May 2013, the reason resources cannot be guaranteed to support enrollment; and the reason the child must wait until they start school [24943/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

The NCSE requested all schools to submit their applications for SNA support for the coming school year to them by 15th March, 2013, and will advise all schools of their SNA allocations prior to the start of the new school year.

The NCSE has advised schools that in the case of new applications for SNA support, where the professional report has identified the care needs as being related specifically to behaviour, including such applications for junior infants, in general it will not be possible to consider access to SNA support until the school has set out the specific strategies that have been employed and that have been implemented to minimise the pupil's difficulties and to promote more adaptive behaviours. In instances where applications have been made for SNA support for junior infants, for care needs such as medical or toileting needs, as opposed to for behavioural reasons, access to SNA support will be allocated for such qualifying infants.

Where SNA support was not initially allocated to a school for a child in a junior infant class, but where it can be demonstrated that the child requires SNA assistance in the classroom environment, the school may apply to the NCSE for additional SNA support or for a review of their SNA allocation.

Whereas there is no prescriptive timeframe before which a review may take place, it will be expected that schools, before requesting any such review, will be in a position to demonstrate that they have made every effort to manage pupil behaviour and also to manage any SNA allocation that has already been made to their school to best effect.

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.

Student Grant Scheme Eligibility

59. **Deputy Joanna Tuffy** asked the Minister for Education and Skills if there are any circumstances in which a student grant applicant who is not in receipt of a qualifying social welfare payment may be eligible for a special rate grant; and if he will make a statement on the matter. [24973/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The qualifying criteria for the special rate of maintenance grant in the 2013/14 academic year as specified under the 2013 student grant scheme is as follows:

1. Student must qualify for the standard rate of grant.
2. Total reckonable income net of income disregards and Child Dependant Increase must not exceed €22,703.

3. As at the 31st December 2012, the reckonable income must include one of the eligible payments listed in Schedule 2 of the scheme.

The eligible payments listed in Schedule 2 are mainly of a social welfare nature. However, it also includes Designated Programmes such as the Tús Initiative and the Community Employment Scheme.

Schools Building Projects Status

60. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the position regarding the new facilities promised for a school (details supplied) in County Kildare; the extent of the planning already undertaken; and the number of stages completed; when the project will be ready to go to tender; and if he will make a statement on the matter. [24978/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The delivery of the new school referred to by the Deputy has been devolved to County Kildare VEC and is currently at an advanced stage of Architectural Planning and is included on my Department's 5 Year Capital Programme to progress to construction in 2013.

The project has completed two stages of Architectural Planning (Stage 1 and Stage 2(a)). It is envisaged that the project will shortly proceed to stage 2(b) which includes applications for Planning Permission, Fire Safety Certification, Disability Access Certification and the preparation of tender documents.

Student Grant Scheme Eligibility

61. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if, in the case of a person (details supplied) in Dublin 22 who was previously refused higher education grant on the basis of their residency status and who became an Irish citizen in 2012, the previous decision prevents them from ever qualifying for higher education grant; and if he will make a statement on the matter. [24979/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The decision on eligibility for a student grant is a matter for the relevant grant awarding authority.

The Deputy will appreciate that in the absence of all of the relevant details that would be contained in an individual's application form, including those relating to residency and or nationality, it would not be possible for me to say whether or not a student would qualify for a grant.

The nationality requirements for the student grant scheme are set out in section 14 of the Student Support Act and regulation 5 of the Student Support Regulations. It is the student, and not his parents, that must meet the nationality requirements in his own right to qualify for a student grant.

The student grant scheme provides that a student's eligibility may be assessed or re-assessed in the event of a change in circumstances in relation to, inter alia, reckonable income, the number of dependant children, and nationality or immigration status. A student can apply to the assessing authority to be assessed or re-assessed for grant assistance.

The applicant in question should contact their grant awarding authority to confirm the position in relation to their eligibility for the grant.

Departmental Legal Costs

62. **Deputy Sean Fleming** asked the Minister for Education and Skills his views on whether sufficient progress is being made in reducing the State's legal bill in his Department and any State agencies under his aegis; and if he will make a statement on the matter. [25165/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Legal fees incurred by the State, in defending cases which are brought to court, are generally not met directly by my Department. In accordance with financial procedures in cases involving damages or compensation against the State, costs are generally charged to the Chief State Solicitor's Office Vote as sanctioned by the Attorney General. If expenditure on legal matters does arise it is continuously monitored in the same manner as all expenditure to ensure the most efficient use of exchequer funds.

Public Sector Staff Redundancies

63. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform his views on a query (details supplied) regarding redundancies in the public sector; and if he will make a statement on the matter. [24798/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy is aware this Government is committed to developing a leaner, more efficient Public Service. To this end, we agreed on 2 October 2012 to accelerate the reduction in Public Service numbers in order to achieve the previous end 2015 target of 282,500 by end 2014 instead.

Greater efficiencies in the way the Public Service is going about its business means that some posts have been identified by Departments as surplus. Where surplus staff cannot be redeployed, Voluntary Redundancy can now be used. Initially Voluntary Redundancy is being rolled out in three areas – the Department of Agriculture, Food and the Marine and specific parts of the Health and Education Sectors. These Departments have estimated that there will be scope to effect about 2,000 exits from these areas over time, mainly from back office and support areas and management and administrative grades. How this estimated number of exits translates into actual savings over the next few years will be determined by a number of variables including the take-up rate among staff in the targeted areas, their number and grade mix, timing of departure, etc., information on which will not become apparent until the scheme is offered to the effected staff.

Analysis by my Department estimates that for every 1,000 employees who opt to participate in a voluntary redundancy programme there will be a gross cost of approximately €109 million. The gross payroll savings for 1,000 employees will amount to €57 million every year. Therefore the initial cost of 1,000 employees leaving would be recouped in two years. Further savings will be realised in the future when these employees reach retirement age, because of their reduced pension entitlements. A more definitive estimate of the cost of the scheme will emerge as the relevant Departments determine the precise areas and numbers to be targeted for VR.

Flood Prevention Measures

64. **Deputy Éamon Ó Cuív** asked the Minister for Public Expenditure and Reform if the Office of Public Works proposes to carry out works on the Bulkawn River, Ballinrobe, County

Mayo, due to the amount of land in this area that is flooding on a regular basis and causing great inconvenience to persons in the area; if remedial works will be carried out at two pinch points on the river namely at the Sportlann in Ballinrobe and at the concrete dam west of the Neale road bridge, which needs to be lowered; and if he will make a statement on the matter. [24912/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The area in question is a limestone area with a high water table and therefore wet land is characteristic of the area. The Office of Public Works carries out maintenance works on the channel at this location, as it is a maintainable watercourse under the 1945 Arterial Drainage Act. The OPW has committed to carry out extensive weed cutting in the channel three times per year, subject to resources being available. It has also committed to removing 150mm from the weir (west of the Neale road bridge) this summer, subject to consent from all interested parties. The OPW intends to assess the pinch point alongside the hotel on the Kilmaine Road with the view to removing any obstructions to flow if practical.

EU Directives

65. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform if there have been any EU Directives signed into Irish law which alter responsibility for coastal protection. [24927/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Office of Public Works is not aware of any EU Directives signed into Irish law which alter responsibility for coastal protection.

Flood Relief Schemes Funding

66. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform if he will provide a special fund to address and alleviate the flooding that is occurring in a housing estate (details supplied) in County Kerry; and if he will make a statement on the matter. [24930/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Kenmare has been designated as an Area for Further Assessment (AFA) under the South West Catchment Flood Risk Assessment and Management (SWCFRAM) study, currently underway. This is an in-depth examination of the flood risk in the main river catchments in the South West region. A detailed plan with specific recommendations on measures to manage that risk will be produced by consultants, Mott McDonald Ireland.

The problem of flooding in Kenmare generally, including Scarteen Park, is being assessed to a high level to identify the risks. Draft flood maps will be available in early 2014 and these will be subject to full public consultation. All feasible options for alleviation of flood risk will be identified. In the meantime it is open to Kerry County Council to submit an application for funding to the OPW under the Minor Works and Coastal Protection Scheme in relation to the flooding problem in the housing estate. All requests for funding will be assessed in accordance with the scheme's criteria and having regard to the availability of funding.

Proposed Legislation

67. **Deputy Andrew Doyle** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 142 of 16 May 2013 regarding the proposed Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill, if he will clarify the current legislative position regarding communications and privilege for papers, emails and documents sent, received and held by members of the Houses of the Oireachtas and their staff; and if he will make a statement on the matter. [24932/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Government, at its meeting on 14 May 2013, approved the publication of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill 2013. The Bill provides for a statutory qualified privilege for private papers of Members and official documents of the Houses. These provisions are intended to apply in all circumstances and are not restricted to inquiries carried out under the Bill. The Bill also provides for a qualified privilege for confidential communication from members of the public to Members of the Oireachtas.

Currently there is no general statutory underpinning for privilege attaching to private papers of Members or communications with Members. Section 17 of the Defamation Act 2009 provides absolute privilege in relation to certain statements made in the Houses, or committees appointed by either House, or both Houses, and in relation to certain reports containing such statements.

Flood Relief Schemes Funding

68. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform further to previous Parliamentary Questions in respect of homes that have been and are at risk of flooding from the Cullavaw river in Rathmore, County Kerry, if he will now make the necessary funding available to protect the homes of those families that are at risk; if officials from the Office of Public Works have investigated the problem on the ground; the action he will take to ensure that the OPW carry out emergency works to avoid further flooding incidents; and if he will make a statement on the matter. [24939/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): As stated in replies to previous questions on this matter, the Office of Public Works has no responsibility for the maintenance of the river concerned. However, the OPW and Kerry County Council engineers are shortly to visit this location to assess its suitability for an application for funding under the Minor Flood Mitigation Works Scheme. Any application received will be assessed under the eligibility criteria for the scheme, which include a requirement that any measures are cost beneficial, and having regard to the overall availability of funding.

Croke Park Agreement Savings

69. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform if his Department is no longer seeking savings of €300 million on the public sector pay and pensions bill during the remainder of 2013; the required savings now for 2013; the impact any reduction in the required savings may have on the budget deficit targets for 2013; and if he will make a statement on the matter. [24967/13]

71. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which he expects to achieve the targets identified by the Troika as set out in the Croke Park Agreement and its current revision; and if he will make a statement on the matter. [25000/13]

72. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which he remains satisfied that projected savings in public expenditure remain achievable in the context of the current review of the Croke Park Agreement; and if he will make a statement on the matter. [25001/13]

73. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he will indicate whether in the context of discussions taking place at the LRC with his Department, he expects to continue to meet the targets set out by his predecessors with the Troika; and if he will make a statement on the matter. [25002/13]

74. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which agreement in principle is likely to be reached in the course of current discussions in respect of achieving savings throughout the public sector; and if he will make a statement on the matter. [25003/13]

78. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which ongoing discussions are taking place with various groups in the public sector in the context of the revision of the Croke Park Agreement; and if he will make a statement on the matter. [25007/13]

80. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he will indicate whether all targets identified under the Croke Park Agreement and approved by his predecessors in office remain fully achievable; and if he will make a statement on the matter. [25009/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 69, 71 to 74, inclusive and 78 and 80 together.

The Government is determined to achieve €300m in savings this year and €1bn by 2015 in the public service pay and pensions bill to ensure that it meets its fiscal targets and restores the public finances to a sustainable position. These savings are in addition to the savings enabled by the original framework of the *Public Service (or Croke Park) Agreement 2010-2014*. The deputy will be aware that the Government's preference is to secure these savings on a negotiated basis.

On foot of the rejection by the Public Services Committee of ICTU, of the LRC proposals negotiated in February of this year, the Government had asked the Chief Executive of the Labour Relations Commission (LRC), Mr. Kieran Mulvey, to initiate discussions with various public sector unions and representative associations on whether or not there was a basis for a negotiated agreement for achieving the necessary savings. Mr. Mulvey and his team have been engaged in intensive discussions with the parties over recent weeks and he has kept me fully informed of developments. Those discussions concluded on Monday last, and unions now have draft proposals for agreement for consideration under their own rules and procedures.

The Government is pleased with the outcome of the LRC process and I would like to thank all those involved in the talks, particularly the LRC who facilitated the discussions. It provides us with an opportunity to achieve the necessary savings; to afford the protection of a collective agreement to public servants and to provide industrial peace in the public service at a crucial time for our economy. The essential elements and protections of the existing Public Service Agreement will also remain in place and industrial peace in the public service can be secured at a critical time in our path to economic recovery.

Also today I have published legislation to give effect to the pay reduction for those earning over €65,000, the parallel reduction in public service pensions and other contingent measures

to enable the Government achieve its savings requirements in the event of non-ratification of collective agreements. Ireland has successfully concluded the tenth review mission of our EU-IMF Programme which was completed on 2nd May 2013. In line with each of the previous quarterly reviews, Ireland has met its commitments and our continued strong programme implementation has been recognized by the Troika.

In relation to the existing Public Service Agreement, the Implementation Body, which is charged with driving the implementation of the Agreement has carried out two annual reviews of the Agreement to date. These reviews have found that approximately €1.5bn in savings has been facilitated by the Agreement during its first two years, comprising of €810m and €678m in sustainable pay bill and non-pay (efficiency) savings respectively.

The reports of the Body also show that significant reforms have been delivered across the sectors of the public service, including for example: 1. Extensive redeployment and reassignment of staff, for example in the health and education sectors. 2. Progress on rationalising structures and office requirements, for example Department of Agriculture and Revenue local offices, court venues and Teagasc offices. 3. Introduction of revised rosters, for example in An Garda Síochána and health service locations to better match resources with demands. 4. Local authorities have changed structures, the way in which services are delivered and the way staff are organized and deployed in order to manage the significant reduction in staff in the sector, as approximately 8,500 have left the sector since 2008.

The Implementation Body is currently completing the third annual review of the Agreement which will assess the level of savings achieved and progress on implementing the reform commitments under the framework of that Agreement during the relevant period. I expect to receive the Body's Report shortly.

Banking Inquiry

70. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform if any decision has been taken on the holding of a banking inquiry; his views on this matter; when a decision is expected to be made; and if he will make a statement on the matter. [24968/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy will be aware, the Government, at its meeting on 14th May 2013, approved the publication of the text of the Houses of the Oireachtas (Inquiries Privileges and Procedures) Bill 2013. The aim of this Bill is to establish a comprehensive statutory framework for the Oireachtas to conduct inquiries within the current constitutional parameters.

As is evident from the text of the Bill, the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill 2013 envisages a central role for the Oireachtas in both initiating and conducting a parliamentary inquiry. Under the Bill, responsibility is assigned exclusively to the Houses of the Oireachtas to determine the requirement for a formal inquiry, the terms of reference of that inquiry, the appropriate committee to conduct an inquiry and the procedural and organisational aspects of the inquiry.

Questions Nos. 71 to 74, inclusive, answered with Question No. 69.

Sale of State Assets

75. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the degree to which the disposal of State assets has been examined to date with particular reference to the utilisation of any proceeds for job creation purposes; and if he will make a statement on the matter. [25004/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy will be aware, I agreed with the Troika in May 2012 that all of the proceeds from asset disposals will be available, in the short term, to be used in one shape or another to support job creating initiatives in the economy. Half of the proceeds will be available to fund employment enhancing projects of a commercial nature. The other half, while destined eventually to pay down debt, will, in the first instance, be constituted as a fund to underpin additional lending into Ireland, for example by the EIB, in support of further investment in job-creating initiatives.

Plans for the first round of disposal transactions are currently progressing, and I would expect to have the first proceeds available later this year to support the project preparation facility for the new PPP programme and additional commercial and publicly needed capital projects.

Sale of State Assets

76. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he will indicate whether it is expected to meet specific targets in respect of disposal of State assets under each heading; the extent to which these issues have been examined in detail; and if he will make a statement on the matter. [25005/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As I have previously informed the House, none of the potential receipts from the State assets disposal programme are to be used as a means of achieving budgetary targets. Instead, it has been agreed with the Troika that all of the Government's proceeds from the programme will be available, in one shape or another, to support job creating initiatives in the economy. Half of the proceeds will be available to fund employment enhancing projects of a commercial nature. The other half, while destined eventually to pay down debt, will, in the first instance, be constituted as a fund to underpin additional lending into Ireland, for example by the EIB, in support of further investment in job-creating initiatives.

In so far as the Deputy's question may refer to targets set for receipts from individual assets in the disposal programme, comprehensive reports have been prepared for Ministers which include indicative valuations for each of the companies concerned and their assets. However, these valuations are extremely commercially sensitive and the Deputy will understand that I do not propose to indicate to the market how much we expect to raise from sale of any of the assets in the programme, but I can assure him that sales will be conducted via an open, transparent and competitive process.

Public Expenditure Targets

77. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he will indicate the extent to which any alternatives have been examined to meet savings and targets identified by the Troika and agreed by his predecessor in the context of savings or reductions in public expenditure; and if he will make a statement on the matter. [25006/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Government is making good progress on achieving all of our targets and priorities, as articulated in the

Programme for Government. We are bringing public expenditure back to a sustainable level and driving forward the public service reform agenda to ensure that efficiencies and reformed work practices play a full part in contributing to the overall budgetary consolidation effort.

With regard to the cost cutting measures implemented to date, the Government began its process of medium-term expenditure management with the *Comprehensive Review of Expenditure (CRE)* exercise in 2011. This review was carried out by all Departments in order to identify the most appropriate ways of reducing expenditure, in line with commitments under the Joint EU/IMF Programme of Financial Support for Ireland.

Each Department was required to produce an Expenditure Report (all of which are available on my Department's website) which represented a line-by-line examination of the spectrum of public services designed to refocus delivery and achieve better value for money. Building on this process, the *Expenditure Report 2013*, published on 5 December 2012, includes further well-specified expenditure savings measures across every area of Government spending.

It should also be noted that during its time in office, the Government has successfully renegotiated significant elements of the Troika Programme Conditions - for example the Jobs Initiative, the ending of further asset transfers to NAMA, reversal of the Minimum Wage cut, a more progressive use of the proceeds from the sale of state assets, the provision that fiscal measures specified in the programme could be substituted by others of equally good quality and we successfully renegotiated the interest rate charged for the loans, along with important changes on the extension of maturities of our EFSF, EFSM loans.

Question No. 78 answered with Question No. 69.

Public Expenditure Targets

79. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he will indicate, by Department, the extent to which savings as identified in the Troika have been met to date; whether any particular sectors have achieved their targets to a greater extent than others; and if he will make a statement on the matter. [25008/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): To date, good progress has been made on delivering savings and implementing change across all Departments and all quantitative fiscal targets set as part of the EU/IMF Programme of Financial Support have been met in full. This is a vital part of our approach to bring the public finances back onto a sustainable footing and thereby supporting economic recovery. The expenditure ceilings and savings target for individual Votes are agreed by Government within the context of the overall fiscal targets. It is a matter for each Minister and their Departments to ensure that the Vote-level allocations are adhered to while at the same time ensuring that they continue to provide essential services and respond appropriately to increasing demands.

Our new Medium Term Expenditure Framework aims to incentivise Departments through the implementation of a new "carryover" facility for Departments who successfully manage their allocations within budget in any year, so that they can use unspent funds in the following year. Those Departments that are proactive in driving reform, innovation and structural planning will naturally be best-placed to avail of this facility into the future. The consequence on Departments who exceed their current expenditure ceiling in any given year will be the assimilation of an offsetting adjustment in their envelope for the following year, and they will be required to devise appropriate policy measures to live within the reduced allocation. It will be a matter for Ministers and Heads of Department/Office to devise forward-looking plans and

policies and to ensure adherence to the Ministerial Expenditure Ceilings.

Question No. 80 answered with Question No. 69.

County and City Enterprise Boards Funding

81. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the total budget allocated and total amount distributed by each county enterprise board for 2007 to 2013; and if he will provide an explanation for allocation of funds to county enterprise boards [24872/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): An Exchequer allocation is provided each year under the Estimates process for the funding of the County and City Enterprise Boards (CEBs) and comprises of both a Current and a Capital element. The allocation of funding to individual CEBs is conducted each year by the Central Coordination Unit (CCU) within Enterprise Ireland.

The Current funding allocations are made in respect of the estimated cost of salaries and administration for the year. The Capital allocations are used to provide so-called “Measure 1” (direct grant assistance) and “Measure 2” (training and development) supports for micro-enterprises employing up to 10 staff. In determining the Capital allocations, a systematic approach is adopted by the CCU to ensure the maximum degree of objectivity and equity of treatment. This approach involves the provision of funding on the basis of a standard allocation to each CEB, as well as an extra allocation that is determined mainly by population but which also takes account of issues such as local unemployment trends, capacity to spend, existing commitments and regional spread.

As part of the CCU’s on-going management of available funding during the year, the Unit monitors CEB spending on a regular basis. Should any surplus funding become available, this surplus will be reallocated by the CCU to any Boards that are in a position to spend additional funds, subject to thorough assessment of the rationale and the justification for the level of funding being requested.

The following tables set out the Capital budget allocations and the amounts distributed by the County and City Enterprise Boards for the years 2007-2013.

The final Capital allocations for 2011 and 2012 include additional funding which was allocated to the CEBs in the final quarter of each of these years. The funding was secured from savings elsewhere within the Department.

2007

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Carlow	530,338	614,575
Cavan	615,418	661,117
Clare	506,717	589,572
Cork City	460,000	515,450
Cork North	120,000	86,394
Cork South	743,769	802,180
Cork West	515,532	485,273

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Donegal	817,493	957,288
Dublin City	1,285,128	1,609,653
Dublin Fingal	731,550	772,390
Dun Laoghaire/Rathdown	903,273	1,169,223
Galway City & Co.	751,301	852,457
Kerry	622,243	634,436
Kildare	466,500	488,542
Kilkenny	616,998	625,420
Laois	542,985	601,439
Leitrim	485,000	475,797
Limerick City	395,028	433,447
Limerick County	438,983	476,046
Longford	479,640	584,725
Louth	406,789	452,965
Mayo	667,500	686,402
Meath	570,335	666,783
Monaghan	550,027	519,189
Offaly	543,824	513,487
Roscommon	471,289	546,884
Sligo	477,690	490,006
South Dublin	552,924	648,530
Tipperary NR	466,641	507,029
Tipperary SR	490,000	595,596
Waterford City	487,000	485,841
Waterford Co.	446,243	503,016
Westmeath	719,638	864,397
Wexford	651,400	838,480
Wicklow	604,230	661,128
Total	20,133,426	22,415,157

2008

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Carlow	444,338	579,150
Cavan	560,918	658,772
Clare	496,717	571,235
Cork City	507,500	549,719
Cork North	82,197	139,994
Cork South	808,769	883,247
Cork West	499,032	672,043
Donegal	862,493	884,269
Dublin City	1,062,728	1,381,948

Questions - Written Answers

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Dublin Fingal	713,550	738,138
Dún Laoghaire/Rathdown	841,658	1,293,036
Galway City & Co.	706,301	951,925
Kerry	622,243	617,363
Kildare	556,500	703,432
Kilkenny	578,998	658,428
Laois	512,985	665,323
Leitrim	440,000	540,514
Limerick City	395,028	422,125
Limerick County	423,983	441,228
Longford	489,640	516,013
Louth	398,789	472,495
Mayo	537,500	738,878
Meath	580,625	629,144
Monaghan	534,040	534,806
Offaly	435,849	466,340
Roscommon	465,289	547,898
Sligo	427,690	428,350
South Dublin	520,424	598,620
Tipperary NR	457,778	512,087
Tipperary SR	465,000	509,720
Waterford City	435,000	548,866
Waterford Co.	424,743	513,870
Westmeath	552,062	618,836
Wexford	626,400	756,953
Wicklow	627,732	677,486
Total	19,094,499	22,422,251

2009

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Carlow	513,612	554,332
Cavan	507,688	541,093
Clare	546,516	628,642
Cork City	480,764	482,770
Cork North	298,194	324,721
Cork South	904,396	1,111,518
Cork West	423,763	423,210
Donegal	831,651	847,160
Dublin City	1,138,362	1,259,123
Dublin Fingal	639,557	728,890
Dun Laoghaire/Rathdown	755,292	1,003,306

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Galway City & Co.	683,242	889,604
Kerry	779,661	629,215
Kildare	722,003	862,751
Kilkenny	498,235	521,776
Laois	561,921	655,349
Leitrim	427,054	425,145
Limerick City	417,957	442,740
Limerick County	462,110	534,439
Longford	623,519	665,447
Louth	369,886	372,200
Mayo	561,741	616,526
Meath	592,885	510,538
Monaghan	572,765	723,140
Offaly	439,541	571,302
Roscommon	450,097	514,304
Sligo	462,733	502,403
South Dublin	559,482	559,003
Tipperary NR	491,125	484,579
Tipperary SR	526,294	482,606
Waterford City	466,048	444,518
Waterford Co.	473,374	447,218
Westmeath	625,957	643,393
Wexford	637,490	706,801
Wicklow	618,751	556,388
Total	20,063,664	21,666,149

2010

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Carlow	439,655	567,139
Cavan	469,606	498,632
Clare	414,531	446,091
Cork City	525,159	575,804
Cork North	300,918	244,850
Cork South	763,368	851,824
Cork West	417,191	526,538
Donegal	726,196	756,557
Dublin City	1,146,082	1,210,797
Dublin Fingal	730,637	710,879
Dún Laoghaire/Rathdown	799,957	944,112
Galway City & Co.	681,709	772,130
Kerry	743,667	601,146

Questions - Written Answers

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Kildare	666,432	650,849
Kilkenny	427,345	514,539
Laois	432,923	464,041
Leitrim	329,459	337,582
Limerick City	350,030	353,504
Limerick County	412,209	444,035
Longford	536,845	552,732
Louth	365,909	385,158
Mayo	445,220	637,025
Meath	437,596	427,551
Monaghan	500,777	487,145
Offaly	356,738	377,656
Roscommon	362,809	421,599
Sligo	343,042	341,919
South Dublin	448,085	473,711
Tipperary NR	356,423	451,010
Tipperary SR	424,840	450,683
Waterford City	461,190	511,273
Waterford Co.	445,647	471,972
Westmeath	509,116	556,138
Wexford	557,362	597,345
Wicklow	551,842	693,391
Total	17,880,515	19,307,352

2011

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Carlow	404,532	512,263
Cavan	418,658	410,870
Clare	527,230	582,089
Cork City	435,991	540,149
Cork North	449,989	457,887
Cork South	828,371	952,985
Cork West	357,320	402,227
Donegal	589,801	664,006
Dublin City	1,146,172	1,353,268
Dublin Fingal	634,922	612,905
Dun Laoghaire/Rathdown	693,194	1,065,234
Galway City & Co.	725,739	918,037
Kerry	882,129	860,900
Kildare	547,115	665,524
Kilkenny	560,225	614,467

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Laois	438,029	512,898
Leitrim	361,820	378,950
Limerick City	392,392	374,712
Limerick County	406,798	451,896
Longford	552,508	509,540
Louth	358,021	392,199
Mayo	532,558	650,950
Meath	465,565	560,898
Monaghan	700,907	725,625
Offaly	350,375	384,027
Roscommon	365,761	411,485
Sligo	373,242	393,472
South Dublin	430,442	385,388
Tipperary NR	405,748	442,843
Tipperary SR	378,541	405,032
Waterford City	339,771	452,065
Waterford Co.	501,806	424,924
Westmeath	497,032	559,676
Wexford	566,249	632,117
Wicklow	588,211	726,650
Total	18,207,166	20,388,157

2012

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Carlow	481,965	642,837
Cavan	434,645	437,184
Clare	547,068	575,238
Cork City	444,022	472,397
Cork North	234,079	259,231
Cork South	1,183,614	1,329,965
Cork West	466,083	546,947
Donegal	789,522	801,131
Dublin City	1,214,463	1,268,481
Dublin Fingal	693,008	836,980
Dun Laoghaire/Rathdown	643,928	970,162
Galway City & Co.	802,601	879,034
Kerry	655,903	699,098
Kildare	599,215	664,481
Kilkenny	556,781	525,666
Laois	461,320	556,376
Leitrim	371,955	340,183

Questions - Written Answers

CEB	Capital Budget Allocation	Capital Expenditure as reported on Cashflows
Limerick City	331,398	343,152
Limerick County	422,131	509,884
Longford	444,074	501,177
Louth	386,964	400,927
Mayo	457,778	481,831
Meath	525,242	393,557
Monaghan	471,795	439,937
Offaly	372,713	370,427
Roscommon	368,435	420,850
Sligo	387,493	389,492
South Dublin	402,315	471,365
Tipperary NR	467,086	498,304
Tipperary SR	439,643	447,084
Waterford City	489,461	473,607
Waterford Co.	408,944	502,677
Westmeath	601,260	634,914
Wexford	646,432	756,725
Wicklow	595,926	598,583
Total	18,799,262	20,439,883

2013

CEB	Capital Budget Allocation
Carlow	348,851
Cavan	366,626
Clare	409,281
Cork City	411,245
Cork North	382,383
Cork South	529,476
Cork West	363,046
Donegal	451,964
Dublin City	805,182
Dublin Fingal	552,997
Dun Laoghaire/Rathdown	496,612
Galway City & Co.	560,631
Kerry	538,816
Kildare	436,575
Kilkenny	499,481
Laois	388,419
Leitrim	373,977
Limerick City	299,080
Limerick County	351,028
Longford	426,379

CEB	Capital Budget Allocation
Louth	333,769
Mayo	415,021
Meath	422,526
Monaghan	474,359
Offaly	354,629
Roscommon	370,438
Sligo	357,928
South Dublin	359,258
Tipperary NR	364,054
Tipperary SR	381,706
Waterford City	341,306
Waterford Co.	360,895
Westmeath	379,310
Wexford	436,793
Wicklow	428,241
Total	14,772,282*

*Final Capital Budgets for previous years listed include additional allocations in the 3rd or 4th quarter of the year, sourced from savings made within existing DJEI budgets. It is anticipated that similar savings will be allocated through 2013 to bring the final capital budget up to a comparable level to previous years.

Job Creation Issues

82. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the multiplier effect on the economy for a job supported by IDA Ireland; and the same for a job supported by Enterprise Ireland and the county enterprise boards. [24873/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Analysis of Enterprise Ireland's client base suggests that, for every job supported in Enterprise Ireland's client companies, an additional 1.3 jobs are created in the Irish economy.

In the case of IDA Ireland, the analysis shows that every direct job created in the Agency's client base generates an additional 0.7 jobs in the wider economy.

There is no formal measurement of the multiplier effect resulting from support provided by the County and City Enterprise Boards. These Boards support job creation in micro enterprises, that is, enterprises which generally employ ten people or less. However, investment in this sector contributes positively to broader economic development at local level as some of the enterprises supported by County and City Enterprise Boards provide services to client companies of IDA Ireland and Enterprise Ireland.

Job Creation Issues

83. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the cost per job promoted by IDA Ireland, Enterprise Ireland and county enterprise boards for each year from 2007 to date in 2013. [24874/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Details of the cost per job sustained in Enterprise Ireland and IDA Ireland client companies in the 7 year periods from 2001 - 2007 through to 2005 - 2011 are set out in the tabular statement which follows. Costs for the period 2006 - 2012 will not be available until the 2012 annual reports of both agencies are published later this year.

The cost per job sustained in each agency is calculated by taking into account all expenditure to all firms in the period of calculation. Only jobs created during and sustained to the end of each seven year period are credited in the calculations.

In the case of the the County and City Enterprise Boards, the methodology for calculating the cost per job is set out in the Comptroller and Auditor General's Annual Report 2010. The cost per job is calculated by dividing the total grants paid from 1993 to the current year by the total employment at the end of that year. It should be noted that this does not include Administration or Measure 2 "soft" support expenditure.

Details of the cost per job in the County and City Enterprise Boards for the years 2007 to 2012 are set out in the attached tabular statement. Data for 2013 are not yet available.

Table showing the cost per job sustained in IDA Ireland client companies in the 7 year period from 2001 -2007 through to 2005 -2011

-	2001 - 2007	2002 - 2008	2003 - 2009	2004 - 2010	2005 - 2011
IDA Ireland	€13,222	€12,807	€14,124	€14,252	€14,202

Table showing the cost per job sustained in Enterprise Ireland client companies in the 7 year periods from 2001 -2007 through to 2005 -2011

-	2001 - 2007	2002 -2008	2003 - 2009	2004 - 2010	2005 - 2011
Enterprise Ireland	€6,556	€7,988	€12,124	€12,560	€12,024

Table showing the cost per job sustained in County and City Enterprise Board client companies from 2007 to 2012

-	2007	2008	2009	2010	2011	2012
County and City Enterprise Board	€4,503	€4,843	€5,543	€5,756	€6,058	€6,181

Job Creation Numbers

84. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the total number of the jobs retained, jobs created and jobs lost by companies supported by IDA Ireland, Enterprise Ireland and county enterprise boards. [24875/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Forfás Annual Employment Survey reports on job gains and losses in companies that are supported by the enterprise development agencies. Details of the total number of jobs created and lost in IDA and Enterprise Ireland client companies are set out in the attached tabular statement.

The County and City Enterprise Boards (CEBs) created 4,858 full-time and 3,772 other time

jobs in 2012 while there were 4,602 full time and 3,003 other time job losses. Overall, the work of the CEBs during the year resulted in the creation of a net amount of 256 full time jobs and 769 other time jobs.

Table showing total number of jobs created and lost in IDA and Enterprise Ireland client companies in 2012

-	Permanent Employment	Number of Jobs Created	Number of Jobs Lost
IDA Ireland	136,505	12,722	6,152
Enterprise Ireland	145,460	12,861	9,523

Question No. 85 withdrawn.

Social Welfare Appeals Status

86. **Deputy James Bannon** asked the Minister for Social Protection the reason for the delay in having an oral hearing which was adjourned, rescheduled in respect of a person (details supplied) in County Longford; the reason for the correspondence from her offices stating that it has been decided to hold an oral hearing, when in actual fact it is an adjournment of an oral hearing; and if she will make a statement on the matter. [24805/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who decided to hold an oral hearing in this case.

The Oral Hearing was scheduled to be heard on 19th February 2013. At the hearing the person concerned, through his solicitor, requested an adjournment of the hearing pending the receipt of his file which had been requested but not yet received. The request for an adjournment was granted.

The Appeals Officer subsequently returned the file to Social Welfare Appeals Office to deal with a Freedom of Information request dated the 5th April 2013. This information was provided to the solicitor of the person concerned on the 24th April 2013.

I have been advised that the case has now been re-listed for an oral hearing to be held as soon as possible and the appellant will be informed when arrangements have been made.

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.

Supplementary Welfare Allowance Eligibility

87. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the criteria used to assess a person's eligibility for supplementary welfare allowance diet supplement; if the means threshold used in this assessment has not changed since 2007; if she will immediately address this situation; and if she will make a statement on the matter. [24808/13]

Minister for Social Protection (Deputy Joan Burton): Under the supplementary welfare allowance scheme, a diet supplement may be paid to a person who is receiving a social welfare

or health service executive payment where a special diet is prescribed as a result of a specified medical condition and they satisfy a means test.

The amount of diet supplement payable in individual cases is calculated by assessing one-third (single people) or one-sixth (couples joint weekly means) of the applicant's weekly income, excluding any amounts of benefit or assistance payable in respect of any child dependants against the cost of the relevant diet.

The last study into the cost of specialised diets was carried out in 2007. Accordingly when diet supplement payments for qualifying individuals are being calculated the social welfare rates for 2007 are used.

The Department is currently undertaking a review of the diet supplement scheme which will be completed in the coming months.

Invalidity Pension Appeals

88. **Deputy Tom Fleming** asked the Minister for Social Protection the measures she has taken to address the unacceptable waiting lists for invalidity pension appeals; the timeframe to process these appeals; and if she will make a statement on the matter. [24824/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that the current average time taken to process invalidity pension appeals decided by summary decision is 34.1 weeks and 45.7 weeks for those requiring an oral hearing. These processing times are calculated from the registration date of the appeal to the date of its finalisation. They include all activities during this period including time spent awaiting any clarification from the appellant, time in the Department for comments by the Deciding Officer on the grounds of appeal put forward by the appellant, and any further investigation, examination or assessment by the Department's Inspectors and Medical Assessors that is deemed necessary. A considerable period of time is added to the process when an oral hearing is required because of the logistics involved in this process. While this process carries an inherent delay in terms of finalising an appeal, it also crystalizes the flexibility and accessibility of the appeals system.

There has been a rapid and sustained increase in the number of appeals received in the Social Welfare Appeals Office since 2009 which has placed extraordinary pressure on the office. Up to 2009, the average number of appeals received was 15,000 per annum whereas in 2012, the office received 35,484 appeals. In the case of Invalidity Pension appeals, the numbers of appeals received has increased from 642 in 2009 to 4,765 in 2012. In order to manage this increasing workload, significant resources and efforts have been put into reducing backlogs and improving appeals processing times for appellants, including the assignment of 15 additional Appeals Officers, reviewing and improving business processes and implementing a new operating model within the appeals office. In addition, a major programme of process redesign and modernisation is currently underway in the Department in relation to many scheme areas, aimed at reducing backlogs and reducing the time taken for the Department to respond to requests from the SWAO for submissions in relation to appeals.

These measures have led to improvements in processing times and a significant increase in the number of appeals finalised from 17,787 in 2009 to 32,558 in 2012. The Chief Appeals Officer expects to finalise 6,000 more cases in 2013 than in 2012. The number of invalidity pension appeals finalised has increased from 485 in 2009 to 1,991 in 2012.

Processing times for all appeal types reduced by 10.3 weeks overall in 2012 when compared to 2011, with the time taken to finalise an appeal requiring an oral hearing down by 13

weeks and the time for an appeal decided by way of a summary decision up by 2.7 weeks.

In the case of invalidity pension appeals, processing times for appeals requiring an oral hearing were down by 10.2 weeks over 2011, while the time taken for summary decisions increased by 2.4 weeks.

By its nature and because it is a quasi-judicial function, the processing of appeals takes time and reflects the fact that, by definition, the appeal process cannot be a quick one.

Carer's Allowance Delays

89. **Deputy Tom Fleming** asked the Minister for Social Protection the measures she has taken to address the unacceptable waiting lists for carer's allowance applicants; the timescale to process these applications; the number of applications received for each of the past three years; the number that were granted, refused and under appeal; and if she will make a statement on the matter. [24827/13]

95. **Deputy Tom Fleming** asked the Minister for Social Protection his views on whether it is fair and reasonable for carer's allowance applicants to have to wait up to 12 months to have their claims processed; her views on whether it is fair and reasonable for applicants who have given up their job to care for someone on a full-time basis to have to wait more than 12 months to receive payment; and if she will make a statement on the matter. [24954/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 89 and 95 together.

The Department is committed to ensuring that claims are processed as expeditiously as possible. The waiting lists and processing times for carer's allowance were unacceptable in 2012 but significant improvements have been made in the past year by my Department. The backlog of carer's allowance applications has been eliminated and processing times have improved greatly, with new applications now being actioned on receipt and claims received in the last 6 months are now decided within 10 weeks.

The total number carer's allowance applications which were awaiting decision at mid-June 2012 were approximately 11,600. At present, the number is approximately 3,300 cases. Most of these applications are already processed and awaiting further information from customers or have had decisions and are part of the review/appeals process.

In relation to people who leave the workforce to care for a person who is in need of full-time care and attention, carer's benefit may be a more suitable scheme. Complementing the carer's benefit scheme is carer's leave which allows a person to leave their employment temporarily for up to 104 weeks to provide full-time care for people in need of full-time care and attention. The leave is unpaid but people who take carer's leave have their jobs kept open for the duration of the leave. The current average processing time for a carer's benefit claims is 9 weeks.

The Table below provides details of the number of carer's allowance applications received for each of the past three years, and the number that were decided, granted, refused and withdrawn.

Year	Number Registered	Number Decided	Number Awarded	Number Disallowed	Number Withdrawn
2010	18,212	16,629	8,769	6,972	888
2011	17,758	13,886	7,467	5,227	1,192

Year	Number Registered	Number Decided	Number Awarded	Number Disallowed	Number Withdrawn
2012	15,493	18,483	9,880	6,828	1,775

I am informed by the Social Welfare Appeals Office that there were 3,025 carer's allowance appeals registered in that office in 2010, 2,199 carer's allowance appeals registered in 2011 and in 2012 the number registered was 2,676.

Question No. 90 withdrawn.

Social Welfare Benefits Eligibility

91. **Deputy Martin Ferris** asked the Minister for Social Protection if the continued practice by social welfare staff to refuse family payments based on the habitual residency clause is compatible with EU law; and if she will make a statement on the matter. [24860/13]

Minister for Social Protection (Deputy Joan Burton): The social welfare entitlements of EU citizens who come to live and work in Ireland are governed by EU Regulations on the co-ordination of social security systems. A key requirement of these regulations is that EU citizens living and working here must be accorded equal treatment with Irish citizens. The regulations are viewed by the EU as an important element in the arrangements in place to encourage and facilitate free movement across the Union. The regulations coordinate social security schemes across the EU but the design, qualifying conditions and funding arrangements of national schemes remain a national competence.

Family benefits can be awarded on the basis of either EU Regulations or domestic legislation. The former applies where a person comes here from another EU/EEA state and takes up insurable employment. In such cases Article 7 of Regulation 883/2004 applies which provides for, in most circumstances, the waiving of residence provisions in domestic social security legislation. Such people are entitled to child benefit in respect of their children resident here or in the home country. Where EU Regulations do not apply (mainly where there is no EU cross-border element to the claim) decisions are made purely on the basis of domestic legislation. This includes the Habitual Residence Condition (HRC) which is based on principles that have been set down in judgements given by the Court of Justice of the EU.

A person must be habitually resident in the State at the time of making the application for the following: blind pension, carer's allowance, child benefit, disability allowance, domiciliary care allowance, guardian's payment (non contributory), jobseeker's allowance, one parent family payment, state pension (non contributory), supplementary welfare allowance (other than once off exceptional and urgent needs payments) and widow(er)'s non contributory pension.

The HRC does not extend to the provisions regarding an increase for qualified dependants (e.g. spouse or children), which means that the qualified dependants are not required to satisfy the habitual residence condition in their own right.

Domiciliary Care Allowance Appeals

92. **Deputy Brendan Griffin** asked the Minister for Social Protection if a decision has been made on an appeal of a decision on a domiciliary care allowance application in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [24876/13]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance was received for the person concerned on the 3rd August 2012. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for the allowance. A letter issued on the 26th September 2012 advising of the decision.

The person concerned subsequently lodged an appeal on the 6th November against this decision. As part of the appeal process, the case was reviewed on two occasions as the person concerned supplied additional further medical evidence 21st March 2013, the Medical Assessors confirmed that the child was not medically eligible for the allowance. The last assessment was provided on the on the 17th May 2013. The file is now forwarded to the Social Welfare Appeals Office for consideration of the appeal.

Rent Supplement Scheme Payments

93. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review the amount of rent supplement paid in the case of a person (details supplied) in County Kildare in view of the fact that their landlord refuses to decrease the monthly rent paid any further; and if she will make a statement on the matter. [24888/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned has been made aware of the rent limit since November 2012 and permitted to remain in her current property at a higher rent limit until the expiration of her lease in May 2013 in order to negotiate with the landlord or find alternative accommodation – no exceptional circumstances have been presented to the Department in relation to the person concerned. The Department has been in contact with this person on numerous occasions during that six month period and the Department continues to be in contact with the person concerned.

Disability Allowance Appeals

94. **Deputy Ciarán Lynch** asked the Minister for Social Protection when a decision will issue on a disability allowance application in respect of a person (details supplied) in county Cork; and if she will make a statement on the matter. [24896/13]

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 evidence, disallowed the appeal of the person concerned by way of summary decision dated 8 March 2013.

Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed in the light of new evidence or new facts. As the person concerned has submitted additional evidence, the Appeals Officer has agreed to review the case. The person concerned will be contacted when the review of his appeal has been finalised.

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.

Question No. 95 answered with Question No. 89.

Rent Supplement Scheme Applications

96. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the options available in the case of a person (details supplied) in County Kildare whose landlord has not reduced the rent in accordance with the request from her Department and who is unable to obtain a lower costing rental accommodation due to housing scarcity in the area; and if she will make a statement on the matter. [24983/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned has been notified that her rent supplement payment will cease on 31/05/2013. It is open to the person concerned to appeal this decision to the Social Welfare Appeals Office. In addition, the person concerned may submit a fresh application should her circumstances change, if the rent on her present accommodation is reduced or if she moves to alternative accommodation within the defined rent limits for her family composition.

Questions Nos. 97 and 98 withdrawn.

Back to School Clothing and Footwear Allowance Scheme Eligibility

99. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when back to school allowance is payable in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [24987/13]

Minister for Social Protection (Deputy Joan Burton): The 2013 Back to School Clothing and Footwear Allowance (BSCFA) scheme will commence on 1 June 2013 and the administrative arrangements are similar to those that applied in 2012, with an expected 115,000 claims fully automated with no application form required. Customers being paid automatically will receive a letter in June informing them of their entitlement and notifying them that payment will issue in week commencing 15 July. Customers will be able to collect their BSCFA payment on the same day as their normal weekly payment.

The customer concerned was paid the BSCFA automatically in 2012 in respect of his 2 children. If the customer does not receive a letter confirming his entitlement by June 28 he should submit an application form. Application forms will be available after the letters of entitlement issue in the third week of June.

Mortgage Interest Supplement Appeals

100. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which an application for mortgage support has been examined and determined in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [24988/13]

Minister for Social Protection (Deputy Joan Burton): A decision to refuse mortgage interest supplement in December 2011 was upheld by the Social Welfare Appeals Office in July 2012. While no new application has been received, it remains open to the person concerned to re-apply for mortgage interest supplement if her circumstances have changed.

Employment Rights Issues

101. **Deputy Martin Ferris** asked the Minister for Social Protection if she will state the EU's definition of a migrant worker. [25014/13]

Minister for Social Protection (Deputy Joan Burton): There is no legal definition of a migrant worker in EU law relating to the coordination of social security schemes. However, any national of a Member State has, irrespective of their place of residence, the right to take up an activity as an employed person, and to pursue such activity, within the territory of another Member State in accordance with the provisions laid down by law, regulation or administrative action governing the employment of nationals of that State. This is subject to some transitional arrangements for new EU States.

The Court of Justice of the EU has defined a worker as a person who pursues an activity which is effective and genuine, with the exclusion of activities on such a small scale as to be regarded as purely marginal and ancillary. The essential characteristic of the employment relationship is that for a certain period of time a person performs services for and under the direction of another person in return for which he/she receives remuneration.

Separately to the EU provisions, the Council of Europe, in the European Convention on the Legal Status of Migrant Workers defines a migrant worker as “a national of a contracting party who has been authorised by another contracting party to reside in its territory in order to take up paid employment”.

Departmental Legal Costs

102. **Deputy Sean Fleming** asked the Minister for Social Protection her views on whether sufficient progress is being made in reducing the State’s legal bill in her Department and any State agencies under her aegis; and if she will make a statement on the matter. [25169/13]

Minister for Social Protection (Deputy Joan Burton): The State’s legal bill in relation to the Department of Social Protection is comprised solely of costs associated with litigation. The legal costs of litigation are not managed by the Department. The Chief State Solicitors Office provides professional advice to the Department in relation to such costs. I am satisfied that the advice provided in relation to such matters is cognisant of the need to ensure that the State’s legal bill is no higher than necessary and that sufficient progress has been made in recent years in reducing the costs of litigation against the State generally.

The statutory bodies operating under the aegis of the Department of Social Protection are the Citizens Information Board, the Pensions Board, the Office of the Pensions Ombudsman and the Social Welfare Tribunal.

Citizens Information Board

The Citizens Information Board has a three year contract in place since 2011 for the provision of legal advice to the Board. The contract was put in place following a tendering process. The tendering process is used by the Board to procure legal services to ensure that it gets the most competitive rates. Appropriate governance and accountability procedures are in place in relation to expenditure by the Board on legal advice.

Pensions Board

There are a number of measures in place to reduce legal outsourcing expenditure. The Board entered into a Legal Framework Agreement in 2012 with a number of legal firms for the provision of legal services to replace a prior framework agreement. The Board secured reductions in hourly rates under the Legal Framework Agreement 2012 to 2015. In addition, the Finance and Audit Committee exercise significant control over legal outsourcing budgets.

Office of the Pensions Ombudsman

The Pensions Ombudsman sources legal services from a panel which was established following a competitive tendering process. The panel is reviewed on an annual basis. The prices quoted by providers take account of the Financial Emergency Measures legislation and other negotiated discounts. Legal fees are monitored and reviewed on a continuous basis with the aim of providing value for money to the Exchequer. The Office of the Pensions Ombudsman is facing an unprecedented level of demand for its service with a 78% increase in new enquiries and a 24% increase in detailed investigation cases opened in 2012. The complexity of cases is increasing, and there is a tendency towards increased litigation. Legal costs are therefore a significant element of the overall costs of the Office and are monitored closely.

Social Welfare Tribunal

The Social Welfare Tribunal does not incur expenditure in respect of legal fees.

Exchequer Returns

103. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht what appropriations-in-aid spending will entail in 2013; and if he will make a statement on the matter. [24861/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Appropriation-in-Aid receipts of approximately €4.525m are expected to be received by my Department and remitted to the Exchequer in 2013. More than three quarters of these receipts, over €3.5m, relate to contributions from civil and public sector employees as part of the Public Service Remuneration Pension-related Deduction (Pension Levy). A full break-out of my Department's projected 2013 Appropriation-in-Aid receipts is published in the 2013 Revised Estimates Volume which is available on the Department of Public Expenditure and Reform website via the following link: <http://per.gov.ie/wp-content/uploads/REVISED-ESTIMATES-VOLUME-2013-final.pdf>.

Departmental Expenditure

104. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht if he envisages his Department retaining €210,000 from the EU Presidency through to 2014; if so, if he has already allocated the money; and if he will make a statement on the matter. [24862/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): All monies allocated to my Department for the E.U. Presidency will, I understand, be expended in the current year.

Departmental Staff Training

105. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a breakdown of the expected training and development and incidental expenses with a list of the training and development courses he expects officers in his Department to undergo in 2013; and if he will make a statement on the matter. [24863/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I assume

the Deputy is referring to a breakdown of the proposed Training & Development expenditure within the Training & Development and Incidental Expenses subhead. In this regard, my Department has a budget allocation of approximately €400,000 for staff training and development in 2013. My Department supports the training and development of staff through formal training and development courses, in-house training, attendance at relevant conferences and seminars, refund of academic fees, and the reimbursement of professional membership fees. The training provided is key to the functioning of the Department and the welfare of staff. The formal training and development courses that staff members in my Department are expected to attend in 2013 include but are not limited to the following:

- Job-specific training i.e. Abseil Access, ArcGIS Geographic Information Mapping Software, Biodiversity Identification, Dangerous Trees Identification, Mountain Skills, Quad training, Raptor Poisoning, Rope Rescue Technician training;
- Business Process Improvement;
- Health and Safety related training i.e. Evac Chair, Fire Safety, Firearm Safety, Manual Handling, Occupational First Aid, Personal Survival Techniques, Safe Pass, Signing, Lighting and guarding at Roadworks, Crisis Prevention;
- Child Protection Guidance;
- Irish Language skills;
- Courtroom Skills;
- ICT training i.e. , Microsoft Office Applications, Microsoft Sharepoint, Website Content Management;
- Corporate, HR and Financial training i.e., Disability Awareness, Financial Management, Freedom of Information, Interview Board training, Management Development, Mediation, Procurement, Professional Services Withholding Tax, Report Writing, Workplace Investigation.

The list includes a number of in-house training courses and training courses run by other public bodies which accrue no direct cost to my Department. For those courses that are procured externally, the Training and Development Unit in my Department ensures that all procedures in relation to procurement are followed.

Consultancy Contracts Expenditure

106. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht if he will set out by category and in detail a breakdown of the €124,000 estimated to be spent on consultancy services and value-for-money and policy reviews in the 2013 Estimates, an increase of 164% on the Estimates spend in 2012, providing detail of the additional spend; and if he will make a statement on the matter. [24864/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): A total of €138,000 was allocated for consultancy services, value for money and policy reviews in 2012. This subhead provides for fees and expenses in respect of consultancy assignments and other surveys and studies commissioned by my Department, which at present relate primarily to the Arts Division. In line with Government policy, my Department endeavoured to reduce the use of consultants as far as possible and succeeded in reducing the level of expenditure in 2012 to some €47,000.

The 2013 allocation of €124,000 for consultancy services, value for money and policy reviews represents a decrease of 10% when compared against the 2012 allocation of €138,000.

In order to allow my Department to be in a position to respond to issues as they arise during the course of the year, the €124,000 is not yet fully committed. My Department will continue to minimise expenditure under this heading as far as possible and, as with 2013, I expect that savings will again be achieved against this allocation.

Departmental Expenditure

107. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht under the category of office premises expenses, if he will list the individual offices operated by his Department in the State alongside the expenses that they will incur in 2013; and if he will make a statement on the matter. [24865/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I presume the Deputy is referring to the provision of €693,000 for Office Premises Expenses in my Department's Administration Budget as set out in the 2013 Revised Estimates for Public Services. This funding will be used to meet expenses such as heating, lighting, waste disposal, cleaning and water charges. These costs relate largely to my Department's main offices which are listed on my Department's website at <http://www.ahg.gov.ie/en/ContactDetails/>. It is too soon to anticipate the precise breakout of where precisely all such costs will be incurred in 2013 but it is unlikely that there will be any significant savings in 2013.

Departmental Expenditure

108. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a breakdown of the heritage spend by category of the €1.2 million estimated for 2013; and if he will make a statement on the matter. [24866/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): An amount of €1.2m in capital funding on subhead B.5 Natural Heritage - National Parks and Wildlife Service was carried over into 2013 in accordance with the procedures governing unspent capital. The State has a particular responsibility to preserve active raised bog habitat under European Council Directive 92/43/EEC (the Habitats Directive) which requires Ireland to protect various species and habitats which are of European importance. In 2012, an allocation of €1.2m was set aside to fund surveys of raised bog Special Areas of Conservation (SACs) and Natural Heritage Areas (NHAs) within the context of the development of a National Raised Bog SAC Management Plan and a Review of raised bog Natural Heritage Areas. These funds were not utilised in 2012 due to unforeseen delays in commencing the procurement process for the surveys. However, these surveys will have to be undertaken during 2013.

Departmental Expenditure

109. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a breakdown of the estimated expenditure on heritage for 2013 by product and programme; and if he will make a statement on the matter. [24867/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): A breakout of my Department's provisions for expenditure under the Heritage Programme is published in the

2013 Revised Estimates Volume, which is available on the Department of Public Expenditure and Reform website via the following link: <http://per.gov.ie/wp-content/uploads/REVISED-ESTIMATES-VOLUME-2013-final.pdf>.

Cistí Spreagtha Fáis

110. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Ealaíon, Oidhreachta agus Gaeltachta cé na tograí Gaeltachta agus Oileánda atá molta ag a Roinn don Aire Caiteachais Phoiblí maidir leis na Cistí Spreagtha Fáis atá á scrúdú ag an Aire sin; agus an ndéanfaidh sé ráiteas ina thaobh. [24891/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Tá mo Roinnse, ina dteannta siúd as earnálacha eile, ag breathnú ar thograí i gcomhair a mbreithnithe i láthair na huairé i gcomhairle leis an Roinn Caiteachais Phoiblí agus Athchóirithe. Níl aon chinneadh críochnaitheach tógtha go fóill.

Film Industry Tax Reliefs

111. **Deputy Andrew Doyle** asked the Minister for Arts, Heritage and the Gaeltacht the tax beneficial arrangements his Department currently operates regarding the TV and film industry here; the financial benefits that are available to studios when producing here; if his attention has been drawn to the tax regime currently operating in Northern Ireland for film production; his views on whether Ireland is competitive in this regard against Northern Ireland; and if he will make a statement on the matter. [24935/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Section 481 of the Taxes Consolidation Act, 1997 is the provision in question. It allows tax relief for investments in certain films. The types of film eligible for certification include feature film, television drama, creative documentary and animation. There is no provision within this scheme for film studios. The scheme is kept under regular review in conjunction with the Irish Film Board and any enhancements considered necessary to retain or regain competitiveness are brought to the attention of the Minister for Finance, as appropriate. The scheme has been extended to the end of 2020 in the recent Finance Act. The extension of Section 481 was one of the important recommendations included in the Creative Capital Report that was published in 2011 and which sets out a strategy for building Ireland's audiovisual creative economy.

This extension will give certainty to the Irish audiovisual sector over the next seven years or so and allow it to maintain the existing jobs in the sector and hopefully create new ones. The sector has managed in recent years to maintain a significant level of production in difficult economic circumstances. There are always challenges to face in the film sector from neighbouring jurisdictions, but with the talent available in this country, both in front of and behind the camera, and ongoing support from the Government, I am confident that these challenges can be met and overcome.

Primary responsibility for the support and promotion of film-making in Ireland, in respect of both the indigenous sector and inward productions, is a matter for the Irish Film Board (IFB). The IFB is funded through my Department, but is statutorily independent and I have no role in its day to day operations. The IFB has been allocated €14.858m in 2013 to carry out its functions.

Turf Cutting Compensation Scheme

112. **Deputy Brendan Smith** asked the Minister for Arts, Heritage and the Gaeltacht the proposals, if any, he has to deal with the difficulties encountered by turf cutters on the Moneybeg and Clareisland Bogs in counties Meath and Westmeath who wish to avail of the relocation option but cannot due to the non-availability of a suitable bog within a reasonable distance; and if he will make a statement on the matter. [24962/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Eighty-eight applications for compensation under the cessation of turf cutting compensation scheme have been received and acknowledged by my Department in respect of Moneybeg and Clareisland Bogs raised bog special area of conservation. 12 of these applicants have expressed an interest in relocation to a non-designated bog. 71 payments and 2 deliveries of turf have been made in respect of the applications received.

I am advised that Bord na Móna has undertaken preliminary assessments of five potential relocation sites for turf cutters from Moneybeg and Clareisland Bogs, on behalf of my Department. On the basis of this assessment of two of the sites, Bord na Móna is to undertake a stratigraphy assessment of these sites in order to get a better indication of the quality and quantity of peat there. The assessment of the other three sites indicates that they would not be suitable relocation sites.

My Department has written to those applicants, who qualify under the cessation of turf cutting compensation scheme on the basis of self-certification and who have expressed an interest in relocation, updating them on the situation.

A payment of €1,500, index-linked, or a supply of 15 tonnes of cut turf per annum is available under the cessation of turf cutting compensation scheme to qualifying applicants from Moneybeg and Clareisland Bogs while awaiting relocation to a non-designated bog. For those applicants opting for the delivery of turf while awaiting relocation, there is flexibility in the provision of additional turf to other family members who had been cutting on the same bog plot.

National Raised Bog Management Plan Discussions

113. **Deputy Brendan Smith** asked the Minister for Arts, Heritage and the Gaeltacht the progress made to date, following the Private Members' motion in Dáil Éireann in 2012, in relation to the cessation of turf cutting on raised bog special areas of conservation; the progress that has been made with the European Commission in relation to those bogs described by him as problematic and his commitment to press the Commission for flexibility; if the proposal for a phased transition plan that was progressed by officials in discussions with the Turf Cutters and Contractors' Association has been discussed with the European Commission; if it is still being considered as the basis for a resolution of outstanding difficulties; if he will outline the status of this plan; and if he will make a statement on the matter. [24963/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The Dáil motion of 7 March 2012, which the Government supported, called on the Government to “- engage actively with the European Commission to seek a resolution within the terms of the Habitats Directive, and to prepare and submit a National Raised Bog Restoration Plan to the Commission as a matter of urgency”.

As a result of this, in April 2012, I secured the agreement of the European Commissioner for the Environment for the development of a national raised bog SAC management plan, in keep-

ing with the recommendations of Mr. Justice Quirke. The approach of the national plan may unlock some flexibility, within the terms of the Habitats Directive, in regard to the most difficult of sites, where relocation options are limited.

My Department has now engaged a team of specialists who are undertaking the necessary scientific work to underpin the national plan and to inform the future restoration and management of each of the SACs. This work is being overseen by an independent steering group with input from the Peatlands Council.

In collaboration with the Peatlands Council and with the assistance of Bord na Móna, my Department is also working with local communities to arrange for relocation of those who wish to continue turf-cutting to nearby bogs. The provision of financial payments or deliveries of turf is available to those awaiting relocation.

I hope the plan can be completed by November, in time to submit an application to the European Commission under Article 6(4) of the habitats directive, if required, prior to the 2014 cutting season.

I assume that when the Deputy refers to a “phased transition plan” he is referring to the *Turbary Rights Transfer Programme for Irish Raised Bog Special Areas of Conservation* submitted by the Turf Cutters and Contractors Association (TCCA) some weeks after the passing of the Private Member’s Motion. This document is clearly thought out and I believe it represents an honest and genuine attempt to find an acceptable resolution to this difficult issue. In fact, many of the suggestions made in this document, and in previous documents submitted by the TCCA and by other groups were subsequently incorporated into my own document, the *National Raised Bog SAC Management Plan – Proposed Approach*, which was published in September last.

However, there is one crucial element contained in the TCCA proposal that is clearly not within the terms of the Habitats Directive. The proposed continuation of turf-cutting on many of the SACs for several years while a national plan is put in place is clearly at variance with EU law, and in particular Article 6 of the Habitats Directive. The European Commission and the Government have concluded that we simply do not have the legal discretion to follow that path. In face of our current infringement proceedings, to do so would be to invite certain litigation against the State, including potential injunctive action and substantial fines.

At no point did my officials or officials of the European Commission give the TCCA any reason to believe that a “phased transition plan” could be acceptable. The clear majority of domestic turf-cutters on the raised bog SACs are now engaging with my Department in findings acceptable solutions within the law. The door is still open for the Turf Cutters and Contractors Association to engage in this process with me and with other stakeholders to address the needs of turf-cutters and other interested parties.

Departmental Legal Costs

114. **Deputy Sean Fleming** asked the Minister for Arts, Heritage and the Gaeltacht his views on whether sufficient progress is being made in reducing the State’s legal bill in his Department and any State agencies under his aegis; and if he will make a statement on the matter. [25162/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): My Department is very aware of the need to minimise legal costs and, in general, avails of legal advices from the Attorney General’s Office and the Chief State Solicitor’s Office.

With regard to bodies funded from my Department's Vote Group, the Deputy will appreciate that a decision to seek legal advices in any particular instance is part of the day-to-day operational responsibilities of the bodies in question. All bodies funded from this Department's group are working to achieve savings across all areas of their operations, including legal services. For example, the National Library of Ireland and National Museum of Ireland are developing a joint tender for specialist legal services in their areas with a view to achieving savings in both Institutions.

Television Licence Fee Collection

115. **Deputy Michael Colreavy** asked the Minister for Communications, Energy and Natural Resources the number of homes here that do not currently pay for a television licence; if he will provide a breakdown of those who receive a waiver and those who do not pay for a licence; and if he will make a statement on the matter. [24840/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The requirement to have a TV licence and pay the accompanying fee is dependent on possession of a television set, as defined by Section 140 of the Broadcasting Act 2009. In estimating the number of liable people to hold a television licence, my Department must take into account a range of factors including the overall number of occupied households and liable businesses, the levels of vacant units and the estimated television penetration rate (i.e. the estimated number of homes possessing a television set).

Based on currently available information, the Department estimates that the total number liable to hold a television licence amounts to approximately 1,719,000 and that, based on the number of current licences issued, the overall level of evasion is around 16% of this total. This estimated percentage reflects those who are deemed liable but do not pay the licence fee. It does not reflect those who are in receipt of a "Free TV Licence".

As the Deputy will be aware, an exemption from the liability to pay the existing TV licence arises by virtue of eligibility for the Household Benefits Package, which automatically gives the right to a free licence. Responsibility for the Household Benefit Package falls under the remit of the Department of Social Protection (DSP). The number of licences issued on behalf of Social Welfare recipients is related to the number of people eligible for the Household Benefits Package, which varies from month to month. At the end of 2012, 407,927 licences were recorded by DSP, which is a reflection of the number of free licences in existence at that point in time.

In addition, the Deputy should be aware that approximately 42,000 people have made statutory declarations under section 147 of the Broadcasting Act 2009 that they do not possess a television set and are, therefore, not liable to have a television licence.

Broadband Services Speeds

116. **Deputy Nicky McFadden** asked the Minister for Communications, Energy and Natural Resources his views on the statement by the UK communications regulator Ofcom that data speeds from the 4G technology LTE are likely to be of the order of 6 megabits per second on average; if that is the case, whether he considers LTE a suitable technology to deliver the target in the national broadband plan of a minimum of 30Mbps to the last 30% of population; and if he will make a statement on the matter. [24844/13]

117. **Deputy Nicky McFadden** asked the Minister for Communications, Energy and Natu-

ral Resources if he will confirm that the target in the national broadband plan for the last 30% of population of a minimum of 30Mbps is a measure of the true customer experience that will be achieved; and if he will make a statement on the matter. [24845/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):
I propose to take Questions Nos. 116 and 117 together.

The Government, through the National Broadband Plan, which I published on 30th August last year, has recognised that the key imperative now is to ensure high speed broadband availability to all. Specifically, the Plan commits to:

- 70Mbps to 100Mbps 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, and

- A minimum of 30Mbps for every remaining home and business in the country.

Ireland is now therefore moving to a new phase of public and private sector investment in broadband in Ireland which will see significantly improved speeds delivered across the country. In devising any State intervention to deliver high speed services to areas of the country where such services are not commercially viable and will not be provided by the market, my department will be adopting a technology neutral approach, as required under EU law. This means specifying our requirements rather than specifying a particular technology.

Intensive technical, financial and legal preparations including stakeholder engagement will be on-going throughout 2013 with a view to the launch of a procurement process in 2014. Cognisance will be taken of other countries' experiences, including that of the UK, in addressing the challenge of rolling out next generation broadband, as and where appropriate, having regard to the particular circumstances and challenges faced by Ireland.

Through the implementation of the National Broadband Plan, we are committed to increasing the availability of next generation speeds significantly, with a view to ensuring that all citizens and business can participate fully in a digitally enabled society and that all parts of Ireland will have at least 30Mbps connectivity.

Consultancy Contracts

118. **Deputy Nicky McFadden** asked the Minister for Communications, Energy and Natural Resources if the winning consultants for the national broadband plan have met the turnover requirement in section 3.2A of the request for tenders; the additional documentation he has sought from them in this regard; and if he will make a statement on the matter. [24846/13]

119. **Deputy Nicky McFadden** asked the Minister for Communications, Energy and Natural Resources if a company (details supplied), the winning consultants for the national broadband plan, will be subcontracting any element of the work; if so, the subcontractors involved; and if he will make a statement on the matter. [24847/13]

120. **Deputy Nicky McFadden** asked the Minister for Communications, Energy and Natural Resources if he will publish the brief and assumptions under which the consultants to the national broadband plan will be asked to carry out a cost benefit analysis of the plan in line with the Department of Public Expenditure and Reform public spending code; and if he will make a

statement on the matter. [24848/13]

121. **Deputy Nicky McFadden** asked the Minister for Communications, Energy and Natural Resources if, in view of concerns regarding administrative delays in receiving EU state aid approval for the national broadband plan, he has notified the Commission in relation to this plan; and if he will make a statement on the matter. [24849/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 118 to 121, inclusive, together.

The winning consultants, referred to by the Deputy, have been awarded the contract by my Department to provide specific advisory services relating to the implementation of the National Broadband Plan on foot of a competitive tendering process. Within this process, the necessary qualification criteria, including documentary evidence requirements have been met.

The winning consultants will provide technical, commercial, economic, financial and procurement advisory services relating to the design, planning and procurement of the State-led investment in areas where high speed services are not commercially viable and will not be provided by the market. The advice and assistance sought by my Department is specified in its request for tender, which is publicly available on www.etenders.ie. The subcontracting of any element of the advisory services to be delivered is not envisaged.

The EU Commission has been informed of the publication of Ireland's National Broadband Plan to facilitate the achievement of high speed broadband targets, as required under the Digital Agenda for Europe. The formal national mapping exercise to inform the level of Government intervention that may be required will form a critical input to the related EU State Aids application. This mapping exercise has yet to be completed.

In addition, a cost benefit analysis, as required under the Department of Public Expenditure and Reform Public Spending Code will be undertaken prior to any procurement process being launched. Through the implementation of the National Broadband Plan, we are committed to increasing the availability of next generation speeds significantly, with a view to ensuring that all citizens and businesses can participate fully in a digitally enabled society.

Broadcasting Charges

122. **Deputy Michael Colreavy** asked the Minister for Communications, Energy and Natural Resources the amount he estimates will be returned to the State each year if the new broadcasting charge is introduced; and if he will make a statement on the matter. [24907/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): As I have outlined to the Deputy in a previous response, my Department has conducted a Value for Money Policy Review on the proposed introduction of a Public Service Broadcasting Charge. This Report was submitted to me recently and I am giving due consideration to the Report and its recommendations.

The replacement of the existing funding system based on the collection of television licence fees with one based on the imposition of device-independent charge on eligible households and businesses is a complex process and the logistics involved require thorough attention. Issues such as identifying those liable for the charge, together with the most appropriate collection method, exemptions and enforcement mechanics require detailed consideration and have a bearing on projected revenue.

Moreover, decisions in respect of the level of the charge have not yet been made. I am unable, therefore, to provide an estimate of potential revenue at this stage in the process. That said, the proposed new arrangements must, at a minimum, be capable of sustaining existing funding levels.

Renewable Energy Exports

123. **Deputy Michael Colreavy** asked the Minister for Communications, Energy and Natural Resources the amount he intends to spend on renewable energy projects that will export energy to Britain; and if he will make a statement on the matter. [24908/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): On 24 January 2013, I signed a Memorandum of Understanding on energy cooperation with the United Kingdom Secretary of State for Energy and Climate Change, Edward Davey. Detailed work is now underway to consider how Ireland's renewable energy resources, both onshore and offshore, might be developed to the mutual benefit of Ireland and the United Kingdom. This will determine whether it is beneficial for both countries to enter into an Inter-Governmental Agreement under the Renewable Energy Directive to provide for renewable energy trading. The mechanism for remunerating any wind farms that may in the future export renewable energy from Ireland to the United Kingdom has yet to be decided but will not involve any subsidy costs being imposed on the Irish State or consumer. Any Inter-Governmental Agreement will also have to ensure an adequate return to the Irish Exchequer.

Wind Energy Guidelines

124. **Deputy Michael Colreavy** asked the Minister for Communications, Energy and Natural Resources if there will be a social clause included in the wind farm project in Mount Lucas, County Offaly; and if he will make a statement on the matter. [24909/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Mount Lucas wind farm is being developed by Bord na Móna. The matter to which the Deputy refers is a day to day operational matter for the company and not one in which I have a function. I have been advised however, that as part of the planning permission granted by Offaly County Council for the Mount Lucas wind farm project there is a development contribution fee in the order of €253,000 payable by Bord na Móna and, over the entire operational lifetime of the Mount Lucas project, Offaly County Council will receive in the region of €600,000 per annum in rates from this project.

In preparation for the construction of the wind farm, Bord na Móna upgraded 6.5 kilometres of local roads, increasing their residual design life to 20 years. The construction phase of the wind farm provides approximately 150 jobs at peak with a further 12 full time jobs when the project is in full commercial operation. Approximately 45,000 households will be provided with wind generated electricity when the Mount Lucas project comes on stream and the very significant investment by Bord na Móna in this project will contribute to the achievement of Ireland's renewable energy targets.

Communications Masts

125. **Deputy Robert Troy** asked the Minister for Communications, Energy and Natural

Resources his views on reports of an increasing number of cancer cases in a locality where a phone/communications mast is erected. [24918/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Issues relating to the potential health effects of non-ionising radiation and electro-magnetic fields are a matter for the Minister for the Environment, Community and Local Government.

It is a condition of various Wireless Telegraphy Licences issued by the telecommunications regulator, ComReg, that mobile and telecommunications licensees must ensure that non-ionising radiation (NIR) emissions from transmitters are within limits set down in international guidelines.

In order to assess compliance ComReg has put in place a Programme of Measurement of Non-Ionising Radiation Emissions, under which surveys are conducted near a sample number of licensed transmitter sites nationwide each year. Each survey involves measurement of emission levels at the point of highest emissions (in a public area) associated with the transmitter. I understand that the emissions levels continue to be within the limits set by the internationally agreed guidelines.

Departmental Legal Costs

126. **Deputy Sean Fleming** asked the Minister for Communications, Energy and Natural Resources his views on whether sufficient progress is being made in reducing the State's legal bill in his Department and any State agencies under his aegis; and if he will make a statement on the matter. [25163/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): My Department seeks to reduce its legal bill to a minimum by ensuring that legal issues are managed in an efficient and cost effective manner. To this end, my Department maintains a small in-house legal team and consults with the Chief States Solicitors Office and the Offices of the Attorney General on legal matters and only engages external legal services when absolutely necessary.

The management and control of legal fees in respect of State Agencies under the aegis of my Department is a day to day operational matter for those organisations and I would expect them to ensure that they obtain full value for money in any legal expenditure.

Housing Assistance Payments Eligibility

127. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government if there are any supervised housing project organisations that help mental health patients who need supported accommodation on the north side of Dublin. [24835/13]

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. 194 of 16 May 2013 which sets out the position in relation to the provision of accommodation for persons with a specific housing need.

Waste Management Regulations

128. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government the reason no action is being taken to save jobs at a company (details supplied) in Coolock, Dublin 17. [24940/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Issues concerning the enforcement of waste management legislation are a matter for the appropriate regulatory authority and should therefore be pursued with the Environmental Protection Agency (EPA) or the relevant local authority, as appropriate. The Office of Environmental Enforcement within the EPA has a mandate to deliver enhanced environmental compliance both through enforcement of Agency licences issued to waste, industrial and other activities, and also through the supervisory role which it exercises in respect of the environmental protection activities of local authorities. In this regard, the Office acts as a resource to members of the public who have exhausted all other avenues of complaint.

Under section 60(3) of the Waste Management Act 1996 the Minister is precluded from exercising any power or control in relation to the performance by the Agency or a local authority, in particular circumstances, of a statutory function vested in it.

Under planning legislation, the decision as to whether to grant a planning application, with or without conditions, is a matter for the relevant planning authority or An Bord Pleanála in the case of an appeal. In making decisions on planning applications, planning authorities must consider the proper planning and sustainable development of the area, having regard to the provisions of the development plan, any submissions or observations received, relevant ministerial or Government policies, including any guidelines issued by the Department. Under section 30 of the Planning and Development Act 2000 the Minister is specifically precluded from exercising any power or control in relation to any particular case with which a planning authority or An Bord Pleanála is or may be concerned.

Private Residential Tenancies Board

129. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government if persons have been fined by the Revenue Commissioners for not registering as tenants or landlords with the Private Residential Tenancies Board as a result of the collection of the local property tax; if any actions will result for persons who now register with the PRTB as landlords or tenants; if any penalties will arise for persons involved; and if he will make a statement on the matter. [24950/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The Residential Tenancies Act 2004 regulates the tenant-landlord relationship in the private rented residential sector. The Act sets out the obligations of tenants and landlords in the sector and the Private Residential Tenancies Board (PRTB) is the independent statutory body charged with the administration of the Act and the enforcement of those obligations.

The Residential Tenancies Act 2004 applies to every residential dwelling that is the subject of a tenancy and that does not fall within any of the exemption categories set out in section 3 of the Act. Section 134 of the Act places a legal obligation on the landlords of such dwellings to apply to the PRTB to register the tenancies and such application is to be made within one month from the commencement of the tenancy. The legal obligation to register a tenancy rests solely with the landlord.

The cost of registration is €90 for a single tenancy. Where the tenancy is registered more

than one month after the commencement of the tenancy an additional late fee of €90 is payable.

The PRTB enforces tenancies registration requirements in accordance with the provisions of the Act, specifically sections 144 and 145, which provide for the issuing of notices to landlords and/or occupiers of the dwellings in question and the prosecution of offenders for non-compliance with the registration requirement.

While the Act makes provision for the exchange of information between the Revenue Commissioners and the PRTB the Revenue Commissioners do not have any role in enforcing the obligation on landlords under the Act to register tenancies.

Proposed Legislation

130. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government the position regarding the Non-Use of Motor Vehicles Bill 2013 (details supplied); and if he will make a statement on the matter. [24807/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Non-Use of Motor Vehicles Bill 2013 makes provision for the charging of an administration fee through secondary legislation. The Bill makes no provision for the charging of a premium over and above the reasonable cost of administration and it cannot, therefore, be used as a tax-raising measure. It was indicated in the Second Stage debate in the Dáil on 24 April 2013 that there is no plan, at present, to prescribe a fee.

Once the Bill is enacted and in operation, where a non-use declaration is made in accordance with the provisions of section 7 and the vehicle in question is not in use in a public place, no liability for motor tax will arise for the duration of that declaration. “Use” in this regard will include keeping or leaving a vehicle stationary.

Proposed Legislation

131. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government his plans to allow an amendment to the Building Control Act 2007 to include an amendment for self-trained, trained or unlicensed architects to benefit from a genuine grandfather clause. [24828/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Part 3 of the Building Control Act 2007 sets out the statutory arrangements for the registration of architects. A variety of routes to registration are provided for in the Act, including specific provision (under section 22) for the registration of practically trained persons who may have no academic qualifications or formal education in the discipline of architecture but who had been performing duties commensurate with those of an architect for a period of ten years prior to the commencement of the Act.

I share the concerns of those who feel that fewer applications have been made to date by practically-trained architects than might reasonably be expected, notwithstanding the provision in that regard in the Act. I have recently asked Mr Garret Fennell, Solicitor, who is currently serving as the Chairperson of the Admissions Board relevant to the register of Architects, to carry out an independent review of the experience to date in relation to the operation of the register with a view to identifying any further improvements that can be made at this point. I have particularly asked for his recommendations or views on how the registration of practically

trained architects can be further encouraged.

Local Government Reform

132. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government if he will outline, in respect of existing structures, the names of those persons who currently sit on the socioeconomic committees for Dublin as envisaged by Putting People First; and if he will make a statement on the matter. [24831/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Following on from the publication of Putting People First – Action Programme for Effective Local Government, an Alignment Working Group has been established to assist and advise on the implementation of the recommendations of the Local Government/Local Development Alignment Steering Group.

A key area of focus for the Working Group is the establishment of Socio-Economic Committees and preparations are under way in this regard. I anticipate that Socio-Economic Committees as envisaged in Putting People First and recommended by the Alignment Steering Group will be established in up to 10 local authority areas, including Dublin City, Dun Laoghaire-Rathdown and South County Dublin, in the coming weeks, with a full roll-out across the remaining local authority areas to commence in autumn this year.

Within broad guidelines being developed with the support of the Alignment Working Group, the membership of Socio-Economic Committees will comprise a range of public and private partners drawn from the local and community development sectors, civil society, local authorities and relevant State Agencies.

Water and Sewerage Schemes Status

133. **Deputy Stephen S. Donnelly** asked the Minister for the Environment, Community and Local Government if residents are entitled to apply for a core facility wastewater treatment plant to be fully taken in charge, should the majority of householders in the area support an application to do so, as laid out in the 2008 circular letter PD 1/08 on guidelines for implementation of section 180 of the Planning and Development Act 2000; and if he will make a statement on the matter. [24837/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Section 180 of the Planning and Development Act 2000 places a legal obligation on planning authorities to take in charge residential developments, finished or unfinished, where certain conditions have been met. My Department’s Circular Letter PD 1/08 required planning authorities to develop or update their policy on taking in charge, as approved by the members of the authority, on the basis of the framework set out in the Circular and its annex. This framework identifies wastewater treatment plants as among the facilities to be considered for taking in charge.

Water and Sewerage Schemes Status

134. **Deputy Stephen S. Donnelly** asked the Minister for the Environment, Community and Local Government the position regarding the Garden Village, Newtownmountkennedy sewerage scheme, County Wicklow, in the context of works outlined in the Water Services In-

vestment Programme 2010-2012; the proposed dates for commencement and completion; and if he will make a statement on the matter. [24904/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Newtownmountkennedy Sewerage Scheme (Garden Village network contract) is included in my Department's Water Services Investment Programme 2010 - 2013 as a contract to start during the lifetime of the programme.

My Department is currently awaiting Wicklow County Council's submission of a revised brief for consultants for the preparation of the Preliminary Report for the scheme.

Leader Programmes Funding

135. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the type of projects funded under the basic services measure of the Leader programme; the amount of money left to be committed under this measure; and if he will make a statement on the matter. [24913/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Axis 3 & 4 (LEADER) of the Rural Development Programme 2007-2013 (RDP) aims to address quality of life issues in rural areas. More specifically the basic services measure of the RDP aims to identify and provide appropriate cultural and leisure facilities to local communities not otherwise available to them. The lack of such facilities in some rural communities is a significant impediment to their further development, and it is in this context that significant financial resources have been made available to rural communities all over Ireland under the basic services measure of the RDP since it commenced in 2009.

From an overall original programme allocation of €427 million, €49.61million was allocated to the basic services measure at the start of the programme. The RDP was amended in 2012 to take account of the increased EU co-funding rate of 85% which resulted in an overall decrease in the Axis 3&4 allocation. These changes also facilitated a more centralised approach to the allocation of funding with the removal of individual measure allocations. At that point the Basic Services measure had a very high level of both spend and commitment and I facilitated an extra €19.3m million to measure.

To date expenditure under the basic services measure has reached €32.5 million with a further €18.6m million in contractual commitments to be paid before the end of the Programme. This represents a significant proportion of both the original and revised programme allocation, and, in this context, the measure has now reached its full allocation. My Department is working with the Local Development Companies contracted to deliver LEADER elements of the programme to support in particular the provision of both direct and indirect support to entrepreneurial activity in rural areas for the remainder of this programming period including support for agricultural diversification, new business creation and rural tourism. However, there is still funding available for innovative solutions for the renewal and development of small towns and villages as well as the conservation and upgrading of the rural heritage.

The €32.5 million already spent under the basic services measure has provided support for a very diverse range of projects all over Ireland. In particular the measure has supported the development of a number of community centres that facilitate social and leisure activities, often in remote rural areas. The measure has also supported the provision of certain arts and cultural facilities, along with small scale leisure infrastructure such as playgrounds and sporting facilities.

Water Pollution

136. **Deputy Denis Naughten** asked the Minister for the Environment, Community and Local Government if he will approve proposals presented to his Department by Roscommon County Council to address the cryptosporidium problem in the Roscommon central regional water supply; and if he will make a statement on the matter. [24924/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): A proposal to address the cryptosporidium problem on the Roscommon Central Regional Water Supply was received from Roscommon County Council in my Department on Friday evening, 17 May. The Council proposes to install a temporary water treatment plant at the Ballinagard Springs and to close the Rockfied source. On 21 May I gave my approval to the Council's proposal. The total cost of providing the temporary treatment plant is estimated at some €412,000 and my Department will fund the works under the Small Public Water Supply Schemes programme.

My Department's Water Services Investment Programme 2010 – 2013, a copy of which is available in the Oireachtas Library, provides for the development of a comprehensive range of new water services infrastructure in County Roscommon. The Roscommon Central Regional Water Supply Scheme, Water Treatment Plant (Ballinagard Springs), which is part of the bundled Four Roscommon Regional Water Supply Schemes, is included in the Programme as a contract to start construction. This scheme will provide a permanent solution to the cryptosporidiosis problems in the area.

I approved the Contract Documents for Contract No. 2 - DBO Water Treatment Works for the Four Roscommon Regional Water Supply Schemes – Arigna, Boyle/Ardrarne, Roscommon Central and South Roscommon Regional Water Supply Schemes in March 2013. Tenders for these four schemes are due to be submitted to Roscommon County Council in early July and when the Council submission in that regard is received in my Department it will be dealt with as quickly as possible.

Property Taxation Administration

137. **Deputy Billy Timmins** asked the Minister for the Environment, Community and Local Government the position regarding the non-principal private residence tax (details supplied); and if he will make a statement on the matter. [24955/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Property Tax is being introduced on a half year basis this year, and accordingly, 50% of the Tax is payable in 2013. This year will also be the final year of the operation of the Non Principal Private Residence Charge.

The Non Principal Private Residence Charge and the Local Property Tax operate under different mechanisms: the Charge is incurred on the basis of a flat rate of €200 per liable property per annum; the amount of Local Property Tax incurred in respect of a liable property is based on that property's value. Therefore, it is not appropriate to assume equivalence between the Charge and the Tax.

Housing Management Companies

138. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and

Local Government the extent of any current discussions between his Department and Kildare County Council in respect of a housing association (details supplied) in County Kildare with particular reference to the possibility of returning the properties concerned to the local authority; and if he will make a statement on the matter. [24980/13]

139. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government if an examination has been done as to the period during which a housing association (details supplied) in County Kildare was struck off the Companies Register or otherwise ceased to exist; when the company was restored or restructured; when his Department first became aware of such restructuring; and if he will make a statement on the matter. [24981/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Questions Nos. 138 and 139 together.

Issues relating to the operation and management of the Leim an Bhradain Housing Association were discussed at a recent meeting between my Department and Kildare County Council. My Department was advised by the Council of changes to the board of the housing association and that a general meeting will take place in early June. My Department will review the position with Kildare County Council in the light of the outcome of the general meeting.

My Department was not informed by either the Leim an Bhradain Housing Association or the Companies Registration Office that the approved body was struck off the Companies Register.

Local Government Reform

140. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government in the context of Putting People First, while the partnerships are represented on the alignment group through the three ILDN representatives, his views on whether this group is lacking in its full representation of the community sector in the absence of a trade union representative; his further views that the socio economic committee in each city and county should accommodate a trade union representative or worker representative; and if he will make a statement on the matter. [25010/13]

141. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government in the context of Putting People First, his views on whether there should be an amendment to ensure that a workers representative can be appointed to the alignment implementation working group; and if he will make a statement on the matter. [25011/13]

142. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government if he will outline the necessary legislative changes to establish the alignment implementation working group and when it will be initiated; if he will further consider the nomination and participation of a union or worker representative on this alignment implementation working group; and if he will make a statement on the matter. [25012/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 140 to 142, inclusive, together.

Following publication of Putting People First – Action Programme for Effective Local Government, an ad hoc Alignment Working Group was established in February 2013 to assist and advise on the implementation of the recommendations of the Local Government/Local Development Alignment Steering Group. The Working Group includes representatives of the Irish Local Development Network – the national representative body for Ireland’s 50 local develop-

ment companies – as well as the City and County Managers Association and Pobal. The Group is chaired and supported in its work by my Department. There was no legislative provision required to establish the Group.

In its membership, drawn primarily from the local government and local development sectors, I believe that the Working Group has the correct focus. While it is not intended to extend the membership of the Group, I am satisfied that the members have sufficient scope to consult with their nominating bodies so as to fairly and accurately represent staff and relevant stakeholders. In addition, it is open to the Working Groups to invite other stakeholder representatives to participate where required.

The membership of the Socio-Economic Committees will comprise local authorities, State agencies, the local and community development sectors and other representatives of civil society in the local authority area concerned. The membership will be determined locally in response to the specific needs of the City or County concerned, within general guidelines that are under consideration by the Alignment Working Group. Bearing in mind the recommendation of the Alignment Steering Group that Socio-Economic Committee total membership be approximately 15, it may not be possible to accommodate all interest groups on all Socio-Economic Committees.

Proposals for participation in Socio-Economic Committees, including one from the Irish Congress of Trade Unions, have been made available to all areas where Socio-Economic Committees are being formed.

Departmental Legal Costs

143. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government his views on whether sufficient progress is being made in reducing the State's legal bill in his Department and any State agencies under his aegis; and if he will make a statement on the matter. [25166/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Legal costs incurred by my Department arise primarily as a result of the process and outcome of litigation; there are, therefore, significant factors outside the control of my Department in relation to such costs. Within this context, every effort is made by my Department to keep costs to a minimum through, *inter alia*, proper management of legal cases, use of dedicated expertise in other public bodies (Attorney General's Office (Advisory Counsel), Chief State Solicitor's Office, State Claims Agency) and competitive tendering for external legal services where these are required. Legal costs incurred by bodies under the aegis of the Department are a matter for the bodies concerned.

Common Travel Area

144. **Deputy Andrew Doyle** asked the Minister for Justice and Equality the effect a United Kingdom withdrawal from the European Union would have on the common travel area between Ireland, Northern Ireland, Great Britain, the Isle of Man and the Channel Islands; and if he will make a statement on the matter. [24934/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy no doubt will appreciate, it would be futile to speculate on what might happen across a huge range of areas and activities between Ireland and the UK should the UK exit the EU. Quite clearly the exis-

tence of the Common Travel Area is of the most profound importance in the conduct of trade, business and travel for citizens of both jurisdictions. Any action that would jeopardise or disturb well-settled public policy in this area would be completely inimical to the interests of both countries. In a scenario where, for example, Ireland joined the Schengen Agreement for the purposes of border control and visas, and the UK had exited the EU, the question of systematic immigration checks at all points of entry to Northern Ireland from here would be an issue to be resolved. There would also be many other such practical issues - none of which could be resolved without causing major disruption in the relationship between the countries.

I can assure the Deputy that the preservation of the Common Travel Area is of immense political, economic and social significance to both Ireland and the United Kingdom. The Deputy may recall that in the *Joint Statement on British Irish relations - the Next Decade*, signed by the Taoiseach and the British Prime Minister on 12th March, 2012 reference is made to the Common Travel Area in the following terms: "We remain firmly committed to preserving and protecting the Common Travel Area, which allows ease of travel for our people. We will continue to work together on immigration issues, and to combat potential vulnerabilities from terrorism, illegal immigration and organised crime."

Personal Insolvency Act

145. **Deputy Tom Hayes** asked the Minister for Justice and Equality if, where a person and their spouse apply for insolvency, entering an insolvency agreement will affect the spouse's qualified financial advisor qualification; if it will affect other employment opportunities with AIB, Bank of Ireland or other State-owned companies.. [24964/13]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply to Parliamentary Question 278 on 7th May, 2013. The position remains as stated.

Reply to Parliamentary Question 278 of 7th May, 2013.

The Personal Insolvency Act 2012 does not require that a person's employment be affected by entering into an insolvency arrangement. However, certain professions may be governed by bodies where personal finances may be subject to regulation requirements.

Therefore, it would not be appropriate for me to comment on the possible consequences of a person entering into an insolvency arrangement. It would, rather, be a matter for the relevant professional body and/or employer, as the case may be. I should also note that the specifics of individual cases whereby persons may be seeking an insolvency arrangement are a matter for the Insolvency Service of Ireland rather than for me as Minister.

Services for People with Disabilities

146. **Deputy Pearse Doherty** asked the Minister for Justice and Equality his plans, if any, to bring forward legislative proposals to allow access to digital audio recording of court proceedings for individuals with specific disabilities in order to enable them to prepare a legal defence; and if he will make a statement on the matter. [24800/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will be aware the courts are, subject only to the Constitution and the law, independent in the exercise of their judicial functions, and the conduct of any case is a matter entirely for the presiding judge.

I can inform the Deputy that relevant Rules of the District Court, Circuit Court and Superior

Courts (SI Numbers 99/2013, 100/2013 and 101/2013) came into effect on 8 April 2013. These instruments regulate the procedures whereby parties or other persons wishing to have access to records of court proceedings, including audio recordings, may apply to the court concerned for access to such records. The instruments also set out the terms on which such access may be granted. There is nothing to prevent a party to a case applying to the court to access the recording. However, the granting of access and the terms under which such access is granted is a matter for the court.

Garda Operations

147. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality if he has been provided with information from An Garda Síochána on current Members of the Oireachtas, both TDs and Senators; and if he will make a statement on the matter. [24819/13]

148. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality if he has been provided with information from An Garda Síochána on current Members of the Oireachtas; the law or regulation under which he is entitled to such information; and if he will make a statement on the matter. [24820/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 147 and 148 together.

In the course of my statement in this House on 21 May, I made it perfectly clear that there is no suggestion of my being routinely provided with information on members of the Oireachtas. I gave the House a solemn assurance that I am not in the business of receiving, seeking or maintaining confidential, sensitive information from An Garda Síochána about Members of this House, the Seanad or, indeed, anyone in political life. Nor are the Garda in the business of providing it. I also repeat my view that it would be entirely unacceptable if the Garda were to collect information about anyone, whether in public life or not, for political purposes. I made the point that the House would appreciate that there could be exceptional circumstances, which the Deputy will appreciate, where it would be necessary for the Minister for Justice of the day to receive confidential information about the activities of members of the House - for example if members of the House were involved with organisations carrying out terrorist activities. As I indicated to the House, section 41 of the Garda Síochána Act 2005 provides a clear statutory basis for the information which is provided to me by An Garda Síochána. In turn, I am subject to the laws of the land in relation to what use I make of that information. More importantly, I am responsible to the House for how I discharge my office.

Naturalisation Applications

149. **Deputy Tom Fleming** asked the Minister for Justice and Equality if he will expedite an application for naturalisation in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [24838/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service that a valid application for a certificate of naturalisation was received from the person referred to by the Deputy in October 2012. The application is at an advanced stage of processing and the applicant will be informed of my decision as expeditiously as possible.

As well as being a significant event in the life of its recipient, the granting of Irish citizen-

ship 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. 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 the Irish Naturalisation and Immigration Service 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 service is, in the Deputy's view, inadequate or too long awaited.

Garda Investigations

150. **Deputy Thomas Pringle** asked the Minister for Justice and Equality further to Parliamentary Question No. 308 of 25 September 2012, if there is any sign of the report into the incidents being completed and victims being able to gain some closure from the case; and if he will make a statement on the matter. [24868/13]

Minister for Justice and Equality (Deputy Alan Shatter): I have requested an updated report from the Garda authorities in relation to the matter in question. I will contact the Deputy directly as soon as the report is to hand.

Prison Accommodation

151. **Deputy Denis Naughten** asked the Minister for Justice and Equality if prisoners to be accommodated in Harristown House, Castlerea, County Roscommon, are to be allowed to leave the grounds of Castlerea Prison to access the town, as outlined at last week's meeting with some public representatives, or prohibited from such access, as outlined by the Irish Prison Service at a recent meeting with the community; if he will assure the community that no prisoner convicted of a sexual offence or murder will be accommodated in this facility; and if he will make a statement on the matter. [24881/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that prisoners accommodated in Harristown House will not be permitted to access the town other than to avail of therapeutic services such as Alcoholics Anonymous, as is currently the case. I can also inform the Deputy that no prisoners convicted of a sexual offence will be accommodated at the facility. In relation to prisoners convicted of murder, no decision has yet been made as to the category of prisoner to be housed in the facility. Therefore, at this stage I cannot inform the Deputy of the precise type of prisoner to be housed at Harristown House, other than the above exclusion of sex offenders. However, I can advise that the usual stringent eligibility criteria which apply to other prisoners being moved within the prison system to lower security prisons and institutions will be taken into account, fully considered and assessed. In all these assessments, the safety of the public will be the over-riding consideration.

Restorative Justice

152. **Deputy Clare Daly** asked the Minister for Justice and Equality if he will provide details of progress made regarding pilot restorative justice programmes in Wheatfield Prison and the Dóchas Centre, Dublin; and if he will make a statement on the matter. [24882/13]

Minister for Justice and Equality (Deputy Alan Shatter): The development of prisoner programmes forms a central part of the Irish Prison Service's three-year strategic plan from 2012 to 2015. There is a clear commitment in the strategy to examining the possibility of introducing, on a pilot basis, restorative justice practices in a prisons context. A multidisciplinary steering group was set up to explore and identify potential restorative practice opportunities and to subsequently formulate a plan to provide prisoners with a further avenue to address and take responsibility for their offending behaviour; make reparations to the community; and raise victim awareness among the prison population.

The project is at implementation stage in two pilot sites, Wheatfield Prison and the Dóchas Centre. The IPS has identified a number of areas where restorative practices can be introduced within both sites. Intensive training on both pilot sites in conjunction with an accredited training provider, The International Institute of Restorative Practices, has been provided. To date, five "introduction to restorative practices in a secure setting" courses, and three "facilitator skills" training courses have been hosted in Wheatfield and the Dóchas Centre. In addition, conducting "restorative adjudications" training was provided for all senior managers involved in conducting disciplinary hearings and key staff have attended conferences, courses and seminars to further their knowledge.

Links within the wider Criminal Justice system have been developed. It is intended to formally build on these to share training resources and experiences. This intensive training programme, provided for key personnel including heads of function, senior managers, supervisors and class officers, will ensure all staff involved are equipped with the necessary knowledge and skills to implement restorative practices in their area of responsibility.

A series of restorative practices initiatives is being advanced in both sites which include, inter alia, information campaigns, conflict resolution and embedding restorative justice approaches to certain disciplinary adjudications. The project has been welcomed and supported by prisoners, staff and management of Wheatfield and the Dóchas Centre.

Probation and Welfare Service

153. **Deputy Clare Daly** asked the Minister for Justice and Equality if the joint Irish Prison Service and Probation Service proposal on social impact investment has been completed; the details of the proposal; and if he will make a statement on the matter. [24883/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, the Government Programme for National Recovery 2011-2016 provides that the Government will establish a new model of financing social interventions, called Social Impact Investment, that focus on outcomes for particular target groups and attract private capital to support social provision. The Programme gives a commitment under the Justice and Law Reform heading to examine outcome-based contracts with community organisations to help reduce offending among young people. As part of its 2012-14 strategic plan, in conjunction with the Department of Justice and Equality and the Probation Service, the Irish Prison Service undertook to examine the feasibility of a Social Impact Investment Project. The objective of the project is to provide a programme of support to targeted short sentence prisoners, commencing in prison but particularly on their release, to reduce re-offending and enable reintegration in their communities. It is also an objective of the project to offer an opportunity to engage effectively with services that could support them in leading a more productive lifestyle on their release.

Accordingly, this project seeks to provide the services likely to have an impact on reoffending to the cohort of short-term sentenced prisoners who do not normally have the benefit

of targeted, wrap around services. An interdepartmental steering group was established by the Department of Public Expenditure and Reform in September 2012. The Irish Prison Service and the Probation Service are represented on the Steering Group. Having carried out an evaluation of the proposal, at present, the joint Irish Prison Service and Probation Service proposal may not be feasible due to the fact that commensurate savings cannot be realised within either services vote to offset the cost of repaying the investment. As an alternative, both services have recently introduced a number of initiatives which focus on working with short-term sentenced prisoners, helping with issues such as housing, medical care, substance abuse and training needs. The aim is to increase support to prisoners prior to their release from prison, upon their release and then for a period after their release in order to help break the cycle of reoffending.

Detention Centres

154. **Deputy Clare Daly** asked the Minister for Justice and Equality the position regarding the planned review of St. Patrick's Institution, Dublin, following the transfer of all prisoners under the age of 18 years in 2014; and if he will make a statement on the matter. [24884/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that as part of the Irish Prison Service's three-year strategic plan from 2012 to 2015, the Prison Service is devising a specific strategy for the management of young offenders to ensure the regime for young offenders is age-appropriate and best practice is observed. Central to this strategy is a review of the overall approach taken to the placement of 17 to 21 year olds throughout the system. This review is being undertaken by the Irish Prison Service. In this regard, it is my intention to introduce primary legislation for the purpose of closing St. Patrick's Institution as a detention centre for persons aged 21 and under.

Prisoner Releases

155. **Deputy Clare Daly** asked the Minister for Justice and Equality if he will provide details regarding the joint Irish Prison Service and Probation Service feasibility study on pre- and post-release programmes for short-term prisoners; and if he will make a statement on the matter. [24885/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy may be referring to the recent launch of the Community Support Scheme in Mountjoy Prison and The Dóchas Centre. This pilot initiative has been set up in response to the overcrowding problems and in an attempt to address the recidivism levels of those serving sentences of under 12 months. The Community Support Group will consist of a number of prison-based personnel as well as a Community Support Worker. This scheme follows on from an initiative set up in Cork, the Unlocking Community Alternatives Scheme, which aims to reduce the current recidivism rates of short-term prisoners by arranging for additional support structures and provide for a more structured form of temporary release. The primary aim of the Community Support Scheme is also to reduce the current recidivism rates by arranging for additional support structures and provide for a more structured form of temporary release. This is a pilot scheme and will be reviewed in 12 months to assess whether it has had a positive impact on reoffending rates. The group will engage with prisoners shortly after committal and will seek to identify risk factors, make appropriate referrals and prepare a sentence management plan in each case.

The Group will focus on working with prisoners from the Dublin area who are serving between 6 and 12 months by helping them with issues such as housing, medical care, substance

abuse and training needs. The aim is to increase support to prisoners prior to their release from prison, upon their release and then for a period after their release to help break the cycle of reoffending. Offenders will have the option of being considered for temporary release conditional on them engaging with this scheme. Those who signal their wish not to engage will instead remain in custody until their sentence is complete. The Community Support Worker will continue to meet offenders following their release from custody to provide support to the participant and build on sentence planning, including referral to appropriate agencies and supports. In addition, progress and compliance with temporary release conditions will be monitored and Prison Service Headquarters will be receiving feedback on how the participants are faring in their return to the community.

Prison Accommodation

156. **Deputy Clare Daly** asked the Minister for Justice and Equality if he will provide information on the current number of prisoners occupying cells in the new block in Midlands Prison, County Laois; the extent to which the new block is currently being utilised; and if he will make a statement on the matter. [24886/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that the opening of the new block is taking place over a phased basis. On 21 May 2013, there were 726 prisoners in custody in the Midlands Prison. Of these, 197 prisoners were occupying cells in the new block across four of the six wings. Plans to open the remaining wings are progressing and are dependent on the finalisation of the joint Task Review reports for the Mountjoy campus and the recruitment of Prison Administrative and Support Officers.

Prison Accommodation

157. **Deputy Clare Daly** asked the Minister for Justice and Equality the number of prisoners currently occupying the recently refurbished Mountjoy B wing, Dublin; the overall bed capacity of Mountjoy Prison for the months of February, March and April 2013; and if he will make a statement on the matter. [24887/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to advise the Deputy that the number of prisoners occupying the B wing in Mountjoy Prison on 21 May 2013 was 117. The overall bed capacity of Mountjoy Prison is 540. This bed capacity has not changed during the months of February, March and April 2013.

Prison Accommodation

158. **Deputy Anne Ferris** asked the Minister for Justice and Equality the position regarding the refurbishment of the Harristown House development, County Roscommon; the expected completion date; and if he will make a statement on the matter. [24897/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that refurbishment of the Harristown House development is nearing completion and is expected to be ready for accommodating low risk prisoners by early June, 2013.

Prison Accommodation

159. **Deputy Anne Ferris** asked the Minister for Justice and Equality the position regarding the development of Cloverhill/Loughan House, Dublin; the expected date for completion; and if he will make a statement on the matter. [24898/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Irish Prison Service advises me that no significant development works are either underway or planned at either Cloverhill Prison or Loughan House Open Centre during 2013.

However a range of smaller projects being undertaken at Loughan House this year comprises a bundle of small works that was put together in order to achieve economies of scale. Essentially the projects involve the relocation of the medical surgery from an upper floor to the ground floor area, refurbishment of two shower rooms, roof repairs, replacement of some floor coverings and replacement of a number of doors that were damaged beyond repair. The works commenced on April 15th and are scheduled to be completed in July next.

A similar range of smaller projects at Cloverhill have been completed. Most of these projects were in response to recommendations by the Irish Prison Service Transformation Team as part of the Joint Task Review reports with a view to achieving staffing efficiencies. I am further informed by the Irish Prison Service that there are plans afoot to undertake a further project later this year involving the building of observation hubs in the exercise yards. which will achieve considerable staffing efficiencies.

Prison Accommodation

160. **Deputy Anne Ferris** asked the Minister for Justice and Equality the position regarding the development of the Mountjoy Prison A wing, Dublin 7; the current expected date for completion; if there will be full in-cell sanitation once the refurbishments are completed within this prison by the end of 2013; and if he will make a statement on the matter. [24899/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can advise the Deputy that the refurbishment project in Mountjoy, which forms part of a 40-month Capital Plan, published in April 2012 as part of the Prison service Three Year Strategic Plan 2012-2015, includes the installation of in-cell sanitation to all cells in Mountjoy Prison. You will be aware that the C and B wings were completed in 2012.

Refurbishment of Mountjoy "A" wing commenced in December, 2012. The works are expected to be completed in September this year. When works are completed, every cell in the wing will have a flushing toilet and a wash hand basin with hot and cold water supply.

I am advised by the Irish Prison Service that consultants will shortly be appointed to assist in the planning, design and supervision of a complete refurbishment of Mountjoy Prison "D" wing. It is intended to close the "D" wing in September for the refurbishment works that will be completed by July, 2014. At that stage every cell in Mountjoy Prison will have full in cell sanitation facilities. Once the refurbishment of the D wing commences, slopping out will have finally ended in Mountjoy.

Prison Accommodation

161. **Deputy Anne Ferris** asked the Minister for Justice and Equality the number of operational dedicated committal areas that are fully operational in all committal prisons at present. [24900/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that there are dedicated committal areas in all committal prisons at present with the exception of the female Dochas Centre in Mountjoy Prison. Work is currently underway on this project and a Unit is expected to be operational later this year. Portlaoise does not have a designated committal area as it only receives a small number of committals directly from the Special Criminal Court.

Prisoner Welfare

162. **Deputy Anne Ferris** asked the Minister for Justice and Equality the number of ISM officers currently employed within each prison; and if he will make a statement on the matter. [24901/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Irish Prison Service is implementing an Integrated Sentence Management (ISM) initiative within the prison system. ISM involves a new orientation in the delivery of services to prisoners and an emphasis on prisoners taking greater personal responsibility for their own development through active engagement with both specialist and non-specialist services in the prisons. The end result is a prisoner-centred, multidisciplinary approach to working with prisoners with provision for initial assessment, goal setting and periodic review to measure progress.

Over a thousand new prisoners participated in ISM in 2012. At the end of April this year there were over two thousand three hundred current and active cases and over a thousand prisoners had sentence plans in place at that time. Currently sixteen ISM Co-ordinators are in place in ten institutions as set out in the table underneath. It is envisaged that, through redeployment and a forthcoming internal competition, full time ISM Co-ordinators will be assigned to all prisons in the coming months. Having a dedicated team of ISM Co-ordinators in all prisons will enhance the effectiveness of the sentence management system and facilitate the growing numbers of prisoners participating in the process. A complement of over twenty ISM Co-ordinator posts have been identified to date, through the Transformation process, to provide vital coordination and support for the initiative at prison level.

Institution	No.
Arbour Hill	1
Castlerea	2
Cloverhill	2
Dochas	2
Loughan House	1
Portlaoise	1
Midlands	2
Mountjoy	2
Training Unit	1
Wheatfield	2
Total	16

Prison Medical Service

163. **Deputy Anne Ferris** asked the Minister for Justice and Equality the current status of the Irish Prison Service's joint task review of health care; the anticipated date of completion;

and if he will make a statement on the matter. [24902/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can advise the Deputy that the Joint Task Review of Healthcare in the Prison Service is an essential component of the overall programme of review and reform being undertaken in accordance with the terms of the Public Service Agreement 2010 – 2014. The Joint Task Review of Healthcare involves an in-depth analysis of the numbers of medical staff in each prison, and the individual tasks each of them is required to perform, in order to match these most effectively to the healthcare needs of prisoners.

The Healthcare Review, which is obviously co-dependent on the separate Joint Task Reviews of the prisons being finalised at present, must take account of the projected number and profile of prisoners and also any potential reductions in the resources available to the Prison Service resulting from the Public Service Agreement and the extension to this agreement currently under negotiation. I can confirm that the fieldwork in the Joint Task Review of Healthcare is approaching completion and it is expected that a report will be agreed between the staff and management sides shortly thereafter.

Residency Permits

164. **Deputy Paschal Donohoe** asked the Minister for Justice and Equality the position regarding an application in respect of a person (details supplied) in Dublin 7; when this application will be considered; and if he will make a statement on the matter. [24903/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service that the person mentioned by the Deputy was registered in the State on 19/9/2006 as a student until 30 November 2012. I am advised that this case is being assessed on its merits and will be decided upon in the coming weeks.

All non-EEA students resident in the State are subject to the student immigration rules set out under the “new immigration regime for full time non-EEA students which was published in September 2010 and has been in effect since 1 January 2011. These rules stipulate that non-EEA nationals may reside in Ireland as students, subject to the provisions of the new regime, for a maximum period of seven years. As this person arrived in the State in 2006 he is now classified as a timed out Student.

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.

Garda Vetting Applications

165. **Deputy Pat Deering** asked the Minister for Justice and Equality when a person (details supplied) in County Carlow will receive a response to their application for Garda vetting. [24906/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that a vetting application on behalf of the individual referred to by the Deputy was

received by the Garda Central Vetting Unit (GCVU) on the 3rd of April 2013. The application is being processed and will be returned to the registered organisation concerned in due course.

Courts Service Issues

166. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if he will provide in tabular form the cost to the State in the years 2010 to 2011, 2011 to 2012 and 2012 to 2013 of the provision of Romanian interpreters to the Courts Service; and if he will make a statement on the matter. [24931/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that, under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service and I have no role in the matter. Section 4(3) of the 1998 Act provides that the Courts Service is independent in the performance of its functions, which includes the provision of statistics. However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that interpretation services for the courts are provided by an external service provider under contract and the statistics are not maintained in the manner sought by the Deputy.

The tables below set out the percentage of the total number of bookings that were in respect of Romanian language interpreters. It should be noted that the cost of each booking varies according to the length of time in court which is largely dependent on the seriousness of the charge. Table 2 sets out the total expenditure for each year on interpretation for the courts. It should be carefully noted the data below is not interrelated as it does not follow that a percentage of bookings equates to an equivalent percentage of overall expenditure.

Table 1

-	2010	2011	2012	2013 (Jan - Apr)
% of bookings for Romanian language interpreters	14.8%	17.5%	17.5%	18.60%

Table 2

-	2010	2011	2012	2013 (Jan -Apr)
Total Annual Cost	€2,319,788.52	€1,703,888.65	1,560,316.85	€478,717.10

Charities Regulation

167. **Deputy Noel Grealish** asked the Minister for Justice and Equality further to Parliamentary Question No. 298 of 7 May 2013 regarding the regulation of charity collectors, the reason there is a delay in the implementation of the Charities Act; the financial reasons for the delay; the reason there is a delay in the creation of the register of charities; and if he will make a statement on the matter. [24941/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Charities Act 2009 provides for an integrated system of mandatory registration and proportionate regulation and supervision of the charities sector in Ireland. The various sections of the Charities Act are subject to implementation through commencement orders. Sections that it was possible to commence in advance of the establishment of the Charities Regulatory Authority, as provided for under the Act, have been commenced. The remaining sections, including those relating to the Register of

Charities, can only be commenced following the establishment of the Authority.

The Deputy will appreciate that the full implementation of the Charities Act, including the establishment of the Authority and Register of Charities, had to be examined as part of the comprehensive review of expenditure, which took place in 2011. Arising from this review, and in the context of the urgent need to make savings in Government expenditure, implementation of the Act was deferred, as my Department considered how best to achieve the objectives of the Act in a climate of financial constraint. Clearly the introduction of a comprehensive new regime for the regulation of charities, including the setting up of a new body - the Charities Regulatory Authority - will have some resource implications.

As I outlined to the Deputy in my response to the previous Parliamentary Question to which he refers (Question No. 298 of 7 May 2013), it remains an objective of the Government to strengthen the regulation of the charitable sector in effective and proportionate ways. My Department has therefore examined how best to implement key provisions of the Charities Act on a phased, low cost basis. As part of this process, a public consultation on proposals for implementing key provisions of the Act took place earlier this year. The consultation document invited the views of stakeholders and members of the public on proposals for the implementation of the Act in a cost effective way. I was very pleased with the response to this consultation, to which some 160 submissions were received. My Department is currently reviewing the submissions received and, as previously outlined to the Deputy, I look forward to publishing the results in due course and to giving a further indication of the Government's plans for the introduction of an operational Charities Regulatory Authority, the creation of a statutory Register of Charities, and full implementation of the Charities Act 2009.

Immigration Policy

168. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the provisions that are being put in place to prepare for the new wave of immigrants that are expected to arrive here in 2014; and if he will make a statement on the matter. [24942/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am unclear as to the basis of the Deputy's expectation of an influx of new migrants to Ireland in 2014. I am of course aware of the debate in the UK regarding removal of the labour market restrictions in respect of Bulgaria and Romania from 1 January 2014 and the impact this could potentially have in terms of EU citizens from those countries exercising their rights of free movement to come to the UK as workers. However, since Ireland already allows full labour market access to such persons, no special provisions are required in respect of 2014 beyond the general and ongoing monitoring of developments in the UK in respect of immigration and free movement.

Judicial Appointments

169. **Deputy Andrew Doyle** asked the Minister for Justice and Equality if legislation will be amended to enable a person who wishes to be considered for appointment to judicial office to avail of a soft copy form without a request to the Judicial Appointments Advisory Board, as opposed to the current position in which a person must request a form to be issued to them in hard copy format; if for future legislative reform on judicial appointments, he and his officials will take this into account; and if he will make a statement on the matter. [24944/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Judicial Appointments Advisory Board was established pursuant to the Courts and Court Officers Act 1995. Section

14 of the Act provides that the Board may adopt such procedures as it thinks fit to carry out its functions under the Act. It is, therefore, a matter for the Board whether it would wish to make a form available in the manner suggested and I have arranged to pass the Deputy's suggestion on to the Board.

Immigration Status

170. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will indicate if and when consideration of eligibility for residency/naturalisation will be concluded in the case of a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [24989/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised that the person mentioned by the Deputy that the person mentioned was registered in the State on 22 March 2006 as a student until 4 August 2012. All non-EEA students resident in the State are subject to the student immigration rules set out under the "new immigration regime for full time non-EEA students which was published in September 2010 and has been in effect since 1 January 2011. These rules stipulate that non-EEA nationals may reside in Ireland as students, subject to the provisions of the new regime, for a maximum period of seven years.

As this person arrived in the State in 2006 she is now classified as a timed-out student. In this particular case, the person has made submissions seeking to remain in the State as the parent of an Irish citizen child. This application is under consideration and the person concerned has been asked to provide proof in this regard.

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.

Immigration Status

171. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to renewal of Stamp 4 in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [24990/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned was initially granted leave to remain in the State for the three year period ending 27 May 2010. This was subsequently renewed for a further three years to 28 May, 2013. The latter decision was conveyed in writing to the person concerned by letter dated 26 May 2010. The person concerned is required to apply in writing for the renewal of this permission. As my Department's records show no evidence of such a renewal application having been made to date, it is recommended that the person concerned should do so without further delay.

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.

Immigration Status

172. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in examination and determination of eligibility in respect of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [24991/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned is a failed asylum applicant. Arising from the refusal of his 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 21 March, 2006, that the then 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. Representations have been submitted on behalf of the person concerned. The position in the State of the person concerned will now be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and 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. 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.

Immigration Status

173. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which the full appraisal of application for residency/naturalisation has been undertaken to date in respect of a person (details supplied) in Dublin 11; and if he will make a statement on the matter. [24992/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware, from previous Dáil replies in this matter, that the person referred to by the Deputy has no application pending for residency. The person concerned was granted permission to remain for a period of five years on 12 January, 2010 on the basis of being the spouse of an EU citizen, who was residing in the State and was exercising his EU Treaty Rights. The grounds under which she was granted permission to remain in the State no longer apply, as her EU spouse is no longer residing in this State. Therefore, the permission to remain which was granted under the provisions of Directive 2004/38/EC and European Communities (Free Movement of Persons) Regulations 2006 and 2008 has now been revoked. The person concerned was notified of this decision on 6 October 2011. 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.

Immigration Status

174. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current or likely status of a stamp 4 application in the case of a person (details supplied) in Dublin 12; and if he will make a statement on the matter. [24993/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service that the person mentioned by the Deputy was registered in the State on 30 July 2008 as a student. A reply issued to this person's email query on 15 April 2013 setting out the position with regard to the guidelines for non EEA national students registered in the State before 1 January 2011. This information is available on the INIS website at www.inis.gov.ie. This person was also granted an extension of her student permission up to 31 May 2013 as an exceptional measure. As a student in the State this person does not qualify for a stamp 4 immigration status. 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

175. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in the matter of determination of eligibility for residency/naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [24994/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned has permission to remain in the State until 29th March, 2015. This position was notified to him by letter dated 19 April, 2012. The person concerned submitted an application for a Certificate of Naturalisation in September 2011. I decided to defer making my final decision on the application for a period of 18 months, until November 2014, in order that I might be satisfied that the person concerned continues to be of good character. The person concerned was notified of this decision by letter dated 9 May 2013. Processing of the application will resume in 2014. 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

176. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to residency/entitlement to naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [24995/13]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my detailed Reply to his earlier Parliamentary Question, PQ No. 206 of Wednesday, 24th April 2013 - copied beneath. The position is unchanged since then.

As explained to the Deputy previously, the person concerned is a failed asylum applicant. Arising from the refusal of his 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 31st October, 2000, that the then 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. While written representations were submitted by and on behalf of the person concerned, no final decision was made in the case at that time.

Given that there was no further contact from or on behalf of the person concerned for some considerable time, processing of his case was put on hold. However, his case file was re-activated in May, 2008 when correspondence was received from his then legal representative indicating that further representations would follow soon after. However, no further representations were submitted at that time or indeed since.

The position in the State of the person concerned will now be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. Any representations on file 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.

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

177. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Parliamentary Question No. 539 of 19 February 2013, if he will undertake a review the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [24996/13]

Minister for Justice and Equality (Deputy Alan Shatter): As outlined in my previous reply to the Deputy, the person concerned has been refused a declaration of Refugee Status in the State. He has also been refused Subsidiary Protection and a Deportation Order has been made in respect of him. Judicial Review proceedings challenging the Deportation Order and the refusal of Subsidiary Protection were brought before the High Court on 24 September 2011 and are still ongoing. As the matter is, therefore, still sub judice I do not propose to comment further. 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.

Asylum Applications

178. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Par-

liamentary Question No. 177 of 25 April 2013, if he will indicate whether the case in question remains sub judice or whether the courts decided on 25 June 2012 to set aside the deportation order and require a re-examination of the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [24997/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service that judicial review proceedings were instituted in the High Court challenging the refusal of subsidiary protection and the making of a Deportation Order in relation to the person concerned on 11 August 2011. Until all court related matters have been dealt with I do not propose to comment further on the case. 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.

Pension Provisions

179. **Deputy Sean Fleming** asked the Minister for Defence the number of pensions still being paid for service during the War of Independence whether to any surviving participants or to the spouses thereof; the number in each category; and if he will make a statement on the matter. [24799/13]

Minister for Defence (Deputy Alan Shatter): There are no surviving veterans of the War of Independence in receipt of a military service pension from my Department. The last such veteran died in 2006. However, monthly pensions are currently being paid to a total of 181 spouses of deceased veterans.

Defence Forces Reserve Issues

180. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Defence the whereabouts of two plaques removed from a site (details supplied) in County Meath; and if he will make a statement on the matter. [24811/13]

Minister for Defence (Deputy Alan Shatter): The Reserve Defence Force Centre in Kells was recently closed as part of the ongoing reorganisation of the Reserve. In order to ensure the safety and security of the plaques they were removed following the closure of the property. It is intended to re-locate the plaque commemorating deceased members of the Kells Unit to a secure location.

Naval Service Vessels

181. **Deputy Andrew Doyle** asked the Minister for Defence the process he and his Department, in conjunction with the Irish Naval Service, will use for the naming of the two new vessels to be delivered in early 2014 and 2015 to replace LE Emer and LE Aoife; and if he will make a statement on the matter. [24948/13]

Minister for Defence (Deputy Alan Shatter): The issue of the naming of the two new Naval Service ships is under active consideration and a decision on the matter will be made shortly.

Army Barracks Closures

182. **Deputy Brendan Ryan** asked the Minister for Defence in relation to the recently closed army barracks at Slough Hall, Swords, County Dublin, the plans in place for the future use or sale of the barracks; if there will be an opportunity for the premises to be made available for community use; if it will be leased to a new tenant; and if he will make a statement on the matter. [24966/13]

Minister for Defence (Deputy Alan Shatter): Under the re-organisation programme for the Reserve Defence Force (RDF), this property closed on 5 March 2013. My Department has written to each Government Department, various agencies and local authorities seeking expressions of interest in acquiring any of the former RDF properties including the Sluagh Hall in Swords to benefit the local community as a whole but with particular emphasis on job creation measures. Whilst some discussion has taken place in relation to this property no substantial progress has been made towards achieving a sale to date.

Whilst I would of course be happy to discuss with any interested group proposals they may have for the Sluagh Hall in Swords, my Department is obliged to dispose of surplus property by sale to another state agency or through a public tendering/auction process. Any proposal involving the long term administering of multiple leases and fulfilling the many responsibilities of a landlord cannot be accepted given the current resources available in my Department.

Departmental Legal Costs

183. **Deputy Sean Fleming** asked the Minister for Defence his views on whether sufficient progress is being made in reducing the State's legal bill in his Department and any State agencies under his aegis; and if he will make a statement on the matter. [25164/13]

Minister for Defence (Deputy Alan Shatter): The main requirement for legal services in my Department is in the context of litigation, usually in the form of judicial review and personal injury proceedings. The Chief State Solicitor's Office and the State Claims Agency manage and provide legal representation in relation to all cases taken against the Minister for Defence. The Chief State Solicitor's Office is responsible for the costs of the State's legal teams in cases that it manages on behalf of the Department. External legal costs incurred by the State Claims Agency arising from the defence of any claims managed by the Agency for the Department are refunded to the Agency by the Department. In addition, the Department may pay plaintiffs legal costs as part of awards and settlements.

In cases where the State is considered liable or which involve an apportionment of liability as between the State and the claimant, I am informed that both the Chief State Solicitor's Office and the State Claims Agency's approach is to settle such cases expeditiously in so far as it is possible and to do so on reasonable terms. In cases where liability is fully disputed by the State, all necessary resources are applied to defending such claims robustly. I should point out that many of the factors that determine the amount or timing of legal costs that fall for payment lie outside of the control of the Department. These include the timing of court hearings, the progress of cases, and the number, value and timing of awards and settlements.

Aquaculture Licence Applications

184. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he

will expedite the processing of applications for aquaculture licences in Castlemaine Harbour, County Kerry; if his attention has been drawn to the fact that these delays are hindering investment in the industry; and if he will make a statement on the matter. [24822/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Castlemaine Harbour is designated as a Special Area of Conservation under the EU Habitats Directive and a Special Protection Area under the EU Birds Directive (Natura 2000 site). My Department, in conjunction with the Marine Institute and the National Parks and Wildlife Service (NPWS) of the Department of Arts, Heritage and the Gaeltacht, has been engaged in a major programme of data collection, Conservation Objective setting and the carrying out of an Appropriate Assessment in respect of Castlemaine Harbour SAC and SPA. I am pleased to inform the Deputy that as a result of the above process I have made the first aquaculture licence decisions in respect of 28 aquaculture sites in Castlemaine Harbour and these determinations have been published (The Kerryman 8 May 2013). Subsequently, I have made Ministerial decisions in respect of 14 other sites and these will be published shortly.

Disadvantaged Areas Scheme Payments

185. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the reason for the delay in the disadvantaged area payout for the years 2008, 2009, 2011 and 2012 in respect of a person (details supplied); and if he will make a statement on the matter. [24826/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The following is the position regarding the applications under the Disadvantaged Areas Scheme for the years mentioned:

- Payment under the 2008 Scheme issued to the registered herdowner on 30 September 2008.

- Payment under the 2009 Scheme was delayed due to issues regarding one of the land parcel declared. However, these have since been resolved, with payment due to issue shortly.

- No payment is due under the 2011 Scheme as the holding did not satisfy the scheme minimum stocking density requirements for the calendar year in question.

- With regard to the 2012 Disadvantaged Areas Scheme, the holding was only recently confirmed as having satisfied the minimum stocking density requirements; payment is due to issue shortly.

Departmental Agencies Staff Numbers

186. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine the number of persons employed by Coillte at Donadea Forest, County Kildare; and the number currently on sick leave. [24842/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Coillte Teoranta was established as a private commercial company under the Forestry Act 1988 and day-to-day operational matters, such as the allocation and management of human resources, are the responsibility of the company. Coillte has advised that it does not employ staff to work exclusively at Donadea Forest, but that a number of staff cover the Kildare area, including Donadea. These include operational, resource and harvesting managers, technicians and forest

workers.

Targeted Agricultural Modernisation Scheme Eligibility

187. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which agreement has been reached in respect of certification of compliance with planning requirements arising from animal welfare legislation affecting sow unit accommodation/developments in the case of a person (details supplied) in County Kildare; if the structure facilitates continued eligibility for relevant farm payments; and if he will make a statement on the matter. [24871/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person concerned is an approved applicant under the TAMS Sow Welfare Scheme. The applicant now wishes to alter the dimensions of the building in respect of which approval has issued to him under the Scheme. In these circumstances, a confirmatory letter from the relevant local authority or, in its absence, revised planning permission from that authority will be required before grant payment can be made. The applicant will, of course, have to comply with the other provisions of the Scheme before payment can proceed.

Agri-Environment Options Scheme Payments

188. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their agri-environment options scheme payment; and if he will make a statement on the matter. [24880/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme with effect from 1 November 2010 and full payments totalling €783.84 and €4,703.01 issued in respect of 2010 and 2011 respectively. Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. During these checks for the 2012 scheme year issues were identified in relation to the claimed areas on the Non-Natura Commonage action which resulted in a penalty being imposed. My Department is currently finalising the application on this basis and payment in respect of the 2012 scheme year will issue shortly.

Common Agricultural Policy Reform

189. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if farmers in receipt of single farm payment will continue to receive the payment in respect of forested land under the Common Agricultural Policy 2014-2020; if farmers who plant land during this period will also be eligible for the single farm payment on this newly forested land; the changes that are proposed in relation to the payment of single farm payment, if any, on afforested land; and if he will make a statement on the matter. [24911/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As the Deputy is aware the negotiations on the future of the Common Agricultural Policy are not yet finalised so that it is not possible to say with any certainty what the outcome will be in respect of any aspect of the new single payment regime. However, I can confirm that there are no proposals at

present to deviate from the current situation where eligible area planted with forest from 2009 onwards remains eligible for single payment.

Agri-Environment Options Scheme Payments

190. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the reason payment due to a person (details supplied) in County Mayo under the agri-environment options scheme for 2012 was reduced from €5,000 to €3,800; when the 2012 payment will be paid; the amount due for 2012; and if he will make a statement on the matter. [24914/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme with effect from 1 November 2010 and full payments totalling €685.55 issued in respect of 2010. Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. During these checks in respect of the 2011 scheme year it was found that 11.84 hectares of Natura land submitted for payment were ineligible resulting in a reduced payment of €3,997.23 in respect of the scheme year 2011 issuing to the person named. Similar checks are carried out in respect of the 2012 scheme year. During these checks further issues were identified in relation to the claimed areas on the Natura Owned action. My Department is currently finalising the application and payment due in respect of the 2012 scheme year will issue to the person named shortly.

Animal Disease Controls

191. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if it is intended to continue testing cattle for brucellosis at the present frequency; and if he will make a statement on the matter. [24917/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Ireland is officially free of Brucellosis since 2009 (our last case was in 2006). The rules relating to Brucellosis provide that, even where the disease has been eradicated, a reduced testing programme must be implemented for a period of 5 years. In view of this, my Department has scaled down the Brucellosis testing programme as follows:

- the age threshold for annual round testing has been increased from 12 to 24 months for eligible animals;
- only 20% of dairy herds and 20% of non-dairy herds are required to be tested this year for the round test;
- the validity period of the pre-movement test has been increased from 30 days to 60 days;
- the age-limit for the pre-movement test for eligible animals has been increased from 12 to 24 months;
- The one sale rule has been abolished.

Following the above changes, the number of cattle required to be tested in 2013 will have been reduced by 3.3m compared with 2008, the last year prior to the achievement of Brucellosis free status, with significant benefits to farmers in terms of reduced testing costs, estimated at approximately €13m in 2013. I will continue to adopt a cautious approach until such time as

Officially Brucellosis Free Status has been achieved in Northern Ireland and, for that reason, I do not foresee any further scaling down of the programme in the immediate future.

European Union Solidarity Fund

192. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if he will make an application for EU solidarity funding to help address the serious situation and suffering that our farmers are enduring at present during this fodder crisis; and if he will make a statement on the matter. [24929/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I can confirm that the EU Solidarity Fund, which has been mentioned as a possible source of further support, would not be available in these circumstances. The EU Solidarity Fund, is in the main, confined to major disasters which have lasting repercussions on economic stability, living conditions and the natural environment.

The EU Solidarity Fund only intervenes for non-insurable public emergency operations, such as repair of damaged public infrastructure, costs of rescue services, clean up operations and so on.

Unfortunately, a fodder crisis does not fall within the field of application of the Fund as laid down. It has been further clarified that compensation for private damage, including to businesses and farmers is not eligible for Solidarity Fund Aid.

Food Security

193. **Deputy Andrew Doyle** asked the Minister for Agriculture, Food and the Marine if he will provide the details regarding his Department's liaison office to the Food and Agriculture Organisation of the United Nations based in Rome; if he will detail his recent interactions with this UN organisation; and if he will make a statement on the matter. [24933/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Department's agricultural attaché in Rome combines his function as the liaison officer with the Food and Agriculture Organisation (FAO) of the United Nations with other consular and trade responsibilities including assisting and promoting Ireland's agri-food business interests in Italy and neighbouring countries.

Ireland plays a full and active role in all aspects of the work of the FAO and is represented at the FAO by the Irish Ambassador to Italy. Many of the issues on the FAO agenda are cross-cutting and inter-governmental, particularly in the areas of improving agricultural productivity, promoting food security and nutrition and encouraging global economic and social development. The Irish delegation works to ensure that Ireland's position on agricultural and development matters are well represented at FAO and promotes close coordination with the efforts of other UN actors to combat global food insecurity and hunger, as well as with the work undertaken by Irish Aid.

Ireland is actively engaged in the governance of the FAO, being a current member of the FAO Council and the FAO legal committee. Holding the Presidency of the EU, Ireland co-ordinates and represents EU member states within the many fora housed within the FAO. Ireland also chairs the Council Working Group in Brussels where the EU develops common positions. Ireland will be participating in next month's biennial meeting of the FAO Conference. It might

also be noted that the programme for the visit by President Higgins to Rome last February included a meeting with the Director General of FAO.

Ireland is currently representing the EU in negotiations to agree the FAO's biennial budget and programme of work for 2014-15. We are actively participating in the development of principles for responsible agriculture investment fresh from our participation in the drafting of internationally accepted Voluntary Guidelines for Land Tenure, and a global strategic framework for food security and nutrition.

Ireland is a strong and active voice in the FAO for support of small holder agricultural development with a focus on women, for ensuring nutritional security, and for improving the governance of national and international efforts to combat food insecurity. In that context, we have provided funding for specific projects to run in 2013/2104 on the African Agribusiness and Agro-industries Development Initiative (3ADI), which seeks to build linkages between farmers and other stakeholders in the value chain; on global initiatives on food loss and waste reduction; on the UN One Health Project which seeks to improve integrating data collection across the One Health pillars of food safety, animal health, human health and environmental health and in order to assist contingency planning a shock modelling project to assess the impact of shocks such as natural disasters, economic crises etc on household food security.

Live Exports

194. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the number of applications with his Department for the licensing of ships for the live export of cattle; when such applications will be processed; the additional steps he is taking to promote live exports; and if he will make a statement on the matter. [24975/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Ireland has a strict system of transport rules in respect of both national and international journeys. The current Irish regulation in relation to the approval of ships for livestock transport is set higher than that which applies in other EU Member States. Detailed inspections are required before approval is given to ships transporting animals. The requirements for approval of dedicated vessels for the carriage of cattle by sea are contained in the Diseases of Animals (Carriage of Cattle by Sea) Orders, 1996 and 1998.

My Department has received applications relating to seven ships for the live export of cattle. Two ships have been fully approved, two are at an advanced stage and three are at a preliminary stage in the process. Enquiries have been received in relation to two further ships but no applications have been made at present.

The live export trade provides alternative market outlets for certain categories of livestock, thereby serving a market demand and providing increased competition in the market place for cattle. My Department will continue to work with those involved to facilitate this trade.

Fodder Crisis

195. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine if he will instruct his Department and Teagasc to perform an audit of stocking rates on individual farms and to assist farmers who may have potential problems going forward; the additional steps he is taking to address the current fodder shortage; if he will again assess the need to source a ship to expedite the import of fodder; and if he will make a statement on the matter.

[24976/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I have actively monitored the evolving situation in recent weeks arising from unusual weather patterns and, as set out below, have not been slow in taking steps not only to mitigate its immediate effects insofar as possible but also to avoid difficulties into the future.

In terms of the imported fodder transport scheme, following consultation with Met Eireann, co-ops, the farming organisations and Teagasc, and based on the advice of officials working on the ground, I took the decision to allow a further two weeks for fodder to be imported into the country with a doubling of the transport subsidy fund. Fodder eligible under the scheme and delivered into the country will be covered up to next Friday 24 May. I have also decided, as an exceptional measure, that any definite purchases that have been placed by that date but are delivered during the following week will be included under the scheme.

By the end of the week some 2,000 loads of imported fodder, amounting to about 30,000 tonnes, will have benefitted from my Department's contribution to these transport costs. My Department will continue to monitor the situation on a day by day basis. This remains a very challenging situation for farmers and the extension to 24 May will allow both farmers and Co Ops to have some certainty around the supply of fodder over the coming weeks.

The animal welfare hotline that I established remains open for those with emergency situations or who need information about where to source fodder, at Lo-call 1850 21 19 90. The majority of calls received are enquiring about fodder availability and these callers are being referred to co-ops in their respective areas. Those farmers with animal welfare issues are being referred to the DVOs where there are systems in place to deal with them on a case by case basis.

It is also important that while continuing to focus on the emergency fodder position in the short term, farmers should also focus on growing and conserving fodder for next winter's needs. We need to maximise production in the coming period and I have asked Teagasc to prioritise this aspect in their advisory campaigns over the summer months.

Looking forward, it is clear that the main cut of silage will be delayed this year and as a consequence we need to look at the potential for the growing of additional fodder later into the season. In this regard I and my colleague the Minister for the Environment, Community and Local Government, Mr Phil Hogan, T.D., have announced a temporary and targeted adjustment of two provisions of the Nitrates Regulations to support additional fodder production on Irish farms in the coming months.

The adjustments involve:

- A discounting of some concentrate feeding when calculating the overall level of phosphorus allowed on grassland farms in 2013 and 2014; and
- an extension of two weeks to the period during which chemical fertiliser can be applied to grassland.

In order to ensure sufficient allowance of phosphorus for grassland application this year and 2014, some meal feeding in 2012 and 2013 will be discounted. The period during which chemical fertiliser can be applied to land this year has been extended by two weeks up to and including 30 September 2013. These measures will provide every opportunity to farmers to maximise grass growth and conservation into next Autumn. I believe that these pro-active measures will assist considerably in assisting farmers in avoiding difficulties next winter and thereafter.

In terms of the direct support schemes, mindful of ongoing difficulties, I decided that a for-

mal request should again be made to the EU Commission seeking agreement to pay an advance from 16 October of the 2013 Single Farm Payment which, being the first day of the new EU financial year is the earliest potential payment date and almost two months ahead of the standard timeline.

My Department will also make every effort to ensure that payments under the 2013 Disadvantaged Areas Scheme commence as early as possible in September, while taking into account of the need to adhere to the requirement in the governing EU regulation, which provides that all eligibility checks must be finalised before full payments can commence.

In terms of other supports, to date, over 29,300 of the remaining 30,200 REPS 4 participants have been paid a total of nearly €170m in respect of the 2012 application period, with almost €35m of this issuing in 2013. A further €1m issued in the past week to REPS 4 farmers. Payments to the final 900 query cases are ongoing and are expected to be finalised shortly.

Following the issue of over 2,000 AEOS payments valued at approximately €3m over the last two weeks, a further €700,000 will issue to nearly 300 more farmers in the next week. This will bring the total paid under AEOS 1 and 2 applicants to over €40m in respect of the 2012 application period, €15m of which issued in 2013 alone.

It will be clear, therefore that my Department has been playing its full part in assisting in the current difficult situation and in taking steps to enable farmers to avoid problems into the future.

Departmental Legal Costs

196. **Deputy Sean Fleming** asked the Minister for Agriculture, Food and the Marine his views on whether sufficient progress is being made in reducing the State's legal bill in his Department and any State agencies under his aegis; and if he will make a statement on the matter. [25161/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department actively manages its legal affairs and constantly seeks to minimise legal costs. While legal costs incurred by State Bodies are an operational matter for the Bodies themselves, my Department promotes early engagement and active management of legal matters concerning them.

Adoption Services Provision

197. **Deputy Ciarán Lynch** asked the Minister for Children and Youth Affairs the number of applicant adoptive parents at present undertaking research with a view to adoption from Russia and the other countries where inter-country adoption is possible; and if she will make a statement on the matter. [24839/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Neither my Department nor the Adoption Authority of Ireland maintains statistics on research which may be undertaken by prospective adoptive parents.

However, there are in the region of 270 prospective adopters holding declarations which were issued under Section 63 of the Adoption Act, 2010 and who have indicated their intention to continue the adoption process by applying for declarations to be issued under Section 40 of the Act. In addition there are in the region of 320 prospective adopters who hold declarations which were issued under Section 40 of the Act.

Mobility Allowance Decision

198. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health his plans for the mobility allowance and the motorised transport grant; the way recipients will be affected when current payments are scheduled to cease; if the review group has reported and the recommendations of same; and if he will make a statement on the matter. [24809/13]

207. **Deputy Mattie McGrath** asked the Minister for Health if details are available for the new scheme which is to replace the mobility allowance scheme; if those who are currently in receipt of the mobility allowance will transfer automatically to the new payment; the date on which applications will be accepted for the new scheme; and if he will make a statement on the matter. [24850/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 198 and 207 together.

The Government is very conscious of the needs of people with a disability. The payment of Mobility Allowance will continue until June. A Project Review Group has been working to seek solutions which do not run counter to the Equal Status Acts. An interim report regarding the immediate issue of the closure of the mobility allowance and motorised transport grant schemes has now been submitted to both Minister Reilly and myself and is under consideration with a view to bringing it to Government in the near future. A final report, looking at the wider issue of general transport for people with disabilities will be submitted in June. At this stage, it is not possible to pre-empt the outcome of the review or the decision of the Government. Announcements will be made following a Government decision on the matter.

Dental Services Provision

199. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when persons (details supplied) in County Wicklow will receive dental appointments; and if he will make a statement on the matter. [24810/13]

Minister of State at the Department of Health (Deputy Alex White): Dental services to children up to 16 years are provided by the Public Dental Service of the HSE. The service is targeted at children at key stages in their development. Children are given dental examinations and any follow-up treatment required at these stages. When required, emergency dental treatment is available to all children up to 16 years. The HSE has been asked to examine the specific query raised by the Deputy and to reply to him as soon as possible.

Respite Care Services

200. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if his attention has been drawn to the closure of the Sancta Maria Respite facility at St. Vincent's Centre, Navan Road, Dublin 7 and the circumstances surrounding same; his plans to immediately address this situation; and if he will make a statement on the matter. [24812/13]

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.

Hospitals Funding

201. **Deputy Clare Daly** asked the Minister for Health if he will ensure that the works to be carried out in the Sacred Heart Hospital, Castlebar, County Mayo, as a result of the Health Information and Quality Authority report are carried out in a reasonable timeframe in order that the hospital can survive and that any idea of €10 million having to be found by 2015 from within the hospital's own resources requires extra Government assistance. [24813/13]

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.

HSE Expenditure

202. **Deputy Catherine Murphy** asked the Minister for Health if he will provide in tabular form legal fees paid by the Health Service Executive to all individuals and organisations, including solicitors, counsel, guardians ad litem, third parties and others; and if he will make a statement on the matter. [24814/13]

203. **Deputy Catherine Murphy** asked the Minister for Health the reason the Health Service Executive has failed to respond to numerous freedom of information requests in relation to the executive's legal expenditure for 2011; if he will confirm that records relating to HSE legal expenditure form 2011 exist in full; and if he will make a statement on the matter. [24815/13]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 202 and 203 together.

The Public Service is a major consumer of legal services. All Government Departments/ Offices and Agencies funded by the Exchequer must comply with EU Directives and national guidelines on procurement. Procurement of products, goods and services including legal fees which support the delivery of health care is a service matter.

The Deputy's question has been referred to the HSE for direct reply.

Health Services Provision

204. **Deputy Finian McGrath** asked the Minister for Health the reason a person (details supplied) in Dublin 3 on €208 per week is having their chiropody service cut; and if it is correct that the same service is not being cut on the south side of Dublin by the Health Service Executive. [24816/13]

Minister of State at the Department of Health (Deputy Alex White): Community chiropody is a discretionary service, which the Health Service Executive endeavours to provide on a prioritised basis within the context of available resources and competing needs for such resources. The HSE has been asked to examine the query raised by the Deputy and to reply to him as soon as possible.

Care of the Elderly

205. **Deputy Tom Fleming** asked the Minister for Health if he will examine the possibility of providing a dedicated, specialised Alzheimer's unit in County Kerry; and if he will make a

statement on the matter. [24829/13]

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.

General Medical Services Scheme Review

206. **Deputy Jack Wall** asked the Minister for Health the reason the Health Service Executive is not paying general practitioners to administer warfarin to qualified patients in view of the fact that, if they were to attend the clinics as determined by the HSE, this would create a major travel cost for each participant; and if he will make a statement on the matter. [24833/13]

Minister of State at the Department of Health (Deputy Alex White): The current General Medical Services (GMS) GP Capitation Contract was introduced in 1989 and is based on a diagnosis and treatment model. Under the GMS contract, GPs receive a range of fees and allowances, including an annual capitation payment in respect of each medical card and GP visit card patient on their GMS list. Section 11 of the current contract states as follows: “The medical practitioner shall provide for eligible persons, on behalf of the relevant Health Board, all proper and necessary treatment of a kind usually undertaken by a general practitioner and not requiring special skill or experience of a degree or kind which general practitioners cannot reasonably be expected to possess. This will include such preventive and developmental services as are currently provided or may be developed in the new style of practice which this agreement facilitates, some of which services may be included on the list of special items of service for which specific payments shall be made.”

The monitoring and appropriate care of patients receiving anti-coagulation therapy with Warfarin comes within the scope of competence of general practice. Warfarin testing is also available free of charge in hospitals. Warfarin testing is carried out by some general practitioners as a matter of course in their practices and I welcome this. This provides their patients with an option of receiving this service locally in a primary care setting rather than attending an acute hospital for this service.

The Programme for Government provides for the introduction of a new GMS GP contract with an increased emphasis on the management of chronic conditions, such as diabetes and cardiovascular conditions. It is envisaged that the new contract, when finalised, will focus on prevention and will include a requirement for GPs to provide care as part of integrated multi-disciplinary Primary Care Teams. Officials in my Department are in consultation with the HSE with a view to drawing up a new contract. The appropriate arrangements in relation to anti-coagulation therapy will be considered as part of the new contract.

Question No. 207 answered with Question No. 198.

Orthodontic Services Waiting Lists

208. **Deputy Noel Coonan** asked the Minister for Health the waiting times for orthodontic treatment for patients in Nenagh, County Tipperary; if extra staff have been allocated to date; the other action he proposes to take to reduce waiting times; and if he will make a statement on the matter. [24870/13]

Minister of State at the Department of Health (Deputy Alex White): The HSE has commissioned an independent review of orthodontic services. The outcome of this review will give

guidance as to what changes will be desirable to provide the best possible model of care delivery, given the current resources available and future demand for services. It is anticipated that a report for consideration by the HSE and the Department of Health will be ready by the end of the 2nd Quarter of 2013. The HSE has been asked to reply directly to the Deputy regarding the provision of orthodontic services in Nenagh, County Tipperary.

Water Fluoridation

209. **Deputy Clare Daly** asked the Minister for Health the name of the company that undertook the national audit of the fluoridation process at water treatment plants commissioned by the Irish expert group on fluorides and health in 2008/2009; and the full operational and labour costs, excluding chemicals, associated with the 250 water fluoridation plants nationally [24878/13]

Minister of State at the Department of Health (Deputy Alex White): The name of the company that undertook the national audit of the fluoridation process at water treatment plants commissioned by the Irish Expert Group on Fluorides and Health in 2008/2009 is Tobin Consultancy Engineers. The annual budget for the full operational and labour costs excluding chemicals associated with the 250 water fluoridation plants nationally is €2.2 million.

Water Fluoridation

210. **Deputy Clare Daly** asked the Minister for Health further to Parliamentary Question No. 271 of 15 May 2013, the exact nature of the capital costs specified for the small-sized plants; and if the figure given for the larger plant related to the cost of a complete new facility or the replacement of equipment [24879/13]

Minister of State at the Department of Health (Deputy Alex White): The costs of €4,426 relate to the installation of dosing pipe work. The costs of €14,450 relate to the installation of the bulk tank, bulk tank bund, bulk tank seal, bulk tank level indicator, bulk tank security, day tank, day tank bund, day tank bund seal, weighing scales, dosing pump, transfer pump, dead man's handle, transfer pipe work, transfer pipe work security, dosing pipe work, coupling point, coupling point bund, ventilation of day tank, ventilation of bulk tank, light fittings and shower unit available adjacent to day tank room.

The costs of €25,286 relate to the installation of bulk tank, bulk tank bund, bulk tank level indicator and alarm, day tank, day tank bund, day tank electronic measurement, dosing pump, dosing pump bund, transfer pump, transfer pump bund, dead man's handle, civil costs for kiosk, electrical control system, ventilation of bulk tank, ventilation of day tank, mechanical installation costs, electrical installation costs, control system costs and fluoride residual monitor. The figure given for the larger plant (€621,192) relates to the cost of a total refurbishment of the existing water treatment plant which included the installation of a completely new fluoride dosing system.

Generic Drugs Substitution

211. **Deputy Billy Kelleher** asked the Minister for Health in view of the enactment of legislation to promote generic substitution of medicines, if he supports the introduction of prescribing supports such as the ScriptSwitch system used by the NHS in the UK to ensure that the

usage of generic medicines is increased and that greater savings for that Exchequer are realised; if so, when he expects such systems to be introduced; and if he will make a statement on the matter. [24889/13]

Minister of State at the Department of Health (Deputy Alex White): The HSE has been working with General Practitioners over many years to encourage better quality prescribing of drugs in Ireland. In 2012, the HSE's Medicines Management Programme (MMP) was established to further this agenda and to communicate with prescribers regarding best practice. Over the coming weeks the MMP plans to attend a number of regional GP meetings to convey programme preferred prescribing in key areas.

A further initiative underway to assist with GP prescribing is the launch of the HSE's Prescribing Guidance System (PGS). This system supports prescribers with integrated 'point of prescribing' information making it easier for GPs to make decisions in line with MMP prescribing guidance. In turn, the system also gives assurance regarding the effectiveness of prescribing guidance interventions.

The HSE is writing to GP system vendors alerting them to this new integration opportunity. Most GPs are already integrated with the HSE for the purpose of medical card eligibility confirmation. This system is one of the most widely used messaging systems operating in Ireland with over 300,000 messages consumed nationally each day across primary care software systems.

GPs will be aware that their integrated system will highlight when an individual's medical card eligibility period has expired, i.e. messaging is on an exceptional basis only. The same model has been adopted for the Prescribing Guidance System meaning that GPs prescribing in line with MMP prescribing guidance will not be seeing messages at all.

It is anticipated that this prescribing guidance system will be a critical assistance to the GP community and significantly important to the wider health system.

Generic Drugs Substitution

212. **Deputy Billy Kelleher** asked the Minister for Health the national targets for generic substitution of medicines; when these targets will be set; the way it is intended that such targets will be realised; and if he will make a statement on the matter. [24890/13]

Minister of State at the Department of Health (Deputy Alex White): The Department is committed to establishing high-level annual targets by the end of September for the share of generic penetration over the medium-term. These targets will be informed by the findings of a report currently being completed by the ESRI which is examining the usage of generics in Ireland and comparable EU jurisdictions.

Substance Misuse

213. **Deputy Noel Harrington** asked the Minister for Health his proposal relating to a minimum price for alcohol in view of the ruling by the Scottish Supreme Court in favour of the legality of the Scottish Government's plans to introduce minimum pricing; and if he will make a statement on the matter. [24895/13]

Minister for Health (Deputy James Reilly): I am pleased to inform the Deputy that real and tangible proposals are currently being finalised on foot of the recommendations in the National Substance Misuse Strategy report. These proposals cover all of the areas mentioned in

the report, including legislation on minimum unit pricing which is about setting a statutory floor price per gram of alcohol.

The Cabinet Committee on Social Policy has considered these proposals and I intend to bring forward specific proposals for consideration by Government as soon as possible.

In the meantime, work on developing a framework for the necessary Department of Health legislation is continuing. For example, in conjunction with Northern Ireland, a health impact assessment is being commissioned as part of the process of developing a legislative basis for minimum unit pricing. The health impact assessment will study the impact of different minimum prices on a range of areas such as health, crime and likely economic impact.

Nursing Homes Support Scheme

214. **Deputy Jack Wall** asked the Minister for Health the position regarding the fair deal application in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [24921/13]

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.

Ambulance Service Provision

215. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if it is the case that there is no ambulance cover in Dunshaughlin, County Meath, on Tuesdays due to recent rostering changes; and if he will make a statement on the matter. [24922/13]

Minister for Health (Deputy James Reilly): A significant reform programme has been underway in recent years in pre-hospital care services, to ensure a clinically driven, nationally co-ordinated system, supported by improved technology. The programme involves a number of measures, including the Performance Improvement Action Plan, development of the intermediate care service (ICS), the trial emergency aeromedical service (EAS), and the NAS Control Centre Reconfiguration Project.

The National Ambulance Service (NAS) is not a static service. The Service deploys its resources in a dynamic manner and works on an area and national, rather than a local, basis. The dynamic deployment of ambulance resources ensures that the nearest appropriate resource is mobilised to the location of any incident.

For dynamic deployment of emergency resources within a region to be effective, those resources must be available to be used as efficiently as possible. Following a referral to the Labour Court under the Public Service Agreement, the NAS is currently progressing a number of efficiencies arising from the Court's ruling, including more efficient rostering and the removal of overtime built in to rosters. New rosters are now in place, including in the greater Dublin area, and are operating successfully.

In relation to the particular query raised by the Deputy, as this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

Hospital Waiting Lists

216. **Deputy Clare Daly** asked the Minister for Health if his attention has been drawn to the fact that a person (details supplied) has to wait 19 months for a video EEG monitoring test in Beaumont Hospital, Dublin; the alternatives or supports available to enable this person to access the urgent medical attention they require [24925/13]

Minister for Health (Deputy James Reilly): In relation to the particular query raised by the Deputy, as this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

Health Services Provision

217. **Deputy John Lyons** asked the Minister for Health if, in relation to a project (details supplied) in Dublin 11, he will provide details of a timescale for the acquisition of a suitable site, including any sites under consideration; the time scale for the completion of the project;; and if he will make a statement on the matter. [24946/13]

Minister of State at the Department of Health (Deputy Alex White): Delivery of health care infrastructure is a service matter. Therefore your question has been referred to the HSE for direct reply.

Hospital Charges

218. **Deputy Andrew Doyle** asked the Minister for Health if his attention has been drawn to reports of inappropriate billing by hospitals to private health insurance companies for beds not occupied when patients were instead on trolleys; if he will provide an estimate of the scale of this problem in view of the fact that it pushes health insurance premiums higher; and if he will make a statement on the matter. [24947/13]

Minister of State at the Department of Health (Deputy Alex White): Hospitals do not charge health insurance companies or their members the private accommodation charge for any time spent in A/E on trolleys. Under current legislation, private accommodation charges can only be raised for those private and semi private designated beds and does not include hospital trolleys.

Home Help Service Provision

219. **Deputy Tom Fleming** asked the Minister for Health the number of home helps in County Kerry; the number of applicants for home help in County Kerry awaiting a decision on their applications; the number of applicants in County Kerry whose hours have been reduced in the past 12 months; the total number of hours cut in County Kerry during the past year; and if he will make a statement on the matter. [24953/13]

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.

Health Services Staff Recruitment

220. **Deputy Willie O'Dea** asked the Minister for Health if the Health Service Executive

plans to fill sanctioned posts in areas of diabetes care, specifically one integrated diabetes nursing post to serve the new mid-west integrated care area, 1.2 diabetes nurse specialist posts to be shared between Limerick and Galway and a 0.75 dietician post for Limerick to allow for the wider availability of insulin pump therapy to children and adolescents in the HSE west the recruitment process for these posts has been completed and has identified a panel of successful candidates but letters of appointment have been so far unissued; the reason for the delay; and if he will make a statement on the matter. [24956/13]

Minister for Health (Deputy James Reilly): The HSE National Clinical Care Programmes provide a national, strategic and co-ordinated approach to a wide range of clinical services.

Currently there are 33 Clinical Programmes, including one for diabetes, in different stages of development/implementation. The programmes have three main objectives – to improve the quality of care, to improve access and to improve cost/value, effectiveness.

The National Integrated Care Diabetes Programme is being implemented on a phased basis. The programme will improve patient access and manage patient care in an integrated manner across service settings, resulting in better outcomes, enhanced clinical decision making and the most effective use of resources.

Funding has been approved for the appointment of 17 Integrated Care Diabetes Nurse Specialists (one per HSE Integrated Service Area) to support the phased roll out of the programme. These Diabetes Nurse Specialists will work 1 day per week in a hospital setting and 4 days per week in primary care. They will play a key role in the development of clinically sound collaborative links between primary care and secondary care providers and will also be an essential resource in empowering patients to achieve optimum diabetes control. It is anticipated that all 17 positions will be filled shortly.

The podiatry and paediatric diabetes care posts are under recruitment and the aim is to have them filled as soon as possible in 2013.

In relation to the queries regarding specific locations raised by the Deputy, as this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

Health Services Staff Recruitment

221. **Deputy Joanna Tuffy** asked the Minister for Health when he intends to fill sanctioned posts in critical areas of diabetes care (details supplied); and if he will make a statement on the matter. [24974/13]

Minister for Health (Deputy James Reilly): The HSE National Clinical Care Programmes provide a national, strategic and co-ordinated approach to a wide range of clinical services.

Currently there are 33 Clinical Programmes, including one for diabetes, in different stages of development/implementation. The programmes have three main objectives – to improve the quality of care, to improve access and to improve cost/value, effectiveness.

The National Integrated Care Diabetes Programme is being implemented on a phased basis. The programme will improve patient access and manage patient care in an integrated manner across service settings, resulting in better outcomes, enhanced clinical decision making and the most effective use of resources.

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The podiatry and paediatric diabetes care posts are under recruitment and the aim is to have them filled as soon as possible in 2013.

In relation to the queries regarding specific locations raised by the Deputy, as this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

Hospital Services

222. **Deputy Joe McHugh** asked the Minister for Health when a service (details supplied) will commence at Letterkenny Regional Hospital, County Donegal [24977/13]

Minister for Health (Deputy James Reilly): In relation to the particular query raised by the Deputy, as this is a service issue, I have asked the Health Service Executive to respond directly to the Deputy on the matter.

Speech and Language Therapy

223. **Deputy Bernard J. Durkan** asked the Minister for Health if he will indicate if and when assessment will be carried out to determine eligibility for speech and language therapy in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [24998/13]

Minister for Health (Deputy James Reilly): The particular issue raised by the Deputy is a service matter for the Health Service Executive. Accordingly I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Health Services Provision

224. **Deputy Bernard J. Durkan** asked the Minister for Health if he will set out the resources and support services available to a person (details supplied) in County Kildare; if specific action might be taken with a view to providing the service necessary to address the concerns of the family; and if he will make a statement on the matter. [24999/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter this question has been referred to the HSE for direct reply.

Departmental Legal Costs

225. **Deputy Sean Fleming** asked the Minister for Health his views on whether sufficient progress is being made in reducing the State's legal bill in his Department and any State agen-

cies under his aegis; and if he will make a statement on the matter. [25168/13]

Minister for Health (Deputy James Reilly): My Department is aware of the need to minimise legal costs and, in general, avails of legal services and advice from the Office of the Attorney General and the Office of the Chief State Solicitor. With regard to agencies under my Department's aegis, arrangements for the provision of legal services is an operational matter for the agencies themselves.

Rural Transport Programme Issues

226. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport if it is his intention to remove the free travel pass for the rural transport programme, in effect meaning that passengers will have an almost 70% fare hike in 2014. [24817/13]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): I am advised by the National Transport Authority, who have been assigned responsibility for managing the Rural Transport Programme (RTP), that Free Travel Pass (FTP) funding is awarded to Pobal by the Department of Social Protection. Pobal manage the FTP funding and allocate it to RTP groups based on the previous years' passenger statistics and on the condition that FTP passengers will be facilitated on RTP services. Over the last number of years €1.5 million per annum has been awarded to Pobal by the Department of Social Protection for allocation to RTP groups.

The operation of the Free Travel Scheme is the responsibility of the Department of Social Protection and it is currently being examined by a working group of that Department. There are currently no proposals to change the allocation of FTP funding under the RTP.

Consultancy Contracts Expenditure

227. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if he will set out by category and in detail a breakdown of the €799,000 estimated to be spent on consultancy services and value for money policy reviews in the 2013 Estimates; if he will explain the 41% increase in the estimates spend in 2012, providing detail of the additional spend; and if he will make a statement on the matter. [24851/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): This year my Department's allocation for Consultancy Services and Value for Money and Policy Reviews is €799k. Last year my Department's allocation was €599k with a provisional outturn of €568k. The amount allocated each year is based on an estimate of Consultancy Services or Reviews likely to be carried out by my Department.

The increased allocation this year over the 2012 figure is mainly due to work which was underway late in 2012, not being paid for until 2013. The Department of Public Expenditure and Reform sanctioned a carryover of €400k from administrative budget savings in 2012 to 2013 which included €200k for Consultancy Services and Value for Money and Policy Reviews.

The main items of spend in this area for 2012 was as follows:

Company	Purpose	Cost 000
KPMG	Evaluation of Business Plans for the new Shannon entity and DAA	152

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Company	Purpose	Cost 000
De Loitte & Touche	Report on Review of Cash Management of CIE	68
MVA Consultancy	Baseline surveys for evaluation of Smarter Travel Areas	61
Various	HR related Consultants	72
Mazars Consulting	Review and appraisal of business plans for DAA and the new Shannon entity for ICTU	55
Consultavia	Provision of Helicopter aviation consultancy services	42
Railistics	Review of Rail regulation requirements	23
Panel of 3	Expenses re Appeals panel on Terminal Navigation Service charges at State Airports	17
Other e.g. maintenance of Department's financial systems, outsourcing of Internal Audit, VFM Chairs, Drafting of Regulations etc.		78

To date in 2013, there has been spend of €198k for Consultancy Services and Value for Money and Policy Reviews. The main items being Railistics Rail Review €65, Indecon re Rosslare Port Review €59k, and Freshfields Bruckhaus re advice relating to RyanAir €26k. It is anticipated that the remaining allocation will be spent in 2013.

Departmental Policy Reviews

228. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if he will provide a list of policy reviews to be undertaken by his Department in 2013; and if he will make a statement on the matter. [24852/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): My priorities for 2013, as set out on my Department's website, include the review of national aviation policy and of tourism policy. In addition, under the new Road Safety Strategy, policy reviews will be carried out on both drug driving legislation and speed limits. Value for money and policy reviews will also be carried on national roads maintenance current expenditure and on the Green Schools Programme. In relation to the aviation policy review, a consultation paper was published in early March. The closing date for this consultation is 30th June. I then intended to publish a draft policy statement later this year for further comment before finalising and adopting the new policy in early 2014.

Departmental Expenditure

229. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if he will provide a breakdown by category of sports and recreation services estimated spend in 2013; and if he will make a statement on the matter. [24853/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The funding allocated to each of the sport subheads in my Department's vote in the Revised Estimates for 2013 is as outlined in the table below.

Subhead		2013 Allocation	
-	-	Capital €m	Current €m
D3	Grants for Sporting Bodies (Sports Capital Programme)	13.5	-
D4	Grants for provision and renovation of Swimming Pools	5.6	-
-	Irish Sports Council / National Sports Campus of which	7.965	45.293
-	Irish Sports Council funding is:	-	43.798
D5	National Sports Campus funding is:	7.965	1.495

Departmental Expenditure

230. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if he will provide a breakdown by category of tourism services Estimates spend in 2013; and if he will make a statement on the matter. [24854/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The information that the Deputy seeks is available in the 2013 Revised Estimates Volume which was published on 17th April 2013.

Exchequer Returns

231. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if he will give details of what appropriations in aid spend will entail for 2013; and if he will make a statement on the matter. [24855/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The full details of my Department's 2013 allocations are published in the Revised Estimates Volume and are available on the Department of Public Expenditure and Reform website. This year my Department's Vote 31 Appropriations in Aid allocation total in excess of €438 million comprising of a Capital receipts allocation of €270m and a Current receipts allocation of €168.5m.

Departmental Staff Training

232. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if he will provide a breakdown of the expected training and development and incidental expenses with the list of training and development courses he expects officers in his Department to undergo in 2013; and if he will make a statement on the matter. [24856/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): To provide such a breakdown will require a detailed examination of the training and development plans identified for individual officers under the Performance Management and Development System. Work

on compiling the requested information has commenced and it will be forwarded as soon as possible.

Departmental Expenditure

233. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport under the category of office premises expenses, if he will list the individual offices operated by his Department in the State alongside the expenses that they will incur in 2013; and if he will make a statement on the matter. [24857/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): A list of the individual offices requested is set out in the table below.

Expenses such as utilities (oil, gas and electricity) and building maintenance are charged to the Office Premises Expenses category of the Departmental budget. Estimating annual expenditure on these items presents significant challenges. For example in the case of utilities which are a large item in this budget, expenditure can vary according to weather conditions. Therefore for practical reasons it is not feasible to compile an estimate on a building by building basis. In recent years every effort has been made to reduce expenditure in this area through initiatives such as motion sensor lighting and more energy efficient heating systems. Expenditure on office furniture has also been significantly reduced. It is the policy of the Department of Transport to operate within budget and achieve savings wherever possible. There has been a decrease in expenditure in this area in recent years.

Premises	-
44 Kildare Street, Dublin	-
25 Clare Street, Dublin	-
Leeson Lane, Dublin	-
Ballycoolin, Blanchardstown, Dublin	-
Clonfert House Loughrea Co. Galway	-
Shannon Co. Clare	-
Centre Park Road Cork	-
New Road Killarney Co. Kerry	-
Ballyshannon Co. Donegal	-
Coastguard Stations at Malin, Co. Donegal and Valentia Co. Kerry	-

Swimming Pool Projects

234. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport the number of grant applications he has received for swimming pool builds or repair or maintenance for 2012 and to date in 2013; and if he will make a statement on the matter. [24859/13]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): The current round of the Local Authority Swimming Pool Programme was closed to new applicants on 31 July 2000. However, In 2011 I announced a Disabled Assess/Energy Upgrade initiative which enabled local authorities to apply for funding to improve disabled access and/or improve energy efficiency in respect of swimming pools. In 2011 a total of €10.94m was allocated to 33 local authorities in respect of 56 swimming pools.

In 2012 there were a further 20 allocations to 13 local authorities which had not benefited from funding in 2011 - either at all or to the maximum amount available - due to a number of factors including: the necessity to scale back or abandon projects due to an inability to meet the original deadline for drawdown of funding, or by applying under the wrong scheme. Such local authorities were given a chance to re-apply for funding, and there was also one new application for funding. Consequently 20 further allocations were made under this initiative in 2012 to the 13 local authorities who applied/re-applied in 2012 in respect of 20 pools. Ultimately, every local authority which was able to comply with the terms of the programme was able to receive funding under this initiative. This initiative is now closed and there have been no applications in 2013.

VAT Rate Reductions

235. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport following on from the decision to reduce the VAT rate from 13 % to 9% and the significance of this reduction to the tourism sector here and the positive implications it has had on the industry in creating and maintaining jobs, giving value for money and so on, if he will support the calls to keep the VAT rate at 9% and ensure a strong and competitive tourism industry; and if he will make a statement on the matter. [24894/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I am very conscious that the tourism and hospitality industry would like to see the rate continued through 2014 and beyond.

I am also conscious that the VAT reduction costs the Exchequer an estimated €350 million a year. I am supportive of retaining a reduced rate, but that can only be justified on the basis of clear evidence of the impact of the reduction. As the Deputy is aware, taxation policy is the responsibility of my colleague, the Minister for Finance.

Taxi Regulations

236. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport the legal requirement for decals on taxis in view of the case heard in the High Court on 4 February 2013, where a judge allowed a taxi driver renew their taxi licence without adhering to the requirement to have decals in place; and if he will make a statement on the matter. [24915/13]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The National Transport Authority (NTA) has responsibility for the regulation of the taxi industry under the provisions of the Public Transport Regulation Act, 2009 and is also the lead agency with responsibility for implementation of the recommendations of the Taxi Regulation Review Report 2011, including the taxi branding requirement under Action 31 of the Review Report. I have forwarded the your Question to the NTA for direct reply. If you do not receive a response within ten working days please notify my private office.

Road Projects Issues

237. **Deputy Michael Colreavy** asked the Minister for Transport, Tourism and Sport the position regarding the upgrading of the N16 Sligo road as part of the TEN-T comprehensive road network; and if he will make a statement on the matter. [24919/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Discussions are still underway in relation to the finalisation of the TEN-T Regulation and the relevant road maps. As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and funding in relation to the national roads programme. Once the details of the TEN-T road network are settled upon any subsequent progress on individual road projects will be a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Taxi Regulations

238. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport when he expects all taxi drivers to be on the online taxi register; the deadline that has been given to drivers to register; the implications, financial or otherwise, that will be incurred by drivers for failing to register with the National Transport Authority; and if he will make a statement on the matter. [24949/13]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The National Transport Authority (NTA) has responsibility for the regulation of the taxi industry under the provisions of the Public Transport Regulation Act, 2009 and is also the lead agency for implementation of the recommendations of the Taxi Regulation Review Report 2011, including the smartphone App for SPSV driver identification under Action 32 and the on-line systems to link SPSV drivers to SPSV vehicles under Action 40. I have forwarded your Question to the NTA for direct reply. If you do not receive a response within ten working days please notify my private office.

Aviation Issues

239. **Deputy Billy Kelleher** asked the Minister for Transport, Tourism and Sport if EU Regulation 290/2012 has been implemented; if this now allows pilots to carry out their multi-engine instrument rating test in the UK or any other EASA state without having to seek the permission of the Irish Aviation Authority; and if he will make a statement on the matter. [24957/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised by the Deputy, pilot licensing, is a matter for the Irish Aviation Authority, an Agency under the remit of my Department. I have referred the Deputy's question to them for direct reply. Please advise my private office if you do not receive a reply within ten working days.