

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 7, inclusive, answered orally.

Water and Sewerage Schemes Provision

8. **Deputy Ciara Conway** asked the Minister for the Environment, Community and Local Government if he will provide an update on the seven villages sewerage scheme in County Waterford. [19457/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Waterford Grouped Towns and Villages Sewerage Scheme was included in the Water Services Investment Programme 2010 - 2013 as a scheme to start construction during the life of the Programme. The Scheme provides for the construction of new or upgraded wastewater treatment and collection systems in Ardmore, Ballyduff/Kilmeaden, Cappoquin, Dunmore East, Kilmacthomas, Stradbally and Tallow. The scheme was advanced by Waterford County Council on the basis of separate contracts for the collection systems and a single Design Build and Operate (DBO) Contract for the Wastewater Treatment Plants in the towns and villages.

Insofar as the collection networks at the various locations are concerned, the upgrading works to the Ardmore, Ballyduff/Kilmeaden, Cappoquin, Kilmacthomas, Stradbally and Tallow sewerage collection systems were substantially completed under the Water Services Investment Programme. The upgrading of the Dunmore East Collection System Contract commenced in July 2013 and will be substantially completed by the end of 2014.

Waterford County Council's Report on Tenders for the DBO Contract for the treatment plants in the seven villages was received in my Department on 25 November 2013. It was not possible for my Department to finalise its examination of the Council's submission prior to the transfer of responsibility for the delivery of water services capital infrastructure to Irish Water on 1 January 2014. Irish Water is currently preparing its Capital Investment Plan for 2014 - 2016 and this will provide for the transition of projects which were included in my Department's 2010 - 2013 Water Services Investment Programme.

Questions Nos. 9 and 10 answered orally.

Planning Issues

11. **Deputy Patrick O'Donovan** asked the Minister for the Environment, Community and Local Government if he will consider a review of the current planning legislation to allow the extension of planning permission in cases which cannot be pursued due to economic circumstances; if he will allow the applicant the opportunity to prove that they can comply with modern standards by way of submission of information to the planning authorities in order as to keep the applications live; and if he will make a statement on the matter. [19459/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Section 28 of the Planning and Development (Amendment) Act 2010 already provides that the duration of a planning permission may be extended where substantial works have not been carried out, or where the development has not even commenced, in cases where the planning authority is satisfied that there were considerations of a commercial, economic or technical nature beyond the control of the applicant which substantially militated against either the commencement of development or the carrying out of substantial works.

This provision is, however, subject to the submission of an application for extension of duration of permission prior to the expiration of the original permission, and the planning authority being satisfied that –

(i) there have been no significant changes in the development objectives in the development plan or in regional development objectives in the relevant regional planning guidelines since the date of the permission, such that the development would no longer be consistent with the proper planning and sustainable development of the area,

(ii) the development would not be inconsistent with the proper planning and sustainable development of the area, having regard to any planning guidelines issued by the Minister under section 28 of the Act after the date of the grant of the original permission, and

(iii) the development has not commenced and that an environmental impact assessment, or an appropriate assessment, or both of those assessments, if required, were carried out before the original permission was granted.

Where the development which has been granted permission is now deemed to be inconsistent with the proper planning and sustainable development of the area, having regard to any subsequent updating of the local development plan and the issue of any ministerial guidelines, it is of course open to the person concerned to re-apply for permission with a plan or design that complies with current guidelines or the current development plan.

Question No. 12 answered orally.

Rural Development Policy

13. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government if he will implement all the recommendations of the recently published CEDRA report; and if he will make a statement on the matter. [19451/14]

22. **Deputy Seán Kyne** asked the Minister for the Environment, Community and Local Government the next steps to be taken by his Department in progressing the recommendations pertinent to his Department of energising Ireland's rural economy, the report of the commission for the economic development of rural areas; and if he will make a statement on the matter. [19567/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 13 and 22 together.

My colleague Minister Coveney and I established the Commission for the Economic Development of Rural Areas (CEDRA) in September 2012 to recommend ways to support the future economic development of rural Ireland. The Commission was charged with producing a report that would inform policies and strategies to support the economic development of rural Ireland. The central element of the work of CEDRA was an extensive public consultation process involving over 100 meetings with the general public as well as interested stakeholders and rural development experts. The Commission also conducted an extensive research exercise and I am confident that the information that has emerged from this process provides a valuable insight into how Government can support the future economic development of rural areas.

The Taoiseach launched the CEDRA report on 14 April 2014. The report contains 34 recommendations that are far reaching and interdepartmental in nature and in this context will require significant consideration and consultation. The complex nature of the department and agency interactions recommended in the report will require further examination and in this context I am committed to working together with my Government colleagues to determine the best way forward with regard to the implementation of the CEDRA recommendations. In the interim, the CEDRA report will inform the design of the LEADER elements of the 2014 – 2020 Rural Development Programme.

Local Authority Housing

14. **Deputy Patrick O'Donovan** asked the Minister for the Environment, Community and Local Government if he will carry out a review of the procedures in place for the letting of local authority houses to ensure that local authorities are not prevented from overly onerous regulations and conditions from letting houses to tenants; and if he will make a statement on the matter. [19458/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The procedures for assessing the eligibility of households for social housing support and allocating that support were overhauled and updated in the Housing (Miscellaneous Provisions) Act 2009 and associated regulations and in guidance issued to housing authorities. As regards allocations policy, section 22 of the 2009 Act provides that the Minister's approval is not required to a housing authority's allocation scheme but the Minister may direct an authority to amend its scheme and the authority must comply with the direction. The Minister may also issue directions to a housing authority regarding the operation of its allocation scheme.

I keep the 2009 Act and associated regulations under review in the light of experience with their operation at local level and developments in the social housing sector generally. In that context, I will examine any information supplied to me about instances where it is suggested that housing authorities have imposed unreasonable restrictions or conditions on households when conducting social housing assessments or allocating social housing support. However, it will be appreciated that, under section 63 of the Local Government Act 1991, a local authority is, subject to law, independent in the performance of its functions and, as Minister, I am specifically precluded, under section 22(17) of the 2009 Act, from intervening in relation to the procedures followed, or decisions made, by housing authorities in the allocation of particular dwellings.

Question No. 15 answered with Question No. 9.

Rental Accommodation Scheme Administration

16. **Deputy Richard Boyd Barrett** asked the Minister for the Environment, Community and Local Government if he will give a full report on the rental accommodation scheme and leasing tenancies across all the local authorities with regard to the duty of care the local authorities have to the tenants and the impact of rising rents; and if he will make a statement on the matter. [19565/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The original objectives of the Rental Accommodation Scheme (RAS) were set out in a Government decision in July 2004 to provide ‘a more structured approach to long-term rental housing assistance need through the development of medium or long-term contractual arrangements with private accommodation providers, along with social housing provision where appropriate’. The current objectives of the scheme are broader and emphasise: housing quality, housing security and tenant choice, alongside the core goals of reducing long-term dependence on Rent Supplement and securing better value for money. Given the current economic situation, growing housing need and a policy shift away from capital to revenue based solutions to responding to housing supports, the objectives set for RAS remain as valid today as they did in 2004.

The quality of housing sourced, security of tenure and, within reason, choice of location are considered to be at the heart of the scheme, and a measure of an authority’s duty of care to its tenants.

RAS involves local authorities paying landlords market rate rents for property they lease, while also seeking discount from the market rate where possible. This is done on the basis of the guarantee of uninterrupted payment of rent for a specific time. In addition, the level of risk being transferred to the authority when agreeing rental prices is a factor to be considered when rents are being negotiated. While authorities will always do what they can in seeking discounts it may not always be possible mainly due to the issue of supply. Obtaining value for money for the State will always be a key factor in determining how an authority proceeds with its efforts to secure accommodation.

The tenant, for their part, has a contract with the housing authority, whereby they agree to pay a rental contribution to the authority based on the relevant differential rent scheme and not to engage in anti-social behaviour. Authorities do have the discretion to transition households on to the differential rents scheme where they feel that there would be a significant increase in rent for the tenant on coming into RAS. It is important to emphasise however that the contribution, i.e. rent, that a tenant pays to the local authority is not based on market rent but on income i.e. the household’s ability to pay.

When transfers first commenced under RAS in 2005 the differences between the minimum contribution on rent supplement (at the time €13) and a payment under differential rent (charges vary from authority to authority) were much more significant. However in recent years the differentiation has narrowed. The rent supplement minimum was changed in the 2011 Budget to €30pw and Regulations currently being drafted under the Housing (Miscellaneous Provisions) Act 2009 will allow for a closer alignment between differential rents and rent supplement contributions in the future. Section 31 of the Housing (Miscellaneous Provisions) Act 2009 will replace, once commenced, existing provisions in relation to differential rent schemes. Regulations and guidelines for housing authorities are currently in preparation in my Department in relation to differential rent payable by local authority tenants under section 31 of the Act. While it is not the intention to implement a national standardised differential rent scheme, the proposed regulations will facilitate a significant harmonisation in the approach by housing authorities to

the charging of rent for their dwellings.

In the same way, under the social housing leasing initiative, it is the local authority or approved housing body that contracts with a property owner in a leasing arrangement, to make accommodation available for social housing use. As with RAS the tenant of the local authority or approved housing body pays an income based differential rent to that authority/body.

For both RAS and leasing the tenant's rent is determined under the local authority's differential rent scheme and therefore is not impacted by increasing market rents. In this context it is the local authority/approved housing body and ultimately the State which bears the impact of rising market rents in respect of contractual RAS and leasing arrangements. My Department recoups the cost of these RAS and leasing agreements to local authorities and approved housing bodies.

In addition, all RAS and leasing tenants are social housing tenants and as such the local authority retains the responsibility for their ongoing accommodation needs.

Property Taxation Administration

17. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government the way in which local authorities can be expected to vary the rate of local property tax before they know the level of funding they will receive from his Department for 2015. [19463/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Under section 20 of the Finance (Local Property Tax) Act 2012, as amended, a local authority may, as a reserved function, and subject to any regulations made under the section, resolve to vary the base rate of the Local Property Tax (LPT) within its functional area by a maximum of plus or minus 15%. This power will be available to local authorities effective from 2015, as the relevant sections of the Act will come into operation on 1 July 2014.

The Revenue Commissioners must be notified no later than 30 September 2014 of the details of any decision made in respect of the local adjustment factor for 2015 and I understand that Revenue reminded local authorities of this requirement recently. I also understand that the Revenue Commissioners released details of the levels of LPT collected in local authority areas in 2013 earlier this year and, more recently, provided details of the levels of LPT collected so far in 2014, which should provide a useful information source for local authorities; this information is available on the Revenue website – www.revenue.ie.

I expect the Local Property Tax to have multiple benefits, including a more sustainable and resilient system of funding for local authorities and, therefore, a sounder financial footing for the provision of essential local services; greater local scope for financial decision-making concerning service provision; and a strengthening of democracy at local level with a more active relationship between local authorities and local electorates. A stronger democratic relationship and clearer lines of accountability can only have a beneficial impact on service provision from the perspective of the service user.

The implementation of the local variation mechanism for LPT from 2015 will further increase the autonomy of local authorities and Section 20 of the Finance (Local Property Tax) Act 2012, as amended, requires local authorities to have regard to a number of factors in making their decision in this regard, including: the local authority's estimation of the income it will receive and the expenditure it will incur in the period for which the varied rate is to have effect; the financial position of the local authority, including the amounts standing as its accumulated

assets and liabilities not less than one month before the date on which it is proposed to pass the resolution; and the local authority's estimation of the financial effect of the varied rate on the economy of its functional area, including on those persons who will be liable to pay the tax.

My Department will continue to engage with local authorities to ensure that they are provided with the information necessary to assist them in their deliberations at the earliest possible stage.

Property Taxation Administration

18. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if local authorities will receive 80% of the local property tax in 2015; and if he will make a statement on the matter. [19552/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Government has indicated an intention to move to 80% retention of all Local Property Tax receipts within the local authority area where the tax is raised.

This year, the establishment of Irish Water presents local government with significant organisational and financial challenges. Service provision responsibilities are moving from the local authorities to Irish Water, infrastructure is being transferred, financing arrangements have altered and local authorities are operating on behalf of Irish Water under Service Level Agreements. These changes must be managed.

In this context, it was necessary to defer defining a certain proportion of the proceeds of the Local Property Tax to be retained in each local authority for 2014.

In 2015, in addition to the changes in water services funding, local authorities will be required to implement changes to their budget process arising from EU obligations, which will require them to prepare draft budget strategies by the end of September 2014. Together, these are significant changes to the current local government funding model and it is essential that the impacts are fully assessed and that the effect on overall Exchequer funding is managed appropriately.

I expect the Local Property Tax to have multiple benefits, including a more sustainable and resilient system of funding for local authorities and, therefore, a sounder financial footing for the provision of essential local services; greater local scope for financial decision-making concerning service provision; and a strengthening of democracy at local level with a more active relationship between local authorities and local electorates. A stronger democratic relationship and clearer lines of accountability can only have a beneficial impact on service provision from the perspective of the service user.

My Department will continue to work with local authorities to ensure that they have an appropriate level of information, including in relation to LPT retention, to facilitate their budget process for 2015.

Housing Issues

19. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Community and Local Government if he will consider incentives to reduce the number of vacant housing units in Dublin such as a tax placed on any property left vacant/derelict for more than one year in the region of €10,000 or more; his proposals to initiate a social housing building programme to

ease the housing crisis and provide employment; and if he will make a statement on the matter. [19454/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The financial parameters within which we continue to operate will not facilitate an early return to large-scale capital funded local authority housing construction programmes. Earlier this year, I signalled a return to modest levels of new social housing construction with an announcement of 1,000 new housing starts over the 2014-2015 period. I see this as the commencement of a new rolling programme of social housing construction and I hope to be in a position to expand the programme with a new tranche of housing starts next year.

In 2014, funding for my Department’s housing programme, at over €587 million, is effectively maintained at 2013 levels. This includes a €50 million capital stimulus to support construction-related programmes in 2014, primarily in the housing area, including €15 million to kick-start the local authority house building programme and €15 million for a new initiative to return vacant and boarded-up houses to productive use.

In March, I announced the approval of some 56 social housing construction projects with an overall value of some €68 million under the local authority housing construction programme for 2014-2015. This new construction programme will deliver 449 new units of accommodation for people on the housing waiting list. With the objective of targeting investment at areas where housing need is most acute, I allocated some 67% of the available funding to housing projects being advanced in the twelve local authorities areas where social housing need is greatest and which, between them, account for some 70% of overall national need.

I am concerned at the high levels of vacant social housing units across all local authority areas, with almost 4,000 properties or just over 3% of the entire stock being vacant at present. Refurbishing vacant properties is a quick and cost-effective means of meeting social housing need and I am determined that no suitable homes should remain vacant when there are families in need of housing. On 17 April I announced details of €15 million in funding which is to be invested in bringing vacant and boarded-up local authority houses back into productive use which will provide 952 homes for families across the country. Funding of up to €30,000 per dwelling will be provided for a suite of retrofitting works to refurbish vacant properties to a high standard. Funding was allocated on the basis of equitable and evidence based criteria which reflect the merit and cost effectiveness of proposals and the degree of local housing need.

Census figures from 2011 showed that over 230,000 houses and apartments, excluding holiday homes, were vacant at that time. While many of these may not be available or suitable for use as social housing units, my Department, the Housing Agency and NAMA continue to work together with housing authorities and the Approved Housing Bodies towards bringing suitable units into social housing use through the Rental Accommodation Scheme and the social housing leasing initiative.

Local Authority Funding

20. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the length of time local councils have after spending money on grants for the upgrade of private wastewater systems to make a claim to his Department to recoup this money; if local councils have to indicate to his Department at regular intervals the total amount of grants they are approving; and if so, at what intervals, and the amount that has been approved to date; the systems put in place by his Department to monitor the operation of this grant scheme; and

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if he will make a statement on the matter. [19452/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I understand the question relates to grants payable by local authorities under the Domestic Waste Water Treatment Systems (Financial Assistance) Regulations 2013.

The Regulations provide that, subject to the applicant meeting all qualification criteria, a local authority may pay a grant to a person who is required, following an inspection, to have repairs or upgrades to, or replacement of, a septic tank or other domestic waste water treatment system.

There is currently no time limit for submission of recoupment claims to my Department by the local authorities in respect of any grants they have paid under the regulations. When submitting claims, the authorities are required to provide details of the amounts paid, including the name and address of the person to whom paid and the nature and cost of the works carried out.

Given that responsibility for administering the scheme is devolved to local authorities they are not required to indicate at regular intervals the total amount of grants they are approving. The administration of the scheme will be kept under review and monitored, as necessary, as the level of grant requirements become clearer.

Tenant Purchase Scheme Administration

21. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government when details of the new tenant purchase scheme will be published; and the way in which it will differ from the old scheme. [19465/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The Government yesterday approved the text of the Housing (Miscellaneous Provisions) Bill 2014 and its presentation to the Dáil. Among other things, the Bill will underpin a new incremental purchase scheme for existing local authority houses, involving discounts for purchasing tenants linked to household income, rather than length of tenancy as was the case under the 1995 scheme. However, consideration is being given as to how a weighting could be applied in terms of length of tenancy under the new arrangements. The detailed terms of the new scheme will be set out in Regulations to be made following the enactment of the legislation.

On the initial sale of the house, to the tenant, the housing authority will place a discount-related charge on the property that will dwindle away over a period of 20, 25 or 30 years depending on the level of discount granted, unless the house is resold or the purchaser fails to comply with conditions of the sale. Where the purchaser resells the house at a profit during the charge period he or she will be required to make a repayment to the housing authority based on the discount and the number of years that he or she has resided in the house. The charge operates, therefore, to encourage purchasers to remain in their dwelling for a reasonable period after purchase, thereby fostering sustainable communities.

Question No. 22 answered with Question No. 13.

Dormant Accounts Fund Management

23. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 348 of 1 April 2014, the current position on the new dormant accounts disbursement scheme which was approved by Government in December 2013 in accordance with the Dormant Accounts (Amendment) Act 2012 and laid before the Houses of the Oireachtas on 18 December 2013; if he will confirm whether this was his first public mention of this fact; the reason that there was no announcement of same on 18 December 2013; if he will now place the new dormant accounts disbursement plan on the record of Dáil Éireann; and if he will make a statement on the matter. [19453/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Parliamentary Question No. 348 of 1 April 2014. The Dormant Accounts Disbursement Scheme 2013-2016 was prepared after consultation with various Ministers as appropriate, including the Minister for Health, the Minister for Education and Skills and the Minister for Social Protection. The scheme was approved by Government in December 2013 and was laid before the Houses of the Oireachtas on 18 December 2013 in accordance with the Dormant Accounts (Amendment) Act 2012. Under Standing Order 176 of Dáil Éireann Standing Orders all documents laid before the Dáil are considered public.

The 2012 Dormant Accounts (Amendment) Act also provides for the preparation of an action plan to give effect to the disbursement scheme. My Department is currently in consultation with the Minister for Health, the Minister for Education and Skills and the Minister for Social Protection and other Ministers as appropriate, in order to finalise a Dormant Accounts Action Plan for 2014.

Organisations will be able to apply for funding once the action plan has been approved. I have allocated €5.456 million for Dormant Accounts Measures under my Department in 2014, which includes €2 million to be used to support labour force activation measures in local authorities.

Further data in relation to the Dormant Accounts Fund are available on my Department's website at www.environ.ie.

Homelessness Strategy

24. **Deputy Richard Boyd Barrett** asked the Minister for the Environment, Community and Local Government his short term plans to deal with the rapid increase in homelessness; the full costs of using hotels as emergency accommodation; the numbers of persons in this accommodation per local authority; his plans to acquire new emergency accommodation; and if he will make a statement on the matter. [19566/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): My Department's role in relation to homelessness involves the provision of a national framework of policy, legislation and funding to underpin the role of housing authorities in addressing homelessness at local level. Statutory responsibility in relation to the provision of accommodation for homeless persons rests with the housing authorities. The purposes for which housing authorities may incur expenditure in addressing homelessness are prescribed in Section 10 of the Housing Act 1988. My Department does not fund any service directly but provides funding to housing authorities towards the operational costs of homeless accommodation and related services under Section 10 of the Act. Housing authorities provide additional funding from their own resources.

The specific information sought in relation to expenditure on, and numbers residing in, hotel

accommodation nationally is not available in my Department.

In February 2013, I published the Government's Homelessness Policy Statement in which the Government's aim to end long-term homelessness by the end of 2016 was outlined. The statement emphasises a housing-led approach which is about accessing permanent housing as the primary response to all forms of homelessness. The availability and supply of secure, affordable and adequate housing is essential in ensuring sustainable tenancies and ending long-term homelessness.

The Homelessness Oversight Group, which I established in 2013 for the purposes of reviewing the progress of the approach being advocated in the Homelessness Policy Statement, identifying obstacles and proposing solutions, has submitted its first report to me. The report, which considered information on emergency and other accommodation, is available on my Department's website, at <http://www.environ.ie/en/DevelopmentHousing/Housing/SpecialNeeds/HomelessPeople/>.

A Homelessness Policy Implementation Team is tasked with implementing the Homelessness Oversight Group's First Report and it presented a draft implementation plan to the Cabinet Committee on Social Policy earlier this week. This plan outlines how the State responds to homelessness to achieve the national objective of ending involuntary long-term homelessness by 2016. It is a practically focused delivery plan so as to secure a ring-fenced supply of accommodation to house homeless households within the next three years and mobilising the necessary supports. The final will be published following formal consideration by Government in the coming weeks.

Question No. 25 answered with Question No. 9.

Planning Issues

26. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if Irish Water will sign off on the transfer of water services for new housing schemes prior to the schemes being taken over by the local authority. [19462/14]

30. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the position regarding delays to estates being taken in charge by local authorities in relation to the transfer of functions to Irish Water; and if he will make a statement on the matter. [19556/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I propose to take Questions Nos. 26 and 30 together.

Section 180 of the Planning and Development Act 2000, as amended, sets out the process by which local authorities can take in charge housing estates. When taking an estate in charge under the terms of this provision, a planning authority must take in charge any roads, open spaces, car parks, sewers, water mains, or drains within the attendant grounds of the development.

The Water Services (No. 2) Act 2013 provides for the transfer of responsibility for the provision of public water services from local authorities to Irish Water. In addition, it provides a mechanism whereby water services infrastructure may be transferred by Ministerial Order to Irish Water. Contrary to certain misunderstandings that may exist, there is no specific legal impediment to the taking in charge of water services infrastructure by local authorities. The potential to streamline this process for the future is currently under review.

In Circular Letter PL 21/13 issued by my Department to planning authorities on 30 December 2013 in the light of the transfer of certain statutory water services functions from local authorities to Irish Water with effect from 1 January 2014, it was stated that legislative amendments to further clarify the existing provisions on the taking in charge of housing estates would be made in 2014. As part of this process, my Department will also consider, in consultation with local authorities, whether it is appropriate to make further amendments to section 180 of the Planning and Development Act in relation to the taking in charge provisions generally in the context of the forthcoming Planning Bill, for instance in relation to the time limits for the taking in charge of estates.

In order to clarify the current up-to-date position with regard to the taking in charge of estates, my Department will shortly issue a further circular letter to planning authorities with a view to clearing up any misunderstandings that may exist in this regard.

Housing Adaptation Grant Funding

27. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if the provision of ramps and stairlifts by local authorities now has to be processed by his Department. [19464/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): On 16 January 2014, I announced details of the capital allocations under the suite of Housing Adaptation Grants for Older People and People with a Disability. The schemes are funded by 80% recoupments available from my Department, together with a 20% contribution from the resources of the local authority. The detailed administration of the schemes, including the assessment, approval and payment of grants to applicants, is the responsibility of the local authority.

Three separate schemes are available, as follows:

(i) Housing Adaptation Grant for People with a Disability which assists people with a disability to have necessary adaptations, repairs or improvement works carried out in order to make their accommodation more suitable for their needs. Grants for up to €30,000 are available for works including the provision of access ramps, stair lifts, accessible toilet and shower facilities, wheelchair access and extensions.

(ii) The Mobility Aids Grant Scheme is available to fast track grants of up to €6,000 to cover a basic suite of works to address the mobility problems of a member of a household. Qualifying works include the provision of stair lifts, level access showers, access ramps, grab rails and some minor adaptation works.

(iii) The Housing Aid for Older People Scheme provides grants of up to € 8,000 to assist older people living in poor housing conditions to have necessary repairs or improvements carried out. Grant eligible works include structural repairs or improvements, re-wiring, repairs to or replacement of windows and doors, provision of water supply and sanitary facilities, provision of heating, cleaning, painting etc.

In the case of local authority owned properties, funding is allocated each year in respect of a range of measures to improve the standard and overall quality of local authority social housing stock, including the regeneration of large social housing estates and flat complexes, estate-wide remedial works schemes and a range of retrofitting works aimed at improving the fabric and energy efficiency of the properties. The management and maintenance of the social housing stock, including the compilation and funding of ongoing maintenance programme and minor

adaptation works, is a matter for individual authorities.

Local authorities were advised earlier this year that funding for adaptations and extensions would be considered on a case by case basis. Authorities should, as far as possible, undertake and fund these works from own resources, including from Internal Capital Receipts (ICR's), before seeking Exchequer funding. My Department will shortly request local authorities to report on their ICR-funded housing improvement works programmes for 2014. Requests for funding for adaptations and extensions to properties will be considered in the light of the returns received in this regard.

Building Regulations Compliance

28. **Deputy Mick Wallace** asked the Minister for the Environment, Community and Local Government if he will consider including architectural technologists on the list of registers identified under the Building Control (Amendment) Regulations 2014; and if he will make a statement on the matter. [19461/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The statutory certificates of compliance prescribed under the Building Control (Amendment) Regulations 2014 must be signed by a registered professional i.e. a person who is included on the statutory registers of architects or building surveyors maintained by the Royal Institute of Architects in Ireland (RIAI) and the Society of Chartered Surveyors Ireland (SCSI) respectively in line with the Building Control Act 2007 or the register of chartered engineers established by Engineers Ireland (EI) under the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969. Architects, Building Surveyors and Chartered Engineers are the construction professions typically involved in the design of construction works in Ireland and reference to these professions in regulation is entirely appropriate.

Neither I nor my Department has any role in the assessment or validation of professional qualifications which is a matter for the professional bodies in their role as registration bodies under the Acts referred to above and as competent authorities for the purposes of the mutual recognition of professional qualifications in line with EU and national law.

There is no question of persons who are not included on the statutory registers being permitted to sign certificates of compliance.

Depending on their personal circumstances, it may be open to Architectural Technologists, who possess the requisite experience and competence in the design of buildings, to seek inclusion on either of the statutory registers. This would enable a person to sign statutory certificates of compliance as provided for under the new regulations.

Architectural Technologists who consider they possess the requisite competence in the design of construction works should contact EI, RIAI and SCSI in order to identify the route to registration most suited to their own individual circumstances.

Question No. 29 answered with Question No. 9.

Question No. 30 answered with Question No. 26.

Private Residential Tenancies Board

31. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local

Government if he will commission a review of the Private Residential Tenancies Board to consider how best it can be restructured as the delay in hearing cases and issuing determinations is causing severe problems for tenants and landlords, undermining the whole notion of regulation of the area. [19456/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The Private Residential Tenancies Board (PRTB) was established under the Residential Tenancies Act 2004 to operate a national tenancy registration system and to resolve disputes between landlords and tenants in the private rented residential sector.

My Department conducted a review of the Act in 2009 which included a specific focus on whether the Act best supports the PRTB’s key functions and on whether legislative amendments would support the achievement of additional operational efficiencies by the PRTB in the delivery of those functions. My Department engaged in extensive public consultations during the review and received a wide range of submissions. In April 2010, the Government approved the preparation of the Heads of a Bill to deliver on the review’s recommendations.

The Residential Tenancies (Amendment) (No. 2) Bill 2012 was published on 19 July 2012. The Bill builds on what has been achieved by the Residential Tenancies Act and the PRTB and provides for the further development of the rental sector into the future. This Bill has passed all stages in the Dáil, and is currently before the Seanad. It is intended that it will be enacted by the end of the Summer Oireachtas session 2014.

Among the main issues addressed by the amending legislation are:

- the inclusion of the Approved Housing Body (AHB) sector within the remit of the Residential Tenancies Act 2004;
- the delivery of the programme for Government commitment to establish a deposit protection scheme;
- the introduction of a new fast-track procedure to deal with non-payment of rent;
- the simplification and streamlining of the mediation process;
- the separation of the governance and quasi-judicial functions of the PRTB Board and the reduction of the maximum number of Board members from 15 to 12;
- the transfer of the functions of the Rent Tribunal to the PRTB on foot of the Government decision on the rationalisation of State agencies.

I am confident that these legislative changes will allow the Board to continue to discharge its statutory obligations in an independent, fair and efficient manner.

Pyrite Remediation Programme

32. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he will intervene as a matter of urgency to revise the terms of the pyrite remediation scheme so that those who are moving out of their homes for at least three months to allow the remediation works to take place are assisted with rent payments upfront or that the financial institutions are requested to freeze their mortgages for the period as few families could pay both. [19455/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Pyrite Resolution Act 2013 provides for the making of a pyrite remediation scheme by the Pyrite Resolution Board for certain dwellings affected by pyrite. The pyrite remediation scheme was formally adopted by the Board on 12 February 2014 in accordance with the relevant provisions of the Act and, on 26 February 2014, the Board began to accept applications from homeowners affected by significant damage attributable to pyritic heave.

Section 14(2)(f) of the Act provides that the costs associated with the provision of alternative accommodation and expenses for the removal and storage of furniture may be paid in advance in certain circumstances subject to the limits set out in the pyrite remediation scheme. Against that background, paragraph 12.8 of the scheme provides that the earlier payment of vouched costs may be approved by the Housing Agency where it can be demonstrated, to the satisfaction of the Agency, that a payment of these costs on completion of the works would cause financial hardship.

Accordingly, there is no need to revise the terms of the pyrite remediation scheme given that provision is already made for the situation outlined in the Question.

Any concession in relation to mortgage payments would be a matter between the homeowner and their mortgage provider. I have no function in relation to this aspect of the matter.

EU Issues

33. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade the position regarding the European Union membership applications submitted by Serbia, Macedonia, Montenegro, Turkey and Iceland; and if he will make a statement on the matter. [19859/14]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): There are currently five countries that are candidates to join the European Union, Turkey, Iceland, Montenegro, Serbia and Macedonia, each of which is at a different stage on its path towards membership. Turkey has been a candidate since 1999 and is currently in accession negotiations with the European Union. The most recent chapter in the negotiations was opened last year, following agreement reached under the Irish Presidency of the EU. To date, some fourteen chapters have been opened in the negotiations. Montenegro has been a candidate since 2010 and began accession negotiations in 2012. These negotiations are continuing with two key chapters relating to the judiciary, fundamental rights and justice, freedom and security opened at the end of 2013.

Iceland is still officially a candidate for EU membership, although the Icelandic Government is currently considering its application following its decision last year to place the accession negotiations on hold.

Serbia is the most recent country to start accession negotiations with the European Union, which were launched earlier this year.

Macedonia has been a candidate since 2005 but has yet to start accession negotiations. In December last year, the General Affairs Council concluded:

“With a view to a possible decision of the European Council to open accession negotiations with the former Yugoslav Republic of Macedonia, the Council will revert to the issue in 2014, on the basis of an update by the Commission on further implementation of reforms in the context of the High Level Accession Dialogue, including the implementation of the 1 March political

agreement and on tangible steps taken to promote good neighbourly relations and to reach a negotiated and mutually accepted solution to the name issue.”

European Council Meetings

34. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade the proposals he put forward at the recent EU Foreign Affairs Council meeting in relation to sanctions to be imposed at EU level on Russia; and if he will make a statement on the matter. [19901/14]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): At the Foreign Affairs Council in Luxembourg of 14 April, Ministers decided to expand the list of those to whom visa bans and asset freezes will apply, the so-called Phase 2 measures, and this is set out in the first paragraph of the Council Conclusions: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/142223.pdf. A decision was subsequently taken to suspend implementation of the measures against these 15 additional individuals pending developments following the adoption of the Geneva accord by Russia, Ukraine, the US and EU on 17 April. A Joint Statement agreed to by the parties in Geneva sets out steps to de-escalate tensions in eastern Ukraine including the disarming of illegal groups and the surrender of illegally-occupied buildings.

Regrettably, implementation of the agreement has been deeply disappointing to date. While Ukraine has taken steps to implement what has been agreed, Russia has not publicly called on the separatists to vacate occupied municipal buildings or lay down their weapons. It has therefore been decided to proceed with the formal listing of these individuals who are now subject to the same visa bans and asset freezes already imposed on 33 other persons. I strongly support High Representative Ashton's call on Russia to take concrete action in support of the Geneva accord. We will continue to monitor developments closely and if necessary we will consider possible additional measures. To that end, preparatory work continues on so-called Phase Three measures so that further steps can be taken should they be required.

Northern Ireland Issues

35. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade the recent initiatives he has taken or proposes to take in relation to the urgent need to reach agreement on the proposals outlined by Ambassador Haass; and if he will make a statement on the matter. [19908/14]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I spoke with the Secretary of State for Northern Ireland most recently on Tuesday when we discussed the talks and in particular the need to find a way to deal better and more comprehensively with the legacy of the past. I am firmly of the view that Northern Ireland urgently requires a new way forward on dealing with the past that can command public confidence. We agreed also that the early successful conclusion of the political talks represents the best opportunity to make progress across all three important areas of parades, flag and identity issues and dealing with the past. Maintaining the status quo in relation to these issues is not a feasible or satisfactory option for anyone.

I welcome that the NI party leaders are continuing to meet and to make progress. It is regrettable however that the UUP is not participating currently in these discussions which are focussed on issues of genuine concern to so many people. It is in the best interests of Northern

Ireland that agreement is reached without further delay. I will continue to engage closely with the NI parties and the British Government over the coming weeks towards that end.

Insurance Industry

36. **Deputy Éamon Ó Cuív** asked the Minister for Finance the arrangements in place, in view of recent developments in the insurance industry, to ensure that vehicle insurance paid for the full year to companies that run into financial difficulties, will remain valid and in force and that the insurance cover will not be affected; and if he will make a statement on the matter. [19773/14]

37. **Deputy Éamon Ó Cuív** asked the Minister for Finance the arrangements he has put in place to ensure the continued insurance cover of persons who purchased insurance with a company (details supplied) in view of the financial difficulties that have arisen for this company; and if he will make a statement on the matter. [19810/14]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 36 and 37 together.

The provision of motor insurance cover is a commercial matter for insurance companies, which is based on a proper assessment of the risks they are accepting and the making of adequate provisioning to meet these risks. In my role as the Minister for Finance I have responsibility for the development of the legal framework governing financial regulation.

Under EU law which governs non-life insurance, an insurer is required to inform the regulator in its home Member State (its home regulator) that it intends to pursue business in another Member State. The home regulator must then provide the host regulator with a certificate attesting that the insurer covers the EU Solvency Capital Requirement, as well as the nature of the business which the insurer intends to undertake. The insurer may start to pursue business from the date that the certificate is communicated to the host regulator, in this case the Central Bank of Ireland.

Setanta Insurance Company Limited (“Setanta”) is a Maltese incorporated company which was both authorised and prudentially supervised by the Malta Financial Services Authority (MFSA). While its financial position is not supervised by the Central Bank of Ireland as the Central Bank has no role in that regard, the firm is supervised by the Central Bank for conduct of business rules, i.e. consumer protection obligations. I understand that the Central Bank has been in ongoing contact with the MFSA in relation to Setanta in recent times.

On 16 April, 2014, Setanta determined that the company was insolvent and Setanta was formally placed into liquidation by the MFSA on 30 April, 2014. This means that Setanta does not have sufficient funds to be able to honour its full obligations towards claimants, policyholders and other creditors. While the position on each policy is for the liquidator to decide in due course, policyholders will be given cancellation notification during which period cover will remain in force. While policies will remain valid until the required notice period has been served, it is important to be clear that the amounts due under any claims may not be fully recoverable in all circumstances. In this light, it is important to note that the Central Bank of Ireland has advised all Setanta policyholders to arrange for alternative cover without delay.

The Central Bank is in ongoing contact with the Malta Financial Services Authority in relation to Setanta Insurance Company Limited, the impact on policyholders and the provision for relevant and appropriate information, particularly in relation to claims. The Central Bank has been engaging with over 230 brokers who were offering policies from Setanta Insurance to

consumers to require them to immediately contact any Setanta policyholder and inform them of the urgency to make alternative motor insurance arrangements. The Motor Insurance Bureau of Ireland (“MIBI”) have indicated that they intend to accept all third party claims in connection to Setanta policies. MIBI is a non-profit-making organisation which was established by Agreement between the Government and those companies underwriting motor insurance in Ireland. The principal role of MIBI is to compensate innocent victims of accidents caused by uninsured and unidentified vehicles.

First party claims on personal insurance policies will be payable from the Insurance Compensation Fund (ICF). Claimants will be eligible for 65% of the amount due or €825,000, whichever is the lesser. Under Section 3.6 of the Insurance Amendment Act 1964 (as amended) first party claims by a body corporate or unincorporated body are not covered by the ICF. Until otherwise advised those policyholders which have been affected by the collapse should continue to contact to Setanta Insurance Services Limited at 0818 255 255 (if calling from outside Ireland +353 1 897 6300) or on support@setantainsurance.com.

I understand that Insurance Ireland, which has also advised Setanta policyholders to arrange new motor insurance immediately, is also making information available to those who have queries, complaints or difficulties in relation to this matter through their service at (01) 676 1914 or by email at info@insuranceireland.eu. In addition, the Insurance Ireland ‘Declined Cases Agreement’ was available to policyholders of Setanta. The current Declined Cases Agreement was drawn up in 1981 and is adhered to by all motor insurers in Ireland. I am informed that under the agreement, the insurance market will not refuse to provide insurance to an individual seeking insurance, if he/she has approached at least three insurers and has not been able to obtain cover from them.

Home Renovation Incentive Scheme Eligibility

38. **Deputy Terence Flanagan** asked the Minister for Finance if a person (details supplied) in Dublin 5 will be able to apply retrospectively for the home renovation incentive scheme; and if he will make a statement on the matter. [19737/14]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware, I announced the Home Renovation Incentive in the recent Budget. When I announced the incentive on Budget night, the scheme was due to run from 1 January 2014 to 31 December 2015. However, upon further consideration I decided to bring the start date of the scheme forward to 25 October 2013. This scheme provides for tax relief for homeowners by way of a tax credit at 13.5% of qualifying expenditure incurred on repair, renovation or improvement work carried out on a principal private residence.

In addition to bringing forward the start date, I also decided to lower the minimum qualifying threshold to €5,000 (inclusive of VAT). Where the cost of the work exceeds €30,000 (exclusive of VAT) a maximum credit of €4,050 will apply. The credit is payable over the two years following the year in which the work is carried out. Qualifying expenditure is expenditure subject to the 13.5% VAT rate. This incentive is designed to provide a much needed stimulus to the construction sector by encouraging individuals to undertake works on their home. I regret, therefore, that I am unable to provide relief retrospectively for works already carried out.

IBRC Liquidation

39. **Deputy Stephen S. Donnelly** asked the Minister for Finance further to the statement

by the special liquidators of Irish Bank Resolution Corporation on 25 April 2014 in which they stated a sum of money will be set aside to facilitate the provision of termination payments to certain IBRC employees who were employed by IBRC on 7 February 2013, if he will confirm the sum of money in question; and if he will make a statement on the matter. [19747/14]

Minister for Finance (Deputy Michael Noonan): I understand that the Special Liquidators have set aside a sum of €5.5 million to facilitate the termination payments recommended by Mr. Kieran Mulvey of the Labour Relations Commission. I am advised that under the recommendation the majority of staff who were employed by IBRC on 7 February 2013 and who remained in employment until their contracts of employment were terminated by the Special Liquidators will receive a payment. Full details of the recommendation can be found on the IBOA website.

Insurance Industry

40. **Deputy Billy Timmins** asked the Minister for Finance the position regarding Setanta Insurance policy holders who have been informed that the company has gone into liquidation and may not be in a position to meet any or all of its claims in the event of them arising (details supplied); and if he will make a statement on the matter. [19750/14]

45. **Deputy Michael Lowry** asked the Minister for Finance the position regarding the 75,000 Setanta Insurance policy holders here; where they now stand with regard to these policies; the steps to be taken to assist these policy holders; and if he will make a statement on the matter. [19792/14]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 40 and 45 together.

Setanta Insurance Company Limited (“Setanta”) is a Maltese incorporated company which was both authorised and prudentially supervised by the Malta Financial Services Authority (MFSA). Setanta was regulated at EU regulatory level in accordance with a directive known as Solvency I which currently places requirements on the amount of regulatory capital European insurance companies must hold against unforeseen events. I understand that Setanta met its EU regulatory obligations and under EU law is therefore entitled to trade across EU borders.

On 16 April, 2014, Setanta Insurance Company Ltd (“Setanta”) determined that the company was insolvent. This means that Setanta does not have sufficient funds to be able to honour its full obligations towards claimants, policyholders and other creditors. Policyholders can expect to be given cancellation notification during which period cover will remain in force. While policies will remain valid until the required notice period has been served, it is important to be clear that the amounts due under any claims may not be fully recoverable in all circumstances. In this light, it is important to note that the Central Bank of Ireland has advised all Setanta policyholders to arrange for alternative cover without delay.

The Motor Insurance Bureau of Ireland (“MIBI”) has indicated that it intends to accept all third party claims in connection to Setanta policies. MIBI is a non-profit-making organisation which was established by Agreement between the Government and those companies underwriting motor insurance in Ireland. The principal role of MIBI is to compensate innocent victims of accidents caused by uninsured and unidentified vehicles.

First party claims on personal insurance policies will be payable from the Insurance Compensation Fund (ICF). Claimants will be eligible for 65% of the amount due or €825,000, whichever is the lesser. Under Section 3.6 of the Insurance Amendment Act 1964 (as amended) first party claims by a body corporate or unincorporated body are not covered by the ICF. The

refund of premiums for commercial and personal insurance policies is not covered by the ICF or MIBI. A portion of the premium refunds may, however, be available upon completion of the Setanta liquidation. Until otherwise advised those policyholders which have been affected by the collapse should continue to contact to Setanta Insurance Services Limited at 0818 255 255 (if calling from outside Ireland +353 1 897 6300) or on support@setantainsurance.com.

The Central Bank is in ongoing contact with the Malta Financial Services Authority in relation to Setanta Insurance Company Limited, the impact on policyholders and the provision for relevant and appropriate information, particularly in relation to claims. The Central Bank has been engaging with over 230 brokers who were offering policies from Setanta Insurance to consumers to require them to immediately contact any Setanta policyholder and inform them of the urgency to make alternative motor insurance arrangements.

I am informed that Insurance Ireland made arrangements for their member insurance companies to be open over the Easter period to assist Setanta policyholders in arranging cover. In addition, the Insurance Ireland 'Declined Cases Agreement' was available to policyholders of Setanta. The current Declined Cases Agreement was drawn up in 1981 and is adhered to by all motor insurers in Ireland. I am informed that under the agreement, the insurance market will not refuse to provide insurance to an individual seeking insurance, if he/she has approached at least three insurers and has not been able to obtain cover from them. I understand that Insurance Ireland is also making information available to those who have queries, complaints or difficulties in relation to this matter through their service at (01) 676 1914 or by email at info@insuranceireland.eu.

Tax Code

41. **Deputy Billy Timmins** asked the Minister for Finance the position regarding old age pensioners over 80 years of age; if they are required to pay USC on their pensions; and if he will make a statement on the matter. [19751/14]

Minister for Finance (Deputy Michael Noonan): The USC was introduced in Budget 2011 to replace the Income Levy and Health Levy. It was a necessary measure to widen the tax base, remove poverty traps and raise revenue to reduce the budget deficit. It is a more sustainable charge than those it replaced. It is applied at a low rate on a wide base.

As the Deputy is aware, delivering on a commitment in the Programme for Government, the USC was reviewed by my Department in the lead up to Budget 2012. The report is available at www.finance.gov.ie. As a result of the review of the USC, the Government decided in Budget 2012 to increase the entry point to the Universal Social Charge from €4,004 to €10,036 per annum. It is estimated that this removed almost 330,000 individuals from the charge.

Occupational pensions are liable to the USC if the payment is greater than the exemption limit, which from 1 January 2012 is €10,036 per annum. However, individuals who are aged 70 years and over and whose income does not exceed €60,000 only pay the reduced rate of 4% on all income above €10,036, or 7% on any income from self-employment that exceeds €100,000. The USC, like the Income Levy before it, does not apply to payments made by the Department of Social Protection, including State pensions. Furthermore, such payments will not be taken into account in determining if an individual has exceeded the €60,000 threshold.

Property Taxation Collection

42. **Deputy Finian McGrath** asked the Minister for Finance the position regarding local property tax in respect of a person (details supplied) in Dublin 9; and if he will make a statement on the matter. [19780/14]

Minister for Finance (Deputy Michael Noonan): I am advised by Revenue that Section 156 of the Finance (Local Property Tax) Act 2012 converted any arrears of Household Charge (HHC) that was still outstanding on 1 July 2013 to a Local Property Tax (LPT) liability of €200 per property and made Revenue responsible for collecting the tax. As part of its communications strategy for HHC, Revenue advised property owners that any arrears should be paid by 31 March 2014 in order to avoid compliance and/or enforcement action, which could include “Deduction at Source” from salary or pension in appropriate cases.

In regard to the specific case to which the Deputy refers, Revenue has confirmed to me that the person in question paid her LPT liabilities in respect of 2013 and 2014 but does not appear to have paid her HHC liability in respect of 2012. The recent ‘bill for €200’ to which the Deputy refers relates to this charge and not to her 2013 or 2014 LPT liabilities. For the Deputy’s information a member of the LPT team has already discussed this issue with the daughter of the person on her behalf.

Property Taxation Exemptions

43. **Deputy Michael McCarthy** asked the Minister for Finance if the Revenue Commissioners will confirm the situation concerning liability for local property tax in respect of an estate (details supplied) in County Cork; and if he will make a statement on the matter. [19783/14]

44. **Deputy Michael McCarthy** asked the Minister for Finance if the Revenue Commissioners will confirm the situation concerning liability for local property tax in respect of an estate (details supplied) in County Cork; and if he will make a statement on the matter. [19784/14]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 43 and 44 together.

I am advised by Revenue that the Finance (Local Property Tax) Act 2012 (as amended) makes provision for a number of exemptions from Local Property Tax (LPT). Section 10 of the Act provides for an exemption from LPT for residential properties in unfinished housing estates, providing those estates have been prescribed as unfinished by my colleague the Minister for the Environment, Community and Local Government. The prescribed list of unfinished estates to which the exemption applies was published by the Minister in March 2013 and can be viewed at www.envron.ie. Only properties included on the list qualify for exemption.

While Revenue has no role in the prescription process or in the compilation of the list, it has confirmed to me that parts of the estates referred to by the Deputy are included in the published list of unfinished housing estates. Any clarification with regard to the inclusion or exclusion of individual properties in the estates should be sought from the relevant Local Authority.

Question No. 45 answered with Question No. 40.

Banking Sector

46. **Deputy Michael McGrath** asked the Minister for Finance the position regarding the State supported banks; the proportion of their outstanding loans that are on a non-recourse basis; and if he will make a statement on the matter. [19802/14]

Minister for Finance (Deputy Michael Noonan): I can confirm for the Deputy that I have received the following comments from the banks in relation to his question:

Allied Irish Banks:

AIB's underwriting criteria is based on the repayment capacity of the borrower. As a general rule, personal loans to individuals are not made on a non-recourse basis. Where non-recourse lending occurs (typically on higher value transactions) an appropriate repayment source must be identified. AIB does not categorise loans on a recourse or non-recourse basis.

All disclosures in relation to AIB's loan portfolios are contained on pages 71 to 153 of AIB's 2013 Annual Financial report.

Bank of Ireland:

Comprehensive asset quality disclosures can be found from pages 380 to 423 of the Bank's Annual Report for the year to 31st December 2013. Please note Bank of Ireland does not categorise loans on a recourse or non-recourse basis in its Annual Report.

Permanent TSB:

The Group as a norm, given its customer base and lending product profiles did not engage in non-recourse lending. It has circa €360m (circa 1%) in non-recourse lending out of a total loan portfolio of €33bn as at March 2014.

Tax Reliefs Availability

47. **Deputy Éamon Ó Cuív** asked the Minister for Finance if he will give any special relief from income tax to those who are forced to sell their entitlements due to the EU rules on leased entitlements under the new Common Agricultural Policy 2014-2020; and if he will make a statement on the matter. [19812/14]

Minister for Finance (Deputy Michael Noonan): I assume the Deputy is referring to single farm payment entitlements. There are potential tax implications arising from the disposal of such entitlements, mainly capital gains tax (CGT) and VAT.

A single farm payment entitlement is a chargeable asset for capital gains tax (CGT) purposes and once acquired it may be disposed of by way of sale, gift etc. Accordingly, gains arising from the disposal of single farm payment entitlements are chargeable to CGT in the same way as gains made on any other chargeable assets. Where total gains in any year do not exceed €1,270 they are not chargeable to CGT.

With regard to the transfer of single farm payment entitlements for VAT purposes, where a payment entitlement is sold without land then VAT is due at the standard rate on the sale if the sale proceeds exceed the relevant threshold for VAT registration (currently €37,500). However, where a payment entitlement and land are sold together to a person who intends to carry on the farming business, then the sale may be treated as the transfer of a business and not subject to VAT. There may be other less significant tax implications in certain instances.

I have no discretion under EU law to provide for a VAT exemption on the disposal of the payment entitlement assets. Having considered the matter, however, I was prepared to provide for an exemption from CGT on any chargeable gains arising from the disposal by the owners of payment entitlements under the Single Payment Scheme where all of those entitlements were leased out in 2013 and where the owners, because of the change in CAP regulations, were ad-

vised by the Department of Agriculture, Food and the Marine, to transfer their entitlements to an “active” farmer by 15 May 2014. I made an announcement to this effect earlier today.

I propose to include appropriate provisions to give effect to the CGT exemption in Finance Bill 2014 which will be published shortly after Budget 2015 in the Autumn. While the CGT due on any chargeable gains arising from the disposal of farm payment entitlements made by 15 May would have to be paid in the normal course by 15 December 2014, the Revenue Commissioners have indicated that they will not require such payments to be made pending the passing of the Finance Bill and the coming into law of the relevant CGT amendments to be included in that Bill.

Tax Credits

48. **Deputy Bernard J. Durkan** asked the Minister for Finance the maximisation of entitlement to income tax credits in the case of a person (details supplied) in County Kildare; if a P21 will issue in their case; and if he will make a statement on the matter. [19848/14]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners in relation to the first person named, that they have written to the person concerned for the information necessary to establish his tax credit entitlement. A PAYE Balancing statement (P21) will be issued when position is clarified.

In relation to the second person referred to by the Deputy, Revenue records indicate that the person concerned is entitled to the single person’s tax credit. The person is self employed and accordingly a PAYE Balancing statement (P21) cannot be issued. However notices of assessment for the years of assessment 2012 and 2013 will be issued on receipt of completed returns of income for those tax years.

Tax Rebates

49. **Deputy Bernard J. Durkan** asked the Minister for Finance if and when a refund of overpayment of income tax will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19849/14]

Minister for Finance (Deputy Michael Noonan): I am advised that Section 1006A TCA 1997 provides that where a taxpayer is due a refund of tax, Revenue can offset the amount owed or part of the amount owed to any other tax liability that the person may have.

I am further advised that before Revenue processes any refund of tax, all of the taxheads that the person is registered for are examined to ensure there are no debts outstanding. Where any tax is identified as outstanding the refund amount is allocated to that debt before any remaining balance is issued to the taxpayer.

In regard to the specific case to which the Deputy refers, Revenue has confirmed to me that the person in question is due a refund in respect of 2013 PAYE liability. However the person also has outstanding charges in respect of both 2014 Local Property Tax (LPT) and 2012 arrears of Household Charge (HHC). These offsets have now been completed and the remaining balance will shortly issue to the person.

Tax Code

50. **Deputy Seán Kyne** asked the Minister for Finance if, in the context of the rising rate

of obesity and the problem of food poverty, consideration will be given to the introduction of a price subsidy for healthy foods to encourage healthy and nutritious diets; if Ireland's membership of the European Union would pose a challenge for this; if such a subsidy is possible; the way it could be structured and applied; and if he will make a statement on the matter. [19850/14]

Minister for Finance (Deputy Michael Noonan): I assume the Deputy is referring to the possibility of applying consumer price subsidies to healthy and nutritious foods to incentivise the consumption of those foods. In this regard, I would point out that as Minister of Finance I do not have a role in providing price subsidies to food products.

However, I do have responsibility for taxation policy and the Deputy may be aware that the VAT system already provides for a distinction between different types of foods. While basic foodstuffs, for example, bread, butter, tea, meat, milk and vegetables are subject to the zero rate of VAT, other foods such as sweets, chocolates, chocolate wafers and biscuits, confectionery, crisps, ice-creams and soft drinks are subject to the standard VAT rate of 23%.

IBRC Loans

51. **Deputy Michael McGrath** asked the Minister for Finance the position regarding the disposal or transfer of the remaining Irish Bank Resolution Corporation loan book; if he has issued a direction order on the matter; and if he will make a statement on the matter. [19867/14]

Minister for Finance (Deputy Michael Noonan): Given the success of the sales process to date the Special Liquidators have confirmed that they now expect the proceeds from the sale of IBRC assets to be sufficient to fully discharge the outstanding secured debt owed to NAMA. Therefore the transfer of assets to NAMA as part of the Special Liquidation is no longer required. In order to effect this I have withdrawn the existing direction to NAMA to acquire assets from the Special Liquidators. In addition I have also issued a Ministerial Instruction to the Special Liquidators to confirm that NAMA will no longer be required to participate in the purchase of assets from IBRC.

The Special Liquidators will be required to devise and manage a new sales process in relation to the remaining assets in IBRC.

IBRC Mortgage Loan Book

52. **Deputy Michael McGrath** asked the Minister for Finance if the Irish Bank Resolution Corporation mortgage holders whose mortgages are currently still with IBRC will get an opportunity to bid for their own loans; and if he will make a statement on the matter. [19868/14]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware, NAMA will not now be obliged to purchase unsold IBRC assets at their independent valuation as previously envisaged.

The Special Liquidators will now devise and manage a further sales process in respect of the unsold residential mortgages in a manner that maximises the return to all remaining creditors of IBRC, including the State.

This process is being finalised. However, the Special Liquidators will be writing in the coming weeks to borrowers with unsold loans to inform them of the further sales process in respect of their loans.

Strategic Investment Bank Establishment

53. **Deputy Michael McGrath** asked the Minister for Finance when the proposed strategic investment fund will be put on a statutory footing; the number of staff it will have; what its mandate will be; and if he will make a statement on the matter. [19874/14]

Minister for Finance (Deputy Michael Noonan): The National Treasury Management Agency (Amendment) Bill 2014 will formally establish NewERA and the Ireland Strategic Investment Fund (ISIF) and will reform the governance of the National Treasury Management Agency (NTMA). Publication of the Bill is expected very shortly.

The legislation will re-orient the National Pensions Reserve Fund into the Ireland Strategic Investment Fund with a mandate to invest on a commercial basis in Ireland with a view to supporting economic activity and employment. As set out in the Medium-Term Economic Strategy, the establishment of NewERA and the ISIF will play a catalytic role in accelerating investment in strategic infrastructure and providing commercial financing and investment in areas that support economic growth and employment. The ISIF will have a dual objective both investment return and economic impact.

Staffing levels for the ISIF will be a matter for the Agency. However, I note that the Agency has recently advertised a number of posts in light of the establishment of the ISIF.

Tax Collection

54. **Deputy Pearse Doherty** asked the Minister for Finance the reason a person (details supplied) has had an adjustment to their tax which means they are now losing €31.66 per week from their pension entitlement; and if he will make a statement on the matter. [19903/14]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the person in question is in receipt of an occupational pension and a state pension from the Department of Social Protection.

Following receipt of the person's return of income for the year 2013 an incorrect tax credit certificate issued for 2014. Revenue have now arranged for the issue of an amended certificate to both the taxpayer and his pension provider who will refund any overpayment of tax due to him since 1 January 2014.

The Revenue Commissioners apologise for the inconvenience caused. Should the person require further information he can contact: Angela Creighton, PAYE Manager City Centre/ North City District, 9 - 15 Upper O'Connell Street, Dublin 1, telephone number 01 - 8655782.

Schools Building Projects Status

55. **Deputy Noel Coonan** asked the Minister for Education and Skills the position regarding a building project for a school (details supplied) in County Tipperary; the timeframe for completion of works; and if he will make a statement on the matter. [19748/14]

Minister for Education and Skills (Deputy Ruairí Quinn): The major building project for the school referred to by the Deputy is currently at an advanced stage of architectural planning - Stage 2b - Detailed Design. This stage includes the applications for Fire Safety Certificate and Disability Access Certificate and the preparation of tender documents. The Stage 2b

submission has been received and is currently under review by my Department. When this review is completed officials from my Department will contact the Board of Management with regard to the potential, at that time, for the further progression of this project.

Due to competing demands on my Department's capital budget imposed by the need to prioritise the limited funding available for the provision of additional school accommodation to meet increasing demographic requirements it was not possible to include this project in the 5 year construction programme announced in March 2012.

School building projects, including the project referred to by the Deputy, which have been initiated but not included in the current five year construction programme will continue to be progressed to final planning stages in anticipation of the possibility of further funds being available to my Department in the future.

School Management

56. **Deputy Derek Nolan** asked the Minister for Education and Skills the complaints procedure available to parents who wish to complain about certain actions of board of management in a school; and if he will make a statement on the matter. [19758/14]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that under the Education Act 1998, legally, all schools are managed by school Boards of Management, on behalf of the school patrons or trustees. Accordingly, whereas I provide funding and policy direction for schools, neither I nor the Department have legal powers to instruct schools to follow a particular course of direction with regards to individual complaint cases, or to investigate individual complaints except where the complaint involves a refused enrolment, expulsion or suspension, in accordance with Section 29 of the 1998 Education Act.

In dealing with parental complaints, my Department's role is to clarify for parents how their grievances and complaints against schools can be progressed. Where a parent feels that the school's board of management has failed to investigate or adequately investigate their complaint, they should contact the Ombudsman for Children.

The Office of the Ombudsman for Children may independently investigate complaints about schools recognised with the Department of Education and Skills, provided the parent has firstly and fully followed the school's complaints procedures. The key criterion for any intervention by the Ombudsman for Children is that the action of the school has had a negative affect on a child. The office can be contacted at Ombudsman for Children's Office, Millennium House, 52-56 Great Strand Street, Dublin1, (Ph) 1800 20 20 40 or (01) 8656800, E-mail oco@oco.ie

The Deputy may be aware of my commitment to the creation of a parents' charter, to strengthen the relationships between parents and schools and to set out the rights of parents. This charter may be underpinned by legislation if necessary. I believe there is a need to look at how a stronger culture of valuing parental involvement in the level of each individual school can be created.

Student Grant Scheme Payments

57. **Deputy Martin Ferris** asked the Minister for Education and Skills the reason a person (details supplied) in County Limerick has not yet received their student grant. [19761/14]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department

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have confirmed with Student Universal Support Ireland (SUSI) that payments commenced to the student referred to by the Deputy on 18 December 2013. Five payments in total have issued to the bank account provided by the student.

Cóimheas Dalta le Múinteoir

58. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Oideachais agus Scileanna cén uair a chuirfeadh tús leis an athbhreithniú ar an gcóimheas dalta le múinteoir i ndáil leis na scoileanna ar na hoileáin a d'fhógair sé an 9 Aibreán sa Dáil; cén uair a chríochnófar é; an bhfuil sé i gceist é a fhoilsiú; agus an ndéanfaidh sé ráiteas ina thaobh. [19762/14]

Minister for Education and Skills (Deputy Ruairí Quinn): Déanfaidh mé socruithe chun go n-eiseofar freagra ina leith seo chuig an Teachta go díreach.

School Staffing

59. **Deputy John McGuinness** asked the Minister for Education and Skills his plans in relation to the continued funding of the guidance councillor at a college (details supplied) in County Kilkenny; and if he will make a statement on the matter. [19788/14]

Minister for Education and Skills (Deputy Ruairí Quinn): Since September 2012 guidance provision is now provided from within the overall staffing allocation of all schools including the school referred to by the Deputy. The alternative to this budget measure was to increase the standard 19:1 PTR.

While the budget measure affected the resources available to schools, schools have greater autonomy to determine how they deploy their teaching resources across the competing needs of the school. I am confident schools act in the best interests of students when determining how best to use the teaching resources available to them.

Guidance and counselling is a whole school responsibility with guidance counsellors playing their part within an overall team approach. The representative organisations for School Principals and school management developed a framework that assists schools on how best to manage the provision of guidance from within their staffing allocation. Wherever possible, group work and class based activity should be used to maximise the amount of time available for those pupils that are in most need of one to one support.

Schools Building Projects Status

60. **Deputy Michael McCarthy** asked the Minister for Education and Skills his views on correspondence regarding a school (details supplied) in County Cork. [19800/14]

Minister for Education and Skills (Deputy Ruairí Quinn): The Major Building Project for the school referred to by the Deputy is at an advanced stage of architectural planning, Stage 2b - Detailed Design which includes applications for planning permission, Fire Safety Certification, Disability Access Certification and the preparation of tender documents. Once the Stage 2b Submission for the project has been received and assessed, my Department will be in touch with the school authority regarding the potential progression of the project to tender and construction at that time.

Due to competing demands on my Department's capital budget, imposed by the need to prioritise the limited funding available for the provision of additional school accommodation to meet increasing demographic requirements, it was not possible to include the project referred to by the Deputy in the five year construction programme.

However, school building projects, including the project referred to by the Deputy, which have been initiated but not included in the current five year construction programme will continue to be progressed to final planning stages in anticipation of the possibility of further funds being available to the Department in the future.

As an interim measure, in order to meet the immediate accommodation needs at the school, my Department has approved a 100 sq m ASD temporary unit for September 2014.

Autism Support Services

61. **Deputy Clare Daly** asked the Minister for Education and Skills further to Parliamentary Question No. 51 of 9 April 2014, if he will provide the specific peer reviewed research that supports and demonstrates the effectiveness of the treatment and education of autistic communication handicapped children approach; and if more than one specific piece of research was used as reference, if he will provide a list of same. [19820/14]

Minister for Education and Skills (Deputy Ruairí Quinn): As I outlined to the Deputy previously in a response to a Parliamentary Question of 9 April 2014, there is not an individual specific piece of research that supports and demonstrates the effectiveness of any one approach to the education of children with autism or my Department's child-centred policy on the education of children with special educational needs including autism.

My Department's child-centred policy is based on advice received from NEPS; the Inspectorate and the report of the Irish Task Force on Autism and takes full account of advice from a range of international experts on autism. The various contributors who have informed this policy and a list of their research are too numerous to mention but the Deputy may wish to note that the Task Force for Autism Report is available on my Department's website and includes a detailed bibliography.

As the Deputy is aware the National Council for Special Education (NCSE) is currently preparing Policy Advice on the Educational Provision for Children with Autism Spectrum Disorders. The NCSE has advised my Department that the Policy Advice will be delivered in the spring of 2015 and will draw upon findings gathered from an extensive consultation process which has already commenced.

I expect that the NCSE final report will reflect the broadest possible range of views and provide recommendations which will assist the development of policy for future years.

Autism Support Services

62. **Deputy Clare Daly** asked the Minister for Education and Skills further to Parliamentary Question No. 51 of 9 April 2014, if all recommendations outlined in the report on the Irish Task Force on Autism 2001 were implemented. [19821/14]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy the Task Force on Autism made many recommendations concerning broad educational provision for children on the autistic spectrum from preschool through to third level. These rec-

ommendations provided a basis for the development of educational services and supports for children with autism including the establishment of a range of options for children with autism spectrum disorders, training for teachers in autism-specific approaches and interventions and early educational intervention.

In responding to the recommendations, my Department has given priority to implementing the core legislative and structural measures required to underpin service development and delivery. Many recommendations but not all have been implemented.

Autism Support Services

63. **Deputy Clare Daly** asked the Minister for Education and Skills further to Parliamentary Question No. 52 of 9 April 2014, in relation to communications referred to by him with the Division TEACCH in the University of North Carolina, USA, the names of the persons who have been contacted representing the Division TEACCH; and if any reports-policy documents-meeting minutes and so on are available in relation to any communication between the SESS and Division TEACCH. [19822/14]

64. **Deputy Clare Daly** asked the Minister for Education and Skills further to Parliamentary Question No. 52 of 9 April 2014, as he has stated that the SESS works with Division TEACCH in the University of North Carolina, USA, in relation to the TEACCH approach two day teacher courses offered by the SESS, if the SESS worked with any university or advisory body in relation to the course they offer to teachers in ABA. [19823/14]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 63 and 64 together.

Policy on the programmes, interventions and supports for children in education is a matter for my Department. Decisions in this regard are informed by research and advices received covering a range of matters including pedagogy, school curriculum, special needs and child development. The role of the SESS is to attend to the training needs of teachers on foot of these decisions.

In selecting and developing suitable programmes, the service is guided by advices from my Department, aegis bodies of the Department where appropriate, relevant research and best practice. My Department is satisfied that research does not support the exclusive usage of any one approach as a basis for national educational provision for children with autism. It is for this reason that the preferred policy is for a child centred approach based on the individual child's needs. It is important that children have access to a range of approaches so that their broader needs can be met. While ABA helps to improve behaviour, other approaches, such as Treatment and Education of Autistic Communication Handicapped Children (TEACCH) and Picture Exchange Communications System (PECS) are just as important in developing children's communication and speech skills. SESS engages annually with the Director of TEACCH Autism Program TEACCH provider - University of North Carolina, USA to provide access to teachers in Ireland to either a two-day or five-day TEACCH course. Teachers attend for training as required. The SESS has developed the Contemporary Applied Behaviour Analysis (C-ABA) Course under the direction of Dr Patsy Daly. This course provides an introduction to ABA for practicing teachers in special education settings in Irish schools. The course trains teachers to 'design, implement and evaluate' interventions to change the behaviour of students in their care. This course is accredited within the context of the Post-Graduate Certificate/Diploma of Continuing Professional Development for Teachers working with Students with Special Educational Needs (Autism) by the National University of Ireland Galway (NUIG).

Schools Establishment

65. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which he has examined the submission from representatives of a school (details supplied) in County Kildare in connection with the request for a Gaelcholáiste to meet the second level educational requirements in terms of school places for the children already attending these schools; and if he will make a statement on the matter. [19840/14]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has no record of the submissions to which the Deputy refers.

However, the Deputy will be aware that a new post-primary school is opening in the north Kildare area in September 2014 and this new school will have an all-Irish Aonad. This supplement all-Irish post primary provision in the area.

My Department has confirmed that if sufficient demand for education through the medium of Irish in the Aonad is demonstrated over a four year cycle, consideration will be given to the establishment of an independent Gaelcholáiste.

Departmental Advertising Expenditure

66. **Deputy Olivia Mitchell** asked the Minister for Jobs, Enterprise and Innovation the advertising spend by each of the agencies under his remit; and if he will make a statement on the matter. [19794/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Expenditure on advertising by the Agencies of my Department is a day-to-day matter for the individual Agencies concerned for which I have no direct function.

I have asked all Agencies under the aegis of my Department to provide me with the most recent information on advertising expenditure incurred by them and I will communicate this information to the Deputy as soon as it is available.

Local Enterprise Offices Remit

67. **Deputy Jack Wall** asked the Minister for Jobs, Enterprise and Innovation the supports available to a person to establish their own physiotherapy clinic; and if he will make a statement on the matter. [19815/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Anyone interested in starting their own business should in the first instance contact their Local Enterprise Office (LEO). The LEOs support the indigenous micro-enterprise sector in the start-up and expansion phases and stimulate enterprise potential at local level. They are the first port of call in terms of advice, direction, training and grant support for anyone who wishes to start a business. Contact details for the LEOs are available on www.localenterprise.ie.

The LEOs generally only grant assist enterprises in the manufacturing or internationally traded services sector, which over time can develop into strong export entities and graduate to the Enterprise Ireland portfolio. Retail or locally trading enterprises are ineligible for direct financial support from the LEOs due to concerns over displacement (where grant-assisted projects simply displace business from other players in the local market).

However, anyone setting up or operating a business can benefit from participating in the LEO non-financial or “soft” support programmes. All locally trading businesses, including start-ups, can avail of non-financial assistance from their LEO in the form of a wide range of business advice and information services, management capability training and development programmes, e-Commerce training initiatives, etc. Training courses include such topics as start-your-own-business (SYOB), taxation for beginners, internet marketing, ideas generation and negotiation skills.

In addition, any start-up can use the LEOs as a gateway to accessing finance from Micro Finance Ireland, which offers support in the form of loans of up to €25,000 to start-up, newly established or growing microenterprises employing less than 10 people with viable business propositions that do not meet the conventional risk criteria applied by the banks. The Fund has a significant entrepreneurship focus and is open to anyone with a viable business proposal. Applications for the Microfinance Fund should be channelled through the local LEO.

Work Permit Applications

68. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation if he will review the refusal of work permit in the case of a person (details supplied) in Dublin 1 who has been in continuous employment in this country for several years. [19846/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): An application in respect of the person named by the Deputy was refused by my Department on 11th April 2014 for the following reasons. It appeared from the information received supporting the application that the position on offer was one of the occupations currently ineligible for a new employment permit. In addition it appeared that insufficient efforts were made to recruit an Irish or EEA/Swiss National for this position by advertising with DSP Employment Services/EURES and also in national or local newspapers or on a job website (other than DSP). Finally, the level of remuneration offered in respect of a post for which a permit was sought was less than the minimum remuneration of €30,000 per annum required.

The applicant in this case may request that this decision be reviewed in accordance with Section 13 the Employment Permits Act, 2006, within twenty-one days from the date of the refusal letter that issued in respect of this application. Any such submission, addressed to the Appeals Officer, Employment Permits Section, Department of Jobs, Enterprise and Innovation, Davitt House, Adelaide Road, Dublin 2, will be considered on the basis of the evidence available to my Department and any further information of relevance that the applicant may wish to submit. To date no such request for a review has been received from the applicant.

Work Permit Criteria

69. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation the reason for the revocation of a work permit in the case of a person (details supplied) in County Kildare in view of the pivotal nature of their employment; and if he will make a statement on the matter. [19847/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): A work permit issued to the person named by the Deputy on 16th January 2013 that covered the employment period 16th January 2013 to 15th January 2015. Inspectors of The National Employment Rights Authority (NERA), in their capacity as Authorised Officers under the Employment Permits Acts, inspected the records of the employer in relation to the named permit holder.

On the basis of the findings of the NERA inspections, my Department, under the terms of Section 16(1) (d) of the Employment Permits Act, 2006, wrote to both the employer and employee in this case on 4th April 2014 to indicate that a decision had been taken to revoke the permit. They were also advised that a request to review this decision may be made under Section 17 of the Employment Permits Act, 2006. Such a request was received in my Department on 22nd April 2014 and this matter is now receiving consideration.

Community Employment Schemes Places

70. **Deputy Finian McGrath** asked the Minister for Social Protection if she will provide more stability for those on community employment schemes who are being moved on despite a need in particular service. [19755/14]

Minister for Social Protection (Deputy Joan Burton): Community Employment (CE) is an active labour market programme/intervention designed to provide eligible long-term unemployed people and other disadvantaged persons (including lone parents, recovering drug misusers and those with a disability) with an opportunity to engage in useful part-time work within their communities on a temporary, fixed-term basis. CE helps unemployed people to re-enter the active workforce and assists them to enhance/develop both their technical and personal skills by providing opportunities for individual training and development.

There are currently two options for participation on CE based on the length of time a person is in receipt of the qualifying social welfare payments:

- Part-time Integration Option (PTI) which is a one-year programme of CE for those who have generally been in receipt of a qualifying social welfare payments for 52 continuous weeks or more; and
- Part-time Job Option (PTJ) which is a three year programme subject to annually renewable contracts for those who have generally been in receipt of a qualifying social welfare payments for 156 continuous weeks or more.

Since April 2000, lifetime cumulative participation on CE by an individual is limited to:

- 3 years (156 weeks) for persons under 55 years of age;
- 6 years (312 weeks) for persons of 55 years of age up to and including 65 years of age; and
- Eligible persons in receipt of a qualifying disability-linked social welfare payment will be eligible for one additional year on CE over the standard maximum participation caps, i.e. 4 years cumulative maximum time on CE for those under 55 years of age (Part-Time Job Option only), and 7 years cumulative maximum time for those between 55 and 65 (Part-Time Job Option only).

In terms of extending a participant's time on CE for another year under the Part-Time Integration Option, the CE Sponsor must submit a proposal for the re-engagement of participants to the Department officials at least 8 weeks before the participant's annual contract is due to expire. In the application for re-engagement, the Sponsor must identify the circumstances for the re-engagement of each participant, in line with the following criteria:

- (i) Where the participant would benefit from continued participation in terms of additional development and training by clearly outlining his/her specific continued engagement within

their Individual Learner Plan; or

(ii) Where completion of a project has been delayed for a short time for reasons outside the control of the Sponsor,

In general, criterion (i) above will be the main basis on which re-engagements will be considered while criterion (ii) is to be treated as exceptional. A maximum of 10% of current Part-Time Integration participants on a project can apply for re-engagement for a further year. This does not apply to Part Time Job Option participants.

For Part-Time Job Option participants, the Sponsor must again supply the details in writing at least 8 weeks before the project year ends, or the participant's annual contract is due to expire. Persons considered "job-ready" by their Supervisor at their contract renewal time will not be extended into a further year.

The operating procedures for Community Employment are kept under review and are updated regularly. All amendments are notified to Department staff and CE Sponsors as soon as they are agreed.

Question No. 71 withdrawn.

Departmental Staff Dismissals

72. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding arrears in respect of a person (details supplied); and if she will make a statement on the matter. [19727/14]

Minister for Social Protection (Deputy Joan Burton): The person concerned, who was an employee of the Department for 23 years, was suspended on full pay from the 25th October 2011 until his dismissal from the Civil Service on the 22nd February 2013.

All entitlements due to the person concerned were considered in full at the time of his dismissal and were paid accordingly. No arrears in respect of overtime or untaken annual leave were due for payment.

Jobseeker's Allowance Payments

73. **Deputy Joe Higgins** asked the Minister for Social Protection the number of persons this year to date who have had their jobseeker's benefit or allowance reduced or suspended for refusing to engage with labour activation schemes. [19740/14]

Minister for Social Protection (Deputy Joan Burton): Legislation provides that penalties in the form of reduced payments may be imposed by a Deciding Officer where clients fail, without good cause, to comply with activation measures.

Activation measures include the requirement to attend group or individual meetings, and/or avail of suitable education, training or development opportunities, or specified employment programmes (e.g. Community Employment), which are considered appropriate to a person's circumstances.

A total of 1,113 penalty rates were applied in 2014, to end March.

Jobseeker's Allowance Payments

74. **Deputy Joe Higgins** asked the Minister for Social Protection the number of persons who have had their jobseeker's benefit or allowance reduced or suspended for refusing to engage with labour activation schemes in the first half of 2013; and the number in the second half of 2013. [19741/14]

Minister for Social Protection (Deputy Joan Burton): Legislation provides that penalties in the form of reduced payments may be imposed by a Deciding Officer where clients fail, without good cause, to comply with activation measures.

Activation measures include the requirement to attend group or individual meetings, and/or avail of suitable education, training or development opportunities, or specified employment programmes, which are considered appropriate to a person's circumstances. A total of 3,395 penalties were applied during 2013.

Jobseeker's Allowance Payments

75. **Deputy Joe Higgins** asked the Minister for Social Protection the number of persons who have had their jobseeker's benefit or allowance reduced or suspended this year to date for refusing to take part in JobBridge under the youth guarantee. [19742/14]

Minister for Social Protection (Deputy Joan Burton): JobBridge is a voluntary scheme and sanctions are not applicable where a jobseeker decides not to avail of it. Therefore, no penalty rates or reductions have applied to date for failure to avail of the scheme.

Under the Youth Guarantee Implementation Plan, the Department is developing a variant of the JobBridge scheme for the most disadvantaged young people.

Under this variant, employers will be asked to make work experience places available for young people aged 18 to 25 who have low levels of educational attainment, long periods of unemployment and other social barriers to employment. It is proposed that, at any one time, 1,500 young people will have access to this variant of the JobBridge internship. Places will be ring-fenced for this group of clients and the internships will not be advertised for general availability.

Candidates will be selected and referred to the scheme by the Department and will receive, or will have already completed, work preparation courses prior to commencement. The Department will work extensively with Job Clubs, Local Employment Services and Education and Training Boards to prepare the candidates for the work experience prior to starting their internship.

The participation of clients, once referred, will be non-discretionary and penalty rate sanctions will apply to a jobseeker who fails, without good cause, to participate in this variant of the scheme.

Jobseeker's Allowance Payments

76. **Deputy Joe Higgins** asked the Minister for Social Protection the number of persons who have had their jobseeker's benefit or allowance reduced or suspended for refusing to take part in the gateway scheme. [19743/14]

Minister for Social Protection (Deputy Joan Burton): Gateway is a work placement ini-

tiative for county and city councils. The initiative aims to improve the employability and maintain the work readiness of those who have been unemployed for 24 months or more. Similar to Tús, participants are selected by a random process conducted by the Department from those persons in receipt of a jobseekers allowance payment for 24 months or more. Responsibility for delivery of this initiative rests with each county and city council.

As of 28th April, 177 participants were working on and in receipt of a Gateway payment.

To date, some 3,550 jobseekers have been invited to participate on Gateway. Of these, a total of 32 jobseekers to date have had their jobseekers allowance claim closed on grounds of non-entitlement and a further 4 jobseekers were subject of a disqualification of payment of up to 9 weeks for failure to engage with an employment activation scheme.

Employment Support Services

77. **Deputy Joe Higgins** asked the Minister for Social Protection the number of employers taking part in the JobBridge scheme that have been given a warning for giving participants in the scheme allowances for travel or food or any other expenses. [19744/14]

96. **Deputy Martin Heydon** asked the Minister for Social Protection her views on extending the timeframe for internships under the JobBridge scheme to more than the maximum of nine months in order that persons on the scheme can receive additional experience; and if she will make a statement on the matter. [19882/14]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 77 and 96 together.

A host organisation is permitted to reimburse an intern for out of pocket expenses incurred as part of the internship. However, expenses should not be provided for normal activities such as travel to and from the intern's base and normal personal expenditure. Payments other than out of pocket expenses by a host organisation are likely to have potential Benefit in Kind impacts and may also affect an individual's social welfare status. To date, the Department has not issued any formal warnings to individual host organisations for payment of travel, food or normal personal expenditure.

JobBridge is a tailored labour market intervention for facilitating jobseekers in gaining skills and real workplace experience to increase their employability. The Department considers the maximum 9 month duration of a single internship necessary to prevent displacement of employees and to give the intern a broad range of experiences, possibly in the same sector but in a range of working environments. In September, 2013, the scheme was amended to allow individuals avail of a maximum of three JobBridge internships. However, the total cumulative time spent on the scheme cannot exceed 18 months and the intern is not permitted to do more than one internship with the same company.

Government initiatives such as Jobs Plus are in place to incentivise employers to take on jobseekers who have been on the Live Register for at least 1 year. JobBridge interns who complete a 9 month internship are eligible for this initiative.

Question No. 78 withdrawn.

Redundancy Statistics

79. **Deputy Stephen S. Donnelly** asked the Minister for Social Protection if she will provide in tabular form for the years 2009 to 2013 the annual number of companies that have applied for statutory redundancy payments; the number of persons to which these applications related; and the number of persons to whom statutory redundancy payments were made. [19746/14]

Minister for Social Protection (Deputy Joan Burton): It is not possible to provide a breakdown of the number of companies that have made applications for statutory redundancy payments from the Department. However, details in relation to the number of persons in respect of whom applications were received are being compiled at present. This information will be sent to the Deputy in writing as soon as possible.

Jobseeker's Allowance Appeals

80. **Deputy Martin Ferris** asked the Minister for Social Protection the reason a person (details supplied) in County Limerick has been waiting since 24 February for a decision on their appeal for jobseeker's allowance. [19760/14]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned together with the relevant Departmental papers were received by that office on 27 February 2014 and that the case was referred to an Appeals Officer on 28 April 2014 who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

Oifigí Leasa Shóisialaigh

81. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Coimirce Sóisialaí an bhfuil socrú á dhéanamh chun oifig leasa shóisialaigh a oscailt i nGaeltacht Chonamara; cén uair a bhfuil sé i gceist aici oifig den sórt sin a chur ar bun; cá mhéad ball foirne a bheidh lonnaithe inti; an mbeidh Gaeilge líofa ag an bhfoireann ar fad agus cad iad na seirbhísí a bheidh á gcur ar fáil ón oifig sin; agus an ndéanfaidh sí ráiteas ina thaobh. [19764/14]

Minister for Social Protection (Deputy Joan Burton): Níl aon chinneadh déanta oifig leasa shóisialaigh a oscailt i nGaeltacht Chonamara. Tá seirbhís ar fáil anois ó oifigí na Roinne i gcathair na Gaillimhe agus sa Chlochán. Tá baill foirne sna hoifigí sin atá in ann seirbhís Ghaeilge a chur ar fáil agus beidh sé sin amhlaidh feasta. Féadann custaiméirí dul i dteagmháil leis an tseirbhís ar an bhfón, i r-phoist, tríd an bpost nó trí ghlaoch ar an oifig.

Disability Allowance Appeals

82. **Deputy John McGuinness** asked the Minister for Social Protection if a review will be expedited relative to a claim for disability allowance; and if arrears will be paid in respect of a person (details supplied) in County Kilkenny. [19787/14]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on the 7th April 2014 who will make a summary decision on the appeal based on the documen-

tary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Rent Supplement Scheme Eligibility

83. **Deputy Terence Flanagan** asked the Minister for Social Protection the requirements for eligibility for rent allowance in respect of a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [19789/14]

Minister for Social Protection (Deputy Joan Burton): The client should apply for a housing needs assessment from the Local Authority within the area of Dublin he wishes to reside. Once a housing need is verified and the client is placed on the housing list, he can seek private rented accommodation within this local authority area and be assisted with a rent supplement allowance.

Disability Allowance Appeals

84. **Deputy Noel Coonan** asked the Minister for Social Protection when a disability allowance application will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [19796/14]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on the 31st March 2014 who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Questions Nos. 85 and 86 withdrawn.

Jobseeker's Allowance Applications

87. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when jobseeker's allowance will be paid in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [19833/14]

Minister for Social Protection (Deputy Joan Burton): The person concerned does not have a current pending application for jobseeker's allowance registered with this Department. A previous application dated 18 December 2013 was disallowed on the basis that the person concerned did not demonstrate that her means were not in excess of the prescribed limit. She did not appeal the decision. It is open to the person concerned to submit a fresh application if she feels she meets the criteria for receipt of this income support.

Rent Supplement Scheme Applications

88. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when rent allowance will be paid in the case of a person (details supplied) in County Kildare; and if she

will make a statement on the matter. [19834/14]

Minister for Social Protection (Deputy Joan Burton): No application has been received by the relevant rent Unit of the Department. Should the client wish to make application they may contact the Unit directly (contact details supplied) to discuss the eligibility criteria for rent supplement.

Email: middleinsterrentsunit@welfare.ie

Fax: 01 4131018

Lo-call: 1890 800 698

Invalidity Pension Payments

89. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the total weekly entitlement-payment in respect of invalidity pension in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [19835/14]

Minister for Social Protection (Deputy Joan Burton): Invalidation Pension (IP) is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions. The person concerned was awarded IP with effect from 18 April 2013 at a weekly rate of €193.50 and an additional €20.00 per week during the fuel allowance season. The person concerned has an outstanding balance of €12,755.79 on an overpayment accrued as a result of jobseeker's allowance paid to him from 16 May 1996 to 20 January 1999. The original overpayment amount was €14,399.40 and arose from his failure to disclose means/income/earnings. Also an overpayment of €258.06 accrued as a result of a jobseeker's benefit paid to him from 07 January 2004 to 14 January 2004 while he was on an employment/training scheme. Weekly deductions of €10.00 deducted from subsequent jobseeker's benefit/allowance and illness benefit payments have reduced the amount of the overpayment to the current balance.

As you will be aware, my Department has a responsibility to ensure that all overpayments are refunded in full. When determining a recovery plan, the general approach is that the recovery amount proposed will be the maximum repayment that the person can afford in order to recover the overpayment as quickly as possible. Due consideration is given to any case made by the person regarding the method of recovery. Currently, the Department does not apply interest or penalties on the amounts owing.

Correspondence issued to the person concerned on 17 January 2014 proposing recovery of the outstanding balance by withholding IP arrears of €4,401.99 due to him and by implementing weekly deductions of €29.00 from his IP payment - this is equivalent to 15% of his weekly personal rate. As part of this standard letter, the person concerned was offered the opportunity to comment on the proposal and to provide relevant facts and circumstances that he wished to be taken into consideration prior to a recovery plan being implemented. No communication has been received from the person in question in relation to this proposed repayment plan. A letter issued to the person concerned 29 April 2014 to advise that the recovery plan proposed by the Department will be implemented if no details of relevant facts or circumstances are received within 7 days.

Child Benefit Appeals

90. **Deputy Bernard J. Durkan** asked the Minister for Social Protection notwithstanding the refusal on appeal of child benefit in the case of a person (details supplied) in County Kildare, if guardianship payment is payable; and if she will make a statement on the matter. [19836/14]

Minister for Social Protection (Deputy Joan Burton): The Department has no record of having received an application for Guardian's payment from the person concerned. In order to examine their possible entitlement, the person concerned should complete and submit an application form for Guardian's payment. An application form can be requested by telephoning LoCall 1890 66 22 44 or can be downloaded from the Department's website *www.welfare.ie*. On receipt of a completed application form, a Deciding Officer will consider all of the evidence and make a decision on whether the person concerned is entitled to Guardian's payment. It is important to note that legal guardianship does not confer automatic entitlement to Guardian's payment from the Department.

Disability Allowance Applications

91. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when the payment of disability allowance will be approved in the case of a person (details supplied) in County Kildare, notwithstanding a previous decision to refuse payment and having particular regard to the confirmation from their consultant that their various surgical procedures will take up to two years to complete; and if she will make a statement on the matter. [19837/14]

Minister for Social Protection (Deputy Joan Burton): An application from the person concerned for disability allowance, based upon the evidence submitted, was refused on medical grounds and the person concerned was notified in writing of this decision on 1 April 2014. In the letter notifying the person concerned of the decision, the available options of seeking a review by a deciding officer or of appealing the decision to the Social Welfare Appeals Office, within 21 days were set out. To date, neither option has been exercised.

Employment Support Services

92. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if a new appointment in respect of accessing training courses will be arranged in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [19838/14]

Minister for Social Protection (Deputy Joan Burton): The person concerned met with a case officer from the Employment Services, Maynooth on Tuesday 29 April 2014. A further appointment has been arranged for Thursday 8 May 2014.

One-Parent Family Payment Applications

93. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when the one-parent family allowance or equivalent will be made payable in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [19839/14]

Minister for Social Protection (Deputy Joan Burton): According to the records of this Department, the person concerned has not submitted an application for a one parent family allowance. She is currently in receipt of a basic supplementary welfare allowance. If she feels she meets the criteria for receipt of the one parent family payment she can submit an application and her entitlement will be assessed.

Social Welfare Overpayments

94. **Deputy Heather Humphreys** asked the Minister for Social Protection the amount identified by her Department through the detection of overpayments in 2013; the amount of these moneys that has been recouped; the amount that is still outstanding; and if she will make a statement on the matter. [19853/14]

Minister for Social Protection (Deputy Joan Burton): Ensuring that the right person is paid the right amount of money at the right time is an integral part of the day-to-day work of the Department of Social Protection. The Department processes in excess of 2.3 million claims each year and it makes payments to over 1.5 million people every week.

Overpayments are generally defined as money obtained contrary to - or in excess of - a valid decision. Most overpayments arise as a result of a revised decision regarding entitlement. Deciding officers decide the effective date of a revised decision having regard to the new facts or new evidence and the circumstances of the case. An overpayment is assessed for the period that a client was not entitled to a payment and the recovery of the overpayment is followed up by the relevant section of the Department.

The overpayments recorded in 2013 are part of the statutory accounts of the Department and are currently the subject of an audit by the Office of the Comptroller and Auditor General.

However, preliminary figures indicate that the total amount recorded in respect of overpayments in 2013 was approximately €127m, while recoveries were approximately €70m. It should be noted that not all recoveries made in 2013 are in respect of overpayments raised in that year.

Disability Allowance Appeals

95. **Deputy Heather Humphreys** asked the Minister for Social Protection when a decision will issue on a disability allowance appeal in respect of a person (details supplied) in County Monaghan; and if she will make a statement on the matter. [19866/14]

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

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

Question No. 96 answered with Question No. 77.

State Pension (Contributory) Eligibility

97. **Deputy Martin Heydon** asked the Minister for Social Protection her plans to review the rules of the State contributory pension under which many women have reduced contributions and pensions as they were obliged to remain at home to raise their children; and if she will make a statement on the matter. [19883/14]

Minister for Social Protection (Deputy Joan Burton): The State pension is a very valuable benefit and is the bedrock of the Irish pension system. Therefore, it is important to ensure that those qualifying have made a sustained contribution to the Social Insurance Fund over their working lives. This is particularly important given the challenges in relation to the future sustainability of the State pension, with increased numbers of older people living longer.

When assessing whether an individual is entitled to a State pension, and to ensure that they can maximise such entitlement, all contributions (paid or credited) from when they first enter insurable employment until pension age are taken into account.

Once over 16 years of age, the date a person enters into insurable employment is taken as the date used for averaging purposes in order to qualify for a State pension.

To qualify for a state pension a person must –

- have at least 520 paid contributions and
- satisfy a yearly average condition (a yearly average of 48 contributions paid or credited is required for a full rate pension, and reduced rates of payment may be payable for pensioners with lower averages).

The yearly average test has been in existence since 1961 when contributory pensions were first introduced. The scheme was designed with a view to ensuring that people could qualify for contributory pensions immediately and to suit a system where social insurance coverage was limited. As provided for in Budget 2012, from September 2012, new rate bands for State pension were introduced. These additional payment rate bands more accurately reflect the social insurance history of a person and ensure that those who contribute more during a working life benefit more in retirement than those with lesser contributions.

For those with insufficient contributions to qualify for a full or partial State pension (contributory), the social protection system provides alternative methods of supporting such pensioners in old age. The homemaker's scheme was introduced in 1994 to make qualification for State pension (contributory) easier for those who take time out of the workforce for caring duties. The scheme allows up to 20 years spent caring for children under 12 years of age or incapacitated people to be disregarded when a person's social insurance record is being averaged for pension purposes. In addition, persons who have insufficient contributions to qualify for a full State pension (contributory), may qualify for a means tested State pension (non-contributory). Furthermore, some affected persons may be entitled to a qualified adult increase on their spouse's/partner's pension payment. This increase is paid directly to the qualified adult.

The success of all of these measures in ensuring equality of outcomes for men and women is evidenced by the poverty statistics, which show that women over the age of 65 are less likely to be in poverty than men of the same age. The most recently published Actuarial Review of the Social Insurance Fund confirms that the Fund provides better value to female rather than male contributors. It also examined the changes in the contribution rules and the associated rates of payment which were to be introduced in September 2012. It found that those with lower earnings and those with shorter contribution histories will continue to obtain the best value from their contributions.

A total contributions approach to pension qualification will replace the current average contributions test for State pension (contributory) in 2020, although that date is subject to change. Issues such as equality of outcomes for women and men, including those who spend some years outside the labour market on caring duties, will be considered carefully in the context of that reform.

Question No. 98 withdrawn.

Costais Aistriúcháin

99. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Ealaíon, Oidhreacht agus Gaeltachta an bhfuil anailís déanta aige ar na costais a bhaineann le doiciméid a aistriú ó Bhéarla go Gaeilge agus an moladh á chur i gcuntas atá déanta aige i gcinn Bhille na dTeangacha Oifigiúla (leasú) na dualgais reachtúla a bhaineann le doiciméid a chur ar fáil i nGaeilge a laghdú; agus an ndéanfaidh sé ráiteas ina thaobh. [19766/14]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Foilsíodh an t-athbhreithniú ar Acht na dTeangacha Oifigiúla 2003 mar aon le Scéim Ghinearálta agus Ceannteidil Bhille na dTeangacha Oifigiúla (Leasú) 2014 ar an 4 Aibreán 2014. Ba í aidhm an athbhreithnithe, a sonraíodh i gClár an Rialtais 2011-2016, chun a chinntiú go mbaintear an leas is fearr as caiteachas ar an nGaeilge chun an teanga a fhorbairt agus chun a chinntiú go bhforchuirtear dualgais go cuí de réir éilimh ó shaoránaigh. Sonraítear i gCeannteideal 4 den Scéim Ghinearálta an leasú atá beartaithe a dhéanamh ar alt 10 den Phríomh-Acht i dtaca le cúrsaí aistriúcháin de. Is é atá i gceist ná fáil réidh leis an bhforáil reatha in alt 10(a) lena gceanglaítear “*aon doiciméad ina leagtar amach tograí beartais phoiblí*” a chur ar fáil i ngach ceann de na teangacha oifigiúla. Leis an leasú atá beartaithe, ceanglófar ar an Aire Ealaíon, Oidhreacht agus Gaeltachta, le toiliú an Aire Caiteachais Phoiblí agus Athchóirithe agus aon Aire nó Airí eile, de réir mar is cuí, na doiciméid ina bhfuil tograí beartais phoiblí agus atá le cur ar fáil i ngach ceann de na teangacha oifigiúla a fhorordú.

Leis an tsolúbthacht seo, rachfar i ngleic le ceann de na príomhábhair inní atá tagtha chun cinn maidir leis na costais fhorfheidhmithe a ghabhann leis an Acht, i.e. an costas a bhaineann le doiciméid nach bhfuil éileamh an phobail orthu a aistriú. Fanfaidh an riachtanas doiciméid shonraithe faoi leith ar díol spéise poiblí iad a chur ar fáil go dátheangach (i.e. tuarascálacha bliantúla, cuntais iniúchta agus ráitis straitéise).

Creidimse go léiríonn an leasú atá molta cur chuige straitéiseach praiticiúil a rachaidh chun tairbhe don Ghaeilge sa todhchaí.

Film Industry Development

100. **Deputy Finian McGrath** asked the Minister for Arts, Heritage and the Gaeltacht his views on whether the bilateral co-production treaty with Luxembourg has been successful; if so, the way he measures that success; and if he will make a statement on the matter. [19860/14]

101. **Deputy Finian McGrath** asked the Minister for Arts, Heritage and the Gaeltacht the number of co-productions there have been with Luxembourg since 1994; if he will provide the names and dates; and if he will specify which came under the European convention on co-production and which under bilateral agreement. [19861/14]

102. **Deputy Finian McGrath** asked the Minister for Arts, Heritage and the Gaeltacht the number of co-productions there have been with Germany since 1994; if will provide the names and dates; and if he will specify which came under the European convention on co-production. [19862/14]

103. **Deputy Finian McGrath** asked the Minister for Arts, Heritage and the Gaeltacht the number of co-productions there have been with France since 1994; if he will provide the names

and dates; and if he will specify which came under the European convention on co-production. [19863/14]

104. **Deputy Finian McGrath** asked the Minister for Arts, Heritage and the Gaeltacht the number of co-productions there have been with the UK since 1994; if he will provide the names and dates; and if he will specify which came under the European convention on co-production. [19864/14]

105. **Deputy Finian McGrath** asked the Minister for Arts, Heritage and the Gaeltacht if he favours a bilateral co-production treaty with Germany; the steps that have been taken to advance same; and the Government's position regarding such a bilateral agreement. [19865/14]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 100 to 105, inclusive, together.

Ireland's bilateral co-production treaty with Luxembourg commenced in June 2013 and is intended to promote closer mutual co-operation in the production of films, TV and animation projects, to enhance the prestige of the audio-visual industries of both countries and to promote relationships between the participating countries. I trust the Deputy will agree that it is too soon after the commencement of the co-production treaty to determine how successful it has been and that it should be given a chance to prove itself.

As the Deputy will be aware, treaties are made between Governments, while the actual operation of the treaties is undertaken by appointed agencies or Government Departments. In Ireland, the competent authority for the operation of co-production treaties is the Irish Film Board.

Ireland, like all other EU member states, is a party to the European Convention on Cinematograph Co-Production, which is a Council of Europe initiative. The Convention was established in 1993 and Ireland as a party in 2000.

The significant difference between the European Convention on Cinematograph Co-Production and the bilateral treaty with Luxembourg is that the former treaty allows TV projects to be included. Such projects are not covered by the European Convention on Cinematograph Co-Production.

I am open to the idea of completing a bilateral co-production treaty with Germany and I recently wrote to the German Ambassador to Ireland indicating that I would be pleased if the possibility of completing the treaty could be examined again.

The following list sets out details of the multilateral and bilateral co-productions with Luxembourg, Germany, France and the UK that have taken place since 2000.

Multi-Lateral Co-Productions between Ireland, Luxembourg, UK, France and Germany

H3 - Metropolitan Films (2001) Ireland/Germany/UK/Portugal

KAOS – Blue Light Productions (2001) Ireland/Germany/UK/Denmark

NOW (aka THE REAL THING) - Wide Eye Limited (2002) Ireland/Germany/UK

THE ACTORS – Company of Wolves (2002) Ireland/Germany/UK

MOBY DICK – Terraglyph (2003) Ireland/UK/Germany/Sweden

AROUND THE WORLD IN 80 DAYS – Company of Wolves (2003)

Ireland/Germany/UK

- WAITING FOR DUBLIN** – Merlin Films (2003) Ireland/UK/Belgium
- SHORT ORDER** – Igloo Productions (2004) Ireland/UK/Germany
- UGLY DUCKLING AND ME** – Magma Limited (2004) Ireland/Denmark/France/Germany
- THE SECRET OF KELLS** – Cartoon Saloon (2005) Ireland/France/Belgium
- TRUE NORTH** – Samson Films (2005) Ireland/UK/Germany
- THE FRONT LINE** – Wide Eye Films (2005) Ireland/UK/Germany/Sweden
- JOHNNY WAS** – Iarlaith Films Limited (2005) Ireland/ UK/Denmark
- LASSIE** – Element Pictures Limited (2005) Ireland/UK/France
- WIND THAT SHAKES THE BARLEY** – Element Pictures (2005) Ireland/UK/German/Spain/Italy
- DOT COM** – Zanzibar Films (2006) Ireland/UK/Portugal/Spain/Brazil
- LIVING NEON DREAMS** – World 2000 (2006) Ireland/UK/Hungary/South Africa
- MR. LONELY** – Octagon Pictures (2006) Ireland/UK/France/US
- SECRET REALM** – Zink Films Ltd (2006) Ireland/UK/Belgium/India
- SHROOMS** – Treasure Entertainment Ltd (2006) Ireland/UK/Denmark
- WAY TO THE STARS** – Magma (2007) Ireland/Germany/Finland/Denmark/Sweden
- DAS VATERSPIEL** – Newgrange Pictures (2007) Ireland/Germany/Austria/France
- TRIAGE** – Parallel Films (2008) Ireland/France/Spain
- VASHA** – Wide Eye Film Ltd (2008) Ireland/Germany/Finland/Estonia
- ALL GOOD CHILDREN** – Element Pictures (2009) Ireland/France/Belgium
- THOR** – Magma (2009) Ireland/Germany/Iceland
- THE HIDEAWAYS** – Octagon Films (2010) Ireland/France/Sweden
- THIS MUST BE THE PLACE** – Element Pictures (2010) Ireland/France/Italy
- NIKO 2** – Tidal Niko Films Ltd (2011) Ireland/Germany/Denmark/Finland
- MOON MAN** – Cartoon Saloon (2011) Ireland/France/Germany
- SHADOW DANCER** – Element Pictures (2011) Ireland/UK/France
- ADVENTURE TIME** – Element Pictures (2012) Ireland/France/Belgium
- DARK TOUCH** – Element Pictures (2012) Ireland/France/Sweden
- FOOD GUIDE TO LOVE** – Parallel Films (2012) Ireland/France/Spain
- SONG OF THE SEA** –Cartoon Saloon Limited (2012) Ireland/Luxembourg/France/Denmark/Belgium

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GHOSTHUNTERS – ON ICY TRAILS - Ripple World Pictures (2013) Ireland/Germany/Austria

THE LEGEND OF LONGWOOD – Grand Pictures Ltd (2013) Ireland/Germany/The Netherlands

JIMMY’S HALL – Element Pictures (2013) Ireland/UK/France

MISS JULIE – Subotica Entertainment (2013) Ireland/UK/Norway/France

QUEEN& COUNTRY – Merlin Pictures (2013) Ireland/UK/France/Romania Irish-UK Co-Productions

INSIDE I’M DANCING – Octagon Films Ltd (2003)

KING ARTHUR – World 2000 (2003)

LAWS OF ATTRACTION – Hell’s Kitchen (2003)

MAN ABOUT DOG – Treasure Entertainment (2003)

OMAGH – Hell’s Kitchen (2003)

SPIN THE BOTTLE – Grand Picture (2003)

STRAIGHT TO VIDEO – Wildfire Film & Television (2003)

WHITER SHADE OF PALE – Ignition Films (2003)

BOY EATS GIRL - Element Pictures Ltd (2004)

BREAKFAST ON PLUTO – Parallel Films Ltd (2004)

DEAD LONG ENOUGH – Grand Pictures Ltd (2004)

ISOLATION - Element Pictures Ltd (2004)

PUSHERS NEEDED – Parallel Films Ltd (2004)

ROYSTON VASEY – Element Pictures Ltd (2004)

TURF – Grand Pictures Ltd (2004)

THE MIGHTY CELT – Treasure Entertainment (2004)

IN LIKE FLYNN – Subotica Entertainment (2005)

MIDDLETOWN – Green Park Films (2005)

13/BOTCHED – Barraboy Films (2005)

BECOMING JANE – Octagon Films Ltd (2006)

HOLY WATER – Grand Pictures (2006)

HOW ABOUT YOU? – Ferndale Films (2006)

KINGS – Newgrange Pictures (2006)

KNIFE EDGE – Octagon Pictures (2006)

THE TIGER'S TAIL - Greengate Productions Ltd (2006)

THE DAISY CHAIN – Subotica Entertainment (2007)

THE ESCAPIST – Parallel Film Productions (2007)

CRACKS – Element Pictures (2008)

PERRIER'S BOUNTY – Parallel Films (2008)

WIDE OPEN SPACES – Grand Pictures (2008)

LITTLE MATADOR – Element Films (2009)

OUTCAST – Fantastic Films (2009)

CITADEL – Blinder Films (2010)

DREAMS OF A LIFE – Soho Moon Pictures (2010)

GRABBERS – Samson Films (2010)

BYZANTIUM – Parallel Films (2011)

GOOD VIBRATIONS – Treasure Entertainment (2011)

I WAS A SOLDIER II – Soho Moon Pictures (2011)

JUMP – Blinder Films (2011)

KELLY & VICTOR – Venom Pictures (2011)

PERVERTS GUIDE TO IDEOLOGY – Blinder Films (2011)

CALVARY – Octagon Films (2012)

LAST DAYS ON MARS – Fantastic Films (2012)

GENTLEMEN (MEN IN UNIFORM) – Venom Limited (2013) Irish-French Co-Productions

DOROTHY MILLS – Octagon Films Ltd (2007) Irish-German Co-Productions

32A – Janey Pictures Ltd (2006)

SWAN SONG OF OCCI BYRNE – Zanzibar Films Ltd (2008)

THE RACE – Grand Pictures Ltd (2008)

HAPPY EVER AFTERS – Newgrange Pictures Ltd (2008)

DEATH OF A SUPERHERO – Grand Pictures Ltd (2010)

RUN & JUMP – Samson Films Ltd (2012)

Broadband Service Provision

106. **Deputy Dara Calleary** asked the Minister for Communications, Energy and Natural

Resources the efforts he is making to ensure that customers of the national broadband scheme in an area (details supplied) in County Mayo receive an adequate service; the efforts he is making to ensure that they receive a value for money product; and if he will make a statement on the matter. [19730/14]

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

The broadband service contracted under National Broadband Scheme (NBS) is a basic, affordable service in keeping with EU State Aid clearance for the Scheme. Under the terms of the contract which my Department has in place with “3”, the NBS service provider, the NBS mobile wireless service is required to offer minimum download and upload speeds of 2.3 Mbps and 1.4 Mbps, respectively, subject to a maximum contention ratio of 18:1. The NBS satellite service, which is utilised in a small number of cases for technical reasons associated with the location of the premises, offers minimum download and upload speeds of 3.6 Mbps and 384 kbps respectively, subject to a maximum contention ratio of 48:1. The Deputy refers to the data allowance which applies in the case of the NBS satellite service. The allowance is 11 GB over a 28 day rolling period with night time traffic, between the hours of 11 p.m. to 7 a.m. GMT, calculated at 50% of actual usage. Where customers require additional data, this can be purchased at a cost of €5.00/GB. The difference in the data allowance between the NBS satellite and wireless broadband service reflects the different technology utilised and the greater limitation on the availability of capacity in the case of satellite broadband. The data allowance provided by the NBS satellite service compares favourably with the data allowances offered on other basic satellite broadband packages.

As regards service quality, my Department has well-established monitoring arrangements in place to ensure that the NBS delivers the minimum specified service or better to all users. The NBS contract guarantees service levels and imposes a service credit regime on “3”, with significant financial consequences in the event that minimum specification service levels are not met. The NBS contract also provides that where NBS customers do not receive the minimum guaranteed service, as set out in the terms and conditions of their contract, they are entitled to service rebates.

My Department has a role where customers, after fully utilising the established complaints process with “3”, consider that their service issues have not been resolved. My officials operate a dedicated NBS mailbox, which NBS customers can contact by email at nationalbroadband-scheme@dcenr.gov.ie, with any comments or complaints they may have about their NBS service. My Department will then liaise with “3” personnel at its Head Office in Dublin to ensure that any service performance issues, which are brought to its attention, are addressed as quickly as possible.

Post Office Network

107. **Deputy Billy Timmins** asked the Minister for Communications, Energy and Natural Resources the position regarding concerns from postmasters from all areas over the future of their industry (details supplied); and if he will make a statement on the matter. [19782/14]

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

It is Government policy that An Post remains a strong and viable company, in a position to provide a high quality, nationwide postal service and maintain a nationwide customer focussed network of post offices in the community. The professionalism of the postmasters and An Post has served the network well down through the years and I do not see any reason why this should not continue to be so in the years ahead. I met the Irish Postmasters’ Union on 24 March and we had a useful and wide ranging discussion on their concerns in relation to the future of the post

office network.

Securing the future viability of the post office network in the longer term will entail the network continuing to modernise, as it is doing, to provide the services that its customers require. An Post has undertaken a programme of capital investment particularly in the computerisation of the post office network including the automation of all post offices. As a result, the post office network stands well positioned to become the front office provider of choice for Government and the financial services sector for both electronic transactions as well as the more traditional over the counter transactions. Any such developments would need to be subject to public procurement requirements as appropriate.

I had committed to taking the issue of the provision of additional public sector business to the Cabinet Committee on Social Policy. The Committee had its initial consideration of the matter at its meeting on 28 April. I hope the Committee will make further progress on a whole-of-government approach to sustaining and developing the network consistent with European law. I see a strong future for the network by using its existing strengths to remain a significant player in the provision of Government, financial and other services.

Broadband Service Provision

108. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources if he will provide a progress report on the implementation of the national broadband plan and the rural broadband scheme for County Clare; and if he will make a statement on the matter. [19795/14]

109. **Deputy Billy Timmins** asked the Minister for Communications, Energy and Natural Resources the areas in counties Wicklow and Carlow that have been selected for the provision of broadband or enhanced broadband; the way and when this will take place; the measures residents need to take; and if he will make a statement on the matter. [19806/14]

110. **Deputy Brendan Smith** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the totally inadequate broadband connectivity service available in areas (details supplied) in County Cavan; when the telecommunications infrastructure in this area will be upgraded to provide adequate service for both households and business; and if he will make a statement on the matter. [19858/14]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 108 to 110, inclusive, together.

The Government's National Broadband Plan, which I published in August 2012, aims to radically change the broadband landscape in Ireland by ensuring that high speed broadband is available to all citizens and businesses. This will be achieved by providing:

- a policy and regulatory framework that assists in accelerating and incentivising commercial investment, and
- a State-led intervention for areas where it is not commercial for the market to invest.

Since the publication of the Plan, investments by the commercial sector are underway and in some instances have been accelerated in both fixed line and wireless high speed broadband services. Commercial operators combined have either invested, or committed to invest, over €2 billion in their Irish networks, delivering high speed broadband to homes and businesses. For example:

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- Eircom is rolling out a €400m investment in a Next Generation Access Fibre Network that offers speeds of up to 100 Mbps. Service is already available to over 800,000 addresses, with planned coverage to reach 1.4 million addresses by 2016.

- UPC has invested over €500m in upgrading its cable network. Over 700,000 homes can already access minimum broadband speeds of 120 Mbps and up to 200 Mbps. Businesses can access speeds of 500 Mbps.

- ESB is engaged in a new project allowing a fibre network to be rolled-out on its existing electricity infrastructure. It is understood that discussions between ESB and Vodafone to form a new Joint Venture Company are at an advanced stage. The company has initial plans to construct a fibre network directly to 450,000 premises outside of Dublin and it is expected that details will be announced over the coming weeks.

- Mobile operators have launched 4G high speed mobile broadband services following ComReg's multi-band spectrum auction. There has also been continued investment by all operators in enhancing and broadening 3G services and network improvements.

- Fixed wireless operators are continuing to invest in high speed point-to-point wireless broadband.

- The broadcaster Sky has entered the broadband market, increasing choice for consumers.

Of the estimated 2.3 million premises in Ireland, approximately 1.4 million are expected to be served by these commercial next generation broadband services over the coming years.

This accelerated roll out of high speed services by the commercial sector means that the addressable area required by the State intervention has been reduced by 30% since the National Broadband Plan was launched. While the commercial developments are welcome the acceleration of investment is largely contained to cities and towns. The speeds that are available in these areas are demonstrably better than those that are available in more rural areas.

On 25 April, I signalled the Government's commitment to a major telecommunications network build-out to rural Ireland, with fibre as a cornerstone of its investment under the National Broadband Plan. This commitment is a clear expression of Government's determination to address the connectivity challenge in rural Ireland in a meaningful and sustainable way.

Central to the strategy will be a fibre build-out to locations in every county in the State identified as having no existing or planned enabling fibre network. It is intended that the fibre will be delivered directly to access points for homes and businesses, where service providers can utilise the fibre to provide high speed services to end users. The fibre build-out will also ensure that fibre is deployed to strategic locations on each route such as schools, business hubs and health facilities. The fibre build out will be part of an end-to-end strategy that will address all parts of Ireland that cannot access commercial high speed broadband services.

I have published a county-by-county list of towns and villages which have already been identified for a fibre build-out. This is an indicative list and is subject to the completion of the comprehensive mapping process currently underway. Further locations may be identified as this process continues. Similarly, it may be determined that some locations on the list will be addressed by the commercial sector and will therefore not require State intervention. The list is available on my Departments website www.dcenr.gov.ie.

In tandem with the fibre build-out, the Strategy will include measures to respond to aggregated community demand for services, and the provision of access services in the most remote areas where fibre roll-out may be insufficient to stimulate commercial investment or may be

cost-prohibitive.

Intensive design work is ongoing in the Department with a view to publishing an end-to-end implementation strategy later this year, together with the outcome of the mapping exercise which will identify the areas that require intervention. A full public consultation will take place once the strategy is published and EU State Aids clearance will be required for the intervention strategy once finalised. It is expected that the detailed procurement process will take place in 2015 with a view to commencing construction of the fibre network and provision of services as quickly as possible.

I fully share the concerns of local representatives about the quality of broadband in rural areas. I intend to ensure that rural Ireland enjoys similar opportunities to urban areas by ensuring an end-to-end market intervention with fibre as a core component. In committing to a fibre build-out at the heart of this strategy, the Government is acknowledging that broadband is the key infrastructure of the 21st century.

Water Services Funding

111. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government the amount that has been spent on water mains rehabilitation, to repair leaks and to replace pipes for each of the past six years including to date in 2014. [19638/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department's Water Services Investment Programme 2010 – 2013 built on the investment which had taken place on water conservation in previous programmes. In total, over €290 million was spent by my Department on water conservation measures between 2003 and 2013. Annual expenditure by my Department on water conservation for the past six years up to the end of 2013 under the various Water Services Investment Programmes is as follows: €30.7 million was spent in 2008; €27.2 million in 2009; €37.7 million in 2010; €39.9 million in 2011; €39.3 million in 2012 and finally €43.5 million in 2013. This gives an overall total spend by my Department of over €218 million in the period 2008 – 2013.

Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels. This includes water mains rehabilitation to repair leaks and to replace pipes in the public water supply. Irish Water is currently preparing a Capital Investment Plan for 2014 – 2016 that will provide for the transition of projects included in the Water Services Investment Programme 2010 – 2013. The further progression and funding of all water services capital projects, including those for water conservation, is now a matter for Irish Water.

Irish Water as confirmed to my Department that it has established a dedicated team to deal with representations and queries from public representatives. The team can be contacted via email at oireachtasmembers@water.ie or by telephone on 1890 278 278.

Local Authority Housing Loans

112. **Deputy Paudie Coffey** asked the Minister for the Environment, Community and Local Government if he will review the policy whereby applicants for loans from local authorities have to be in continuous employment for two years, thus excluding persons who have been in consistent employment on different contracts over that same period of time; and if he will make a statement on the matter. [19752/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): There are two types of house purchase loan available from local authorities: standard annuity loans targeted at lower income first time buyers and those under the Home Choice Loan scheme which are available to qualifying middle income first time buyers affected by the “credit crunch”.

The terms and conditions governing the operation, including eligibility terms, of annuity mortgages and the Home Choice Loan are set out under various Regulations such as the Housing (Local Authority Loans) Regulations 2009, the Housing (Home Choice Loan) Regulations 2009, and most recently in the Housing (Local Authority Loans) Regulations 2012. These are available on my Department’s website: <http://www.environ.ie/en/Legislation/DevelopmentandHousing/Housing/>.

Applicants for housing loans from local authorities must be in continuous employment for two years. There is no requirement for this continuous employment to be with a single employer.

Seirbhísi trí Gaeilge

113. D’fhiafraigh **Deputy Éamon Ó Cuív** den Aire Comhshaoil, Pobail agus Rialtais Áitiúil cad iad na socruithe atá á gcur i bhfeidhm chun a chinntiú go mbeidh seirbhísi Leader á gcur ar fáil trí Ghaeilge do phobal Ghaeltacht Chonamara; agus an ndéanfaidh sé ráiteas ina thaobh. [19763/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Ceanglófar ar aon eintiteas atá roghnaithe chun seachadadh a dhéanamh ar ghnéithe LEADER den Chlár Forbartha Tuaithe don tréimhse 2014-2020 cloí le ceanglais reachtúla náisiúnta, lena n-áirítear iad siúd a bhaineann leis an nGaeilge agus le ceantair Ghaeltachta. Caithfidh na Grúpaí Gníomhaíochta Áitiúla a chuireann Straitéisí Forbartha Áitiúla isteach lena meas a lua sna straitéisí sin conas atá sé ar intinn acu na ceanglais sin a chomhlíonadh.

Seaweed Harvesting Licences

114. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the number of applications on hand for seaweed harvesting licences; the date each application was received; the number of tonnes of seaweed sought to be harvested each year under each application; if public consultation has been advertised in each case; if not, when is it proposed to do so; if it is intended to hold oral hearings on the larger applications; and if he will make a statement on the matter. [19767/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): There are currently 10 applications for licences to harvest seaweed under the Foreshore Act 1933 before my Department. These applications are from both individual and commercial applicants and are at various stages of the assessment process.

Of the 10 applications, 4 are deemed to be sufficient for assessment purposes and are available to view on my Department’s website at; <http://www.environ.ie/en/Foreshore/ApplicationandDeterminations/>

The public consultation process has concluded in respect of 2 these applications. The remaining 2 will proceed to public consultation as soon as practicable.

My Department is awaiting further information in 5 cases. The remaining case is currently at preliminary review stage. When these applications are deemed to be complete, they will be published on my Department's website and also advertised for public consultation. No provision is made in the Foreshore Act to hold oral hearings.

The following table sets out the date of receipt of the applications concerned and the tonnage quantities applied for.

Date of receipt of application	Quantity of seaweed applied for per annum
Application (complete)	-
22 January 2014	Up to 12,500 tonnes
18 November 2012	Up to 9,000 tonnes
12 September 2012	Up to 10 tonnes
16 December 2013	Up to 14,000 tonnes
Application (at preliminary review stage)	-
21 March 2014	Up to 40,000 tonnes
Application (awaiting further information)	-
5 May 2012	Up to 10 tonnes
23 April 2013	Up to 30 tonnes approx.
21 June 2013	Up to 46.5 tonnes approx.
9 August 2013	0.5 tonnes
30 August 2013	Up to 20 tonnes

Departmental Schemes

115. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government if he will include 30 further landowners in the Clonfert area of the Hymany Way Walking Trail in the walks scheme as they claim they were promised participation in the scheme when the walking trail was being developed; and if he will make a statement on the matter. [19768/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Due to budgetary constraints it has not been possible to develop new walks under the existing Walks Scheme since December 2010. I appreciate there were a number of proposed routes at varying levels of completeness in late 2010 when the Walks Scheme was closed to new applications. Only those projects where contracts had been signed and the Scheme was operational could be allowed to progress.

There are however 1,814 participants covering 39 trails still taking part in the scheme. In 2013 annual payments to participants who maintained sections of trail that traversed their lands exceeded €1.8 million.

Departmental Programmes

116. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the arrangements he will put in place to ensure that the day-to-day administration of the social inclusion programmes and the Leader programme 2014-2020 for the islands is operated by an island based company for all the islands off the coast, as at present; and if he will make a statement on the matter. [19769/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The LEADER element of the Rural Development Programme 2014-2020 will be delivered using a Community Led Local Development approach through the design and implementation of the Local Development Strategies. The Programme will provide sufficient focus, including funding supports, to the Islands to ensure that the development needs of the Island communities are fully addressed.

The Local and Community Development Programme (LCDP) is currently being delivered on the Islands by Comhar na nOileán Teoranta and it will continue to be implemented by this company on a transitional basis until the end of 2014 pending the roll-out of a new programme in January 2015. Discussions with the relevant stakeholders in relation to how the successor programmes to LEADER and the LCDP will be delivered on the Islands are ongoing.

Water Meters

117. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government the position regarding the location of water meters (details supplied); and if he will make a statement on the matter. [19776/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government sets out a commitment to the introduction of water charges based on usage above a free allowance. The Government considers that charging based on usage is the fairest way to charge for water and it has, therefore, decided that water meters should be installed in households connected to public water supplies. The Water Services Act 2013 provided for the establishment of Irish Water as an independent subsidiary within the Bord Gáis Éireann Group and assigned the company the necessary powers to allow it to undertake the metering programme.

Most meters for public utilities are located at the point where the connection enters the household. In the case of water services, under the provisions of the Water Services Act 2007, households' pipes internal to the boundary of a property are considered the responsibility of the householder, and thus water meters are being fitted at the stopcock at the boundary of the property. As this is located on publicly accessible land, it minimises disruption during the installation programme and also in terms of meter reading in due course as access is not required to people's homes. The meter boxes are not sealed and can be opened to allow the householder to read their meter, if necessary. Meters will be read automatically and the information will be provided directly to customers in their bills.

Irish Water has confirmed to my Department that all the water meters in use by Irish Water comply with the Measuring Instruments Directive. In all customer communications, Irish Water asks any householders with any disability, mobility or medical concerns to contact its call centre (1890 278 278) in advance of the meter installation so any additional support or advice can be arranged.

Unfinished Housing Developments

118. **Deputy Seán Kenny** asked the Minister for the Environment, Community and Local Government if he will provide a list of ghost-unfinished estates in the Dublin region in 2012. [19807/14]

Minister of State at the Department of the Environment, Community and Local Gov-

ernment (Deputy Jan O'Sullivan): The information requested was compiled as part of the 2012 National Housing Survey and can be downloaded from the Housing Agency's website by clicking 2012 Individual County Figures at the following link:

<http://www.housing.ie/our-services/unfinished-housing-developments/2012-national-housing-survey.aspx>.

Water Charges Exemptions

119. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government if households who get their water from private sources on their land such as lakes, rivers, streams or wells will have their supply metered; if they will have to pay the standing charge for water supply; if there will be any difference depending on the depth of the source of the water in the ground; and if he will make a statement on the matter. [19808/14]

127. **Deputy Heather Humphreys** asked the Minister for the Environment, Community and Local Government if houses with private wells or currently on group water schemes will have to pay water charges; and if he will make a statement on the matter. [19881/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 119 and 127 together.

With effect from 1 January 2014, Irish Water is responsible for public water services. The Water Services (No. 2) Act 2013 provides that Irish Water can collect charges from its customers in receipt of water services. Irish Water will not collect charges from any households not connected to a public water supply, including households with private wells and private group water schemes.

My Department will remain responsible for the overall policy and funding of the non-public water sector, including the group water sector. Over the past decade, substantial improvements have been made in the group water sector, reflected in improved infrastructure and management and leading to greater compliance with drinking water standards. This has been accomplished through a partnership approach between my Department, the local authorities and the group water sector itself, with the important involvement of the National Federation of Group Water Schemes. This co-operative approach will be maintained as the reform of water services provision is progressed.

Group Water Schemes that are supplied by way of a connection to the public water supply network will now become customers of Irish Water, having previously been customers of the relevant local authority. Group Water Schemes that have their own water sources will not be customers of Irish Water and will continue to operate as before.

Water Abstraction Regulation

120. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government where it is intended to introduce regulation in relation to the abstraction of water by households from their own land either for their own domestic use, for agriculture or for business purposes; and if he will make a statement on the matter. [19809/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Water Pollution) Regulations 1978 require local authorities to maintain a register of water abstractions greater than 25 cubic metres per day but there is no

comprehensive national register of water abstractions. Compliance with the 1978 regulations has been variable and as a result, information on the exact number of abstraction points and their location as well as the volume of abstractions is not complete.

Article 11(3)(e) of the Water Framework Directive obliges Member States to implement controls over abstractions, including a register of abstractions and a system of prior authorisation. Member States can exempt from these controls, abstractions or impoundments which have no significant impact on water status. While this requirement has not yet been transposed into Irish law I am committed to addressing this.

Any proposed controls will be subject to a comprehensive public consultation process and will require Government approval. I would anticipate that a risk-based approach will be taken to any control model.

Unfinished Housing Developments

121. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the number of housing estates in County Kildare the development of which is deemed to be incomplete and which may qualify for the special budgetary provisions made for unfinished estates; the number and location of such estates already deemed eligible; the degree to which approval has issued or will issue; and if he will make a statement on the matter. [19841/14]

133. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which he has had discussions with the various local authorities with a view to utilisation of the maximum funding available from the special budgetary provision in respect of unfinished housing estates; the number of estates qualifying under the criteria on a county basis; and if he will make a statement on the matter. [19891/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I propose to take Questions Nos. 121 and 133 together.

Budget 2014 contains a special provision, in the form of a targeted €10m Special Resolution Fund (SRF), to assist further in addressing the legacy of unfinished housing developments. The SRF is designed to encourage the resolution of the remaining tranche of unfinished developments identified in the National Housing Development Survey 2013 and, particularly, those developments not likely to be resolved in the normal way through solely developer/owner/funder action because of the presence of specific financial barriers. It is envisaged that the SRF should be particularly targeted to address the remaining unfinished developments with residents living in them and, in particular, any developments that local authorities identified, for the purposes of the Local Property Tax waiver, as in a seriously problematic condition.

In December 2013, my Department wrote to local authorities seeking proposals for funding support under the SRF and the deadline for receipt of applications was 28 February 2014. I understand that Kildare County Council has submitted applications in respect of 4 housing developments for funding.

All submissions are currently being evaluated by my Department in accordance with the criteria that have been circulated to the local authorities. I am conscious of the limited time available to complete SRF projects within the current year and, while I am not currently in a position to confirm whether the applications in respect of the developments in question will be successful, I expect that my Department will be in a position to finalise its consideration of the matter in the very near future.

A comprehensive range of information on Unfinished Housing Developments is available on the Housing Agency's website at: <http://www.housing.ie/Our-Services/Unfinished-Housing-Developments.aspx>.

As part of the process of analysing and addressing the causes and consequences of unfinished housing developments, the Department has published annual National Housing Development Surveys since 2010. Developments to be included in the surveys were those in an unfinished state whose construction had ceased since 1 January 2007, specifically owing to the onset of the economic downturn and related developments in the housing market. All these surveys are displayed at the Housing Agency web link above.

An exemption from the Local Property Tax (LPT) applies to developments listed in the Schedule to the Finance (Local Property Tax) Regulations 2013. The list of unfinished housing developments eligible for the exemption was compiled by local authorities based on data from the National Housing Survey 2012, which was carried out over the course of summer 2012 by my Department in conjunction with local authorities and the Housing Agency.

The administration of issues relating to unfinished housing developments is a matter for individual local authorities. Each local authority has appointed an Unfinished Housing Development co-ordinator; contact details are also displayed at the Housing Agency web link above.

It is hoped that the SRF will enable very substantial progress to be made in resolving as many of the remaining unfinished developments as possible.

Planning Issues

122. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which his Department has had discussions with the authorities in Kildare County Council with a view to finalisation of any outstanding planning or other matters affecting the development at the Waterways, Sallins, County Kildare; if the responsibilities of all interested parties have been identified and listed for resolution; the extent of any outstanding matters prior to the taking in charge of the development by the local authority; and if he will make a statement on the matter. [19842/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The finalisation of any outstanding planning related matters affecting the development concerned are a matter for Kildare County Council and I have no function in such matters.

Following the insertion of subsection (2A) into section 180 of the Planning and Development Act 2000, by the Planning and Development (Amendment) Act 2010, planning authorities are not prevented from taking in charge any housing estate even if it has not been completed to the satisfaction of the planning authority in accordance with the planning permission. The decision as to whether an estate should be taken in charge is ultimately a matter for the elected members of the local authority having regard to a report prepared by the Planning Section of the local authority and the associated funding obligations of taking the estate in charge.

Tenancy Deposit Protection Scheme

123. **Deputy Jerry Buttimer** asked the Minister for the Environment, Community and Local Government if he will provide an update on proposals to introduce a rental deposit scheme

as part of the Residential Tenancies (Amendment) (No. 2) Bill 2012; the form the proposed scheme will take; and if he will make a statement on the matter. [19854/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The Programme for Government contains a commitment to establish a tenancy deposit protection scheme. On foot of this commitment I asked the Private Residential Tenancies Board (PRTB) to commission research on such a scheme and to report back to me with recommendations in that regard. The subsequent report assessed a number of different options for delivery of a deposit protection scheme ranging from one where all elements are delivered by the PRTB to one where all elements are outsourced to a private operator. The report examined each option in terms of both insurance and custodial type schemes.

I have considered all of the options presented in the report in order to determine how to offer the greatest protection to tenants at least cost to the Exchequer and in this regard recently secured Government approval for the establishment of a tenancy deposit scheme based on a custodial model. Under the proposed scheme any deposit paid to the landlord by the tenant must be lodged with a deposit protection scheme at the commencement of the tenancy and will be available to be returned to the tenant at the end of the tenancy.

Legislative provisions for the scheme, which are currently being drafted by Parliamentary Counsel, will be included in the Residential Tenancies (Amendment) (No. 2) Bill 2012 at Committee stage in the Seanad.

Private Rented Accommodation Costs and Controls

124. **Deputy Jerry Buttimer** asked the Minister for the Environment, Community and Local Government if he is considering the introduction of a form of rent cap for residential tenancies; if an analysis has been carried out on the way such a measure might affect the rental market; if not, if such an analysis will be carried out prior to any changes being implemented; and if he will make a statement on the matter. [19855/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The private rented sector is an increasingly important element of the housing market, with the proportion of households in the sector almost doubling in the period 2006-2011.

Against this background, the growing evidence of increasing rents, particularly in Dublin, is a cause for concern. The recent publication of the Private Residential Tenancies Board (PRTB) rent index for the fourth quarter 2013 showed a year-on-year increase in rents of 3.3% nationally. However, this national average figure masks differences by property type and location.

Nationally, rents for houses in the fourth quarter of 2013 were 1.6% higher than the same period in 2012 while rents for apartments were 5.2% higher over the same period. In Dublin, rents for houses increased by 6.4% and for apartments the figure was 8%. It is worth noting however that, on average, rents in Dublin are still 15.5% lower than they were at their peak in the fourth quarter of 2007.

The Residential Tenancies Act 2004 prohibits the setting of a rent that is greater than the market rent for a particular tenancy. A difficulty arises when there is market failure and there is evidence of this in the form of a lack of supply of suitable properties, mainly in the bigger cities and especially so in Dublin.

The Government is taking steps to address these challenges in the property and construction

sectors. These will include developing an overall strategic approach to housing supply, identifying and implementing relevant improvements in the planning process and seeking to improve financing options for development and mortgage provision.

Resolution of the housing supply situation is a key element in restoring stability to the market. In the meantime, I believe there is scope to explore measures that would protect tenants in the short term from the consequences of market failure. I have asked the PRTB to carry out a focused piece of research that will explore options to address the difficulties being experienced in segments of the private rented sector and to report back to me with policy recommendations in that regard before the end of June.

In doing this, I am conscious of the need to avoid introducing measures that would have adverse consequences on the private rented sector. My goal is to achieve stability and sustainability in the market for the benefit of tenants, landlords and society as a whole.

Departmental Schemes

125. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government when his Department will announce details of the next tranche of schemes to be approved under the capital assistance scheme; when funding will be provided to a group (details supplied) in County Cork; and if he will make a statement on the matter. [19857/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Some €35 million is being set aside for a programme of works under my Department's Capital Assistance Scheme (CAS) which provides funding to Approved Housing Bodies (AHBs) of up to 100% of the approved costs of accommodation for people with specific categories of housing need, including older persons, persons with a disability, homeless persons and victims of domestic violence.

The proposals received from local authorities for inclusion in the programme of works to be advanced under the CAS over the 2014-2015 period are under consideration in my Department at present. I intend to announce details of the projects to be advanced very shortly.

Water and Sewerage Schemes Funding

126. **Deputy Brendan Smith** asked the Minister for the Environment, Community and Local Government the arrangements that have been made, following the establishment of Irish Water, to continue the subvention to local authorities in respect of the ongoing costs of running group water schemes; and if he will make a statement on the matter. [19878/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government sets out a commitment to the introduction of water charges based on usage above a free allowance. The Government considers that charging based on usage is the fairest way to charge for water and it has, therefore, decided that water meters should be installed in households connected to public water supplies. The Government will decide on the proposed approaches to be taken in relation to the free allowance in the near future including how any such decision might be reflected in the subsidy arrangements that currently exist for the Group Water Sector.

The Water Services (No.2) Act 2013 provides Irish Water with the power to charge for water services. The Act also provides that the Commission for Energy Regulation (CER) will

be responsible for the economic regulation of Irish water and the charges to be levied by Irish Water will be subject to the approval of the CER. The CER has already undertaken public consultations on the development of the economic regulatory framework for water services and will be undertaking further consultations during 2014. Water charges will not commence until 1 October 2014 and the first bills will be issued by Irish Water to households from January 2015.

Group Water Schemes that are supplied by way of a connection to the public water supply network will now become customers of Irish Water, having previously been customers of the relevant local authority. Group Water Schemes that have their own water sources will not be customers of Irish Water and will continue to operate as before.

My Department will remain responsible for the overall policy and funding, where appropriate, of the non-public water sector, including the group water sector. Over the past decade, substantial improvements have been made in the group water sector, reflected in improved infrastructure and management and leading to greater compliance with drinking water standards. This has been accomplished through a partnership approach between my Department, the local authorities and the group water sector itself, with the important involvement of the National Federation of Group Water Schemes. The co-operative approach will be maintained as the reform of water services provision is progressed.

Question No. 127 answered with Question No. 119.

Shared Ownership Scheme

128. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the action taken to date to address the outstanding issues in respect of existing shared ownership loans and mortgages with particular reference to the extent to which the rental part of mortgage repayments has dramatically escalated with resultant hardship; and if he will make a statement on the matter. [19886/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The Government's 2011 Housing Policy Statement announced the standing down of all affordable housing schemes, including the shared ownership scheme, in the context of a full review of Part V of the Planning and Development Acts 2000-2013. Details regarding the review are available on my Department's website: <http://www.environ.ie/en/DevelopmentHousing/Housing/PublicConsultations/>.

In 2013, I asked the Housing Agency to conduct a standalone review of the shared ownership scheme, including identification of the main difficulties and recommendations for mitigating measures. While I have received an initial draft of the review from the Agency, a number of issues have been identified that need further detailed financial analysis in order to fully assess the impact on local authority finances of possible mitigating measures. This data collection exercise has been initiated and will inform future actions. Pending full conclusion of this review, my Department issued a circular letter to local authorities setting out some of the options and interim actions that might be explored to alleviate the difficulties of those in shared ownership distress such as allowing use of the Mortgage Arrears Resolution Process and room rental for Shared Ownership mortgage holders. It is accepted that these proposals are not a complete solution to the issues that arise for such mortgage holders but are intended as an interim measure pending outcome of the review.

I fully recognise that shared ownership home owners, amongst others, have been affected by issues such as unemployment and possible negative equity. In such cases, borrowers should

actively engage with their lenders, whether a commercial financial institution or a local authority, to seek to avail of one of the options available to provide sustainable solutions to distressed mortgages.

The mortgage arrears resolution process, already in place in respect of commercial mortgages, is now being implemented across all local authorities. In cases of acute mortgage distress, homeowners also have the option of seeking to avail of the legal process now in place to deal with personal insolvency.

On foot of the recommendations of the Keane Report on mortgage arrears, the Government launched a Mortgage to Rent scheme on a pilot basis in February 2012. This scheme was extended nationally in June 2012, targeting those low income families whose mortgage situation is unsustainable and where there is little or no prospect of a significant change in circumstances in the foreseeable future. The scheme ensures that the family remains in their home, while ownership is transferred to an approved housing body and the family becomes a tenant of the approved housing body. Eligibility requirements are in line with other forms of social housing support.

The scheme for local authority borrowers in arrears, which was piloted in two local authority areas, Westmeath County Council and Dublin City Council, was rolled out nationally in February. With the support of the Minister for Public Expenditure and Reform and the Housing Finance Agency, I will be allocating an additional €20m to the Mortgage Arrears Resolution Process (MARP) fund in 2014 to significantly expand the capacity of that resource to assist local authority borrowers in mortgage distress.

Local Authority Housing Provision

129. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which contact has been made with the local authorities in the eastern region with a view to addressing as a matter of urgency the serious deficiency in available housing stock to meet the needs of those on the respective local authority housing lists; if the exact number of applicants in these local authorities has been accurately determined; if cognisance has been taken of the rapid increase in rental costs in the private rental sector with consequent hardship on those on the waiting lists; if a particular strategy has been identified to deal with the issue; and if he will make a statement on the matter. [19887/14]

138. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the number of persons registered on the local authority housing lists in each of the past five years to date; the extent to which it is expected to address the housing shortage in the short to medium term; and if he will make a statement on the matter. [19896/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I propose to take Questions Nos. 129 and 138 together.

The report on the 2011 Housing Needs Assessment contains details on waiting list numbers for each local authority which were recorded from 1993 to 2011 under the tri-annual social housing needs assessment carried out under Section 9 of the Housing Act 1988. The report is available on my Department's website at <http://www.environ.ie/en/Publications/DevelopmentandHousing/Housing/FileDownload,27864,en.pdf>.

The latest social housing needs assessment was carried out as at 7 May 2013 in accordance with section 20 of the Housing (Miscellaneous Provisions) Act 2009 and the results are also available on my Department's website at <http://www.environ.ie/en/Publications/DevelopmentandHousing/Housing/FileDownload,27864,en.pdf>.

The 2013 figures are the most up-to-date figures available on waiting list numbers, which are subject to ongoing fluctuation due to households being allocated housing and new households applying for housing support. However, the 2013 results cannot be directly compared to previous results given that this latest summary employed different methodologies and was the first to be carried out under the 2011 Social Housing Assessment Regulations.

In terms of addressing the waiting list numbers, my Department intends to engage further with the Housing Agency and local authorities in terms of carrying out additional detailed analyses of the findings so as to help address the housing need identified in the 2013 assessment. Furthermore, the Government's 2011 Housing Policy Statement clearly outlines that the priority for Government is to meet the most acute needs of households applying for social housing support. The Government is responding to these needs through a variety of mechanisms and more flexible funding models. To maximise the social housing gain from constrained resources, the Social Housing Leasing Initiative and the Rental Accommodation Scheme each play their part and I am fully committed to capturing social housing gain from private developments. Alongside expanding the role of the Approved Housing Bodies (AHBs) in terms of acquisitions and construction, other mechanisms will include options to purchase within the leasing model and build to lease.

With regard to households on waiting lists in private rented accommodation, I will shortly be bringing legislation to the House to provide for the Housing Assistance Payment (HAP) programme which will provide a new framework for the provision of rental assistance. The programme is designed to bring all of the social housing services provided by the State together under the local authority system, with local authorities being responsible for all households with an established housing need and ensuring significant efficiencies in the provision of rental assistance.

In 2014, funding for housing, at over €587 million, is effectively maintained at 2013 levels. This includes a €50 million capital stimulus to support construction and related programmes, primarily in the housing area, including €30 million to recommence a State house building programme; €10 million for an unfinished housing estate resolution project; and €10 million for housing adaptation grants. I expect the final output across all social housing programmes for 2014 to be in the region of 5,000 new housing units.

In March 2014, I announced the approval of some 56 social housing construction projects with an overall value of some €68 million under the Local Authority housing construction programme for 2014-2015. This new construction programme will deliver 449 new units of accommodation for people on the housing waiting list. Projects were selected for approval on the basis of the proposals submitted to my Department by the local authorities, the relative priority afforded to each of these projects and the overall level of housing need locally. Also, last month I announced details of a new measure with funding of €15 million which will be invested in bringing some 950 vacant and boarded-up local authority houses back into productive use.

I also intend to announce details very shortly of the allocations to local authorities under my Department's Capital Assistance Scheme for the construction and acquisition of housing for persons with specific categories of need over the 2014-2015 period. Some €35 million is being set aside for this programme which is intended to deliver in the region of 230 new homes.

I remain committed to continuing to develop innovative and sustainable approaches to the provision of social housing.

Greenhouse Gas Emissions

130. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which Ireland remains on course to meet its greenhouse gas emission reduction target for the period 2013 to 2020; and if he will make a statement on the matter. [19888/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 276 of 3 December 2013 in which I stated that, for the period 2013 to 2020, Ireland has an ambitious greenhouse gas emission reduction target under the 2009 EU Effort-Sharing Decision (406/2009/EC).

I remain satisfied that Ireland is on course to comply with the annual mitigation trajectory in the first half of this compliance period. An immediate focus of the national road-mapping process set out in the National Policy Position on climate action and low-carbon development which I announced on 23 April 2014 will be the compliance challenge in the years 2017 to 2020. The low-carbon road-mapping process is ongoing and I intend to release the first draft of the 2050 National Low-Carbon Roadmap, together with a draft Strategic Environmental Assessment, for open consultation later this year.

Housing Adaptation Grant Data

131. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which the housing adaptation grant requirements in respect of older persons or persons with specific health needs continue to be met by the various local authorities; and if he will make a statement on the matter. [19889/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): On 16 January 2014 I announced details of the capital allocations under the suite of Housing Adaptation Grants for Older People and People with a Disability. Funding was increased in 2014 to €38.4 million and every local authority received increased funding for grants compared to 2013. So far, some €3 million of the 2014 provision has been drawn down by local authorities.

Over 7,000 households benefitted under the grant schemes in 2013 and it is estimated that with the increased funding this year, around 7,800 households will be assisted.

Wind Energy Guidelines

132. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which his Department's review of the wind energy guidelines 2006, issued under section 28 of the Planning and Development Act 2000 in respect of noise, proximity and shadow flicker, is now complete; and if he will make a statement on the matter. [19890/14]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I commenced a public consultation in December 2013 on proposed "draft" revisions to the 2006 Wind Energy Guidelines focussing specifically on the issues of noise, setbacks and shadow flicker. These draft revisions propose:

- The setting of a more stringent day and night noise limit of 40 decibels for future wind

energy developments; - A mandatory minimum setback of 500 metres between a wind turbine and the nearest dwelling, for amenity considerations; and

- The complete elimination of shadow flicker.

My Department received some 7,500 submissions from organisations and members of the public during the public consultation period and the submissions – which are currently being considered - will be an important input into the final version of the guidelines, which will be issued to planning authorities. It is intended that the revisions to the Wind Energy Development Guidelines will be finalised during Quarter 3 2014.

Question No. 133 answered with Question No. 121.

Water Charges Administration

134. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which it is expected that the original costs in respect of provision of water services per household as identified by his predecessors are likely to be reduced in any final decision in respect of the charge to be applied; and if he will make a statement on the matter. [19892/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): With effect from 1 January 2014, Irish Water is responsible for public water services. The Water Services (No. 2) Act 2013 provides that Irish Water can collect charges from its customers in receipt of water services provided by it. The Act also provides that responsibility for the independent economic regulation of the water sector is assigned to the Commission for Energy Regulation (CER) and the CER has been given statutory responsibility for protecting the interests of customers.

The Government is currently considering proposals in relation to the funding model for Irish Water, including the level of Government subvention. These proposals include measures to support the affordability of water charges, including the provision of a free allowance in accordance with the commitment in the Programme for Government. Full details on these matters will be announced following their completion of their consideration by Government.

The free allowance and the level of funding to be provided by the Government to Irish Water will have a strong bearing on the net charges to be met by households. Consequently, decisions on these matters will provide greater visibility on the expected level of charges in advance of the final determination of all aspects of the water charges plan by the CER. The CER will announce its decision on the approved water charges plan in August 2014. In making its decision on the approval or otherwise of the first water charges plan, the CER will take into account the decisions made by Government on the funding model for Irish Water.

Climate Change Policy

135. **Deputy Bernard J. Durkan** asked the Minister for the Environment; Community and Local Government the extent to which his Department continues to examine the economic impact of climate change legislation or other proposals which might negatively impact on this economy; the extent to which the issue has been examined with a view to ensuring compliance with climate change regulations and maintaining economic progress; and if he will make a statement on the matter. [19893/14]

136. **Deputy Bernard J. Durkan** asked the Minister for the Environment; Community and Local Government the extent to which any steps will be taken to ensure adequate economic growth while at the same time meeting carbon emission requirements; and if he will make a statement on the matter. [19894/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 135 and 136 together.

The National Policy Position on climate action and low-carbon development, which I announced on 23 April 2014, clearly identifies competitiveness as a pillar of the fundamental national objective on transition to a low-carbon economy by 2050. The National Policy Position also sets out a number of key issues for consideration in the ongoing evolution of national climate policy, including the need to take advantage of environmentally sustainable economic opportunities both within and outside the State.

The General Scheme of the Climate Action and Low-Carbon Development Bill, which I also announced on 23 April 2014, was accompanied by a Regulatory Impact Analysis (available at <http://www.environ.ie/en/Environment/Atmosphere/ClimateChange/NationalClimatePolicy/>) which considered, *inter alia*, impacts on national competitiveness and on economic markets, including consumer and competition impacts.

The General Scheme proposes to provide for incorporation of economic considerations into mitigation and adaptation plans adopted by the Government for the purpose of progressing the national transition agenda. These considerations include the need to ensure that objectives are achieved at least cost to the national economy, and that any measures adopted to achieve those objectives are cost effective and do not impose an unreasonable burden on the Exchequer.

Water Services Provision

137. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which plans are in hand to tap into new water supply sources; and if he will make a statement on the matter. [19895/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Water Services Act 2013 provided for the establishment of Irish Water as a subsidiary of Bórd Gáis Éireann, to be formed and registered under the Companies Act. The Water Services (No. 2) Act 2013 transferred statutory responsibility for water services to Irish Water. From 1 January 2014 Irish Water assumed responsibility for the delivery of water services and I have no role in the matter.

Irish Water has confirmed to my Department that it has established a dedicated team to deal with representations and queries from public representatives. The team can be contacted via an email to oireachtasmembers@water.ie or by telephone on 1890 278 278. *Question No. 138 answered with Question No. 129.*

Air Pollution

139. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which air pollution continues to be monitored on an on-going basis throughout the country; the number of such points currently operational; the degree to which a rise and fall in any particular air pollutants has been recorded; and if he will make a

statement on the matter. [19897/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The ambient air quality monitoring programme in Ireland is carried out to meet the requirements of EU Directive 2008/50/EC on ambient air quality and the Cleaner Air For Europe Directive (also known as the CAFÉ Directive). The Directive requires that certain minimum levels of monitoring are conducted for the purpose of assessment and management of air quality. The Environmental Protection Agency (EPA) has responsibility for the monitoring of air quality in Ireland, and monitors a range of atmospheric pollutants based on data obtained from the 30 monitoring stations that form the national ambient air quality network.

The EPA also publishes an annual report on air quality, based primarily on the monitoring requirements of the CAFÉ Directive. The most recent report, Air Quality in Ireland 2012 – Key Indicators of Ambient Air Quality, was published in September 2013 and can be downloaded from the agency’s website: www.epa.ie. This provides an assessment of air quality in Ireland for 2012, set against the CAFÉ Directive standards and, for the first time, against the more stringent World Health Organisation (WHO) air quality guidelines.

Downward trends have been identified for many pollutants and Ireland currently meets all EU standards for air quality but exceeds WHO air quality guidelines in respect of particulate matter. Particulate matter levels in Ireland can be of concern, particularly during the winter heating season, when people’s choice of fuel can impact directly on the air quality in their locality and can thus impact on health. To maintain our good standard of air quality and ensure that our air will be healthy and clean, Ireland must continue to implement and enforce the ban on bituminous (smoky) coal. Households and businesses can help by using more efficient methods to burn fuel and shift from solid fuel to cleaner alternatives, while also striving to reduce the demand for energy consumption.

Levels of nitrogen oxides (NOX) at traffic-impacted city centre areas may also be a challenge in the future. Ireland is seeking to reduce traffic emissions through implementing policies to reduce travel demand, increase the use of alternatives to the private car such as cycling, walking, and public transport and improve the efficiencies of motorised transport.

Water Services Provision

140. **Deputy Frank Feighan** asked the Minister for the Environment, Community and Local Government the position regarding the water crisis in County Roscommon particularly in Castlerea and Boyle; and when it is envisaged work will commence on upgrading the system. [19915/14]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Arigna, Boyle/Ardcarne, Roscommon Central and South Roscommon Regional Water Supply Schemes were included as Water Treatment Plant Upgrade contracts to start and as a Network Contract at Construction in my Department’s Water Services Investment Programme 2010 – 2013.

In March 2013 I approved the Council’s Contract Documents for the Water Treatment Plant Upgrades for the Arigna, Boyle/Ardcarne, Roscommon Central and South Roscommon Regional Water Supply Scheme. Early in November 2013, I approved the commitment of the necessary capital funding of just over €12 million for the scheme to enable Roscommon County Council complete the contract formalities with the successful tenderer and to commence, as soon as possible, the works involved in the Design Build Operate Contract on the scheme. In

December 2013, I also approved the provision of funding of €3.976 million to allow Roscommon County Council complete the tender formalities to commence the Network Contract on the Boyle/Ardcarne and Arigna Regional Water Supply Scheme. This approval of funding provides for the construction of the five Treatment Plants and other ancillary works on the scheme and will also provide treatment works for areas affected by “Boil Water Notices” in Roscommon.

The West Roscommon Regional Water Supply Scheme was included as a Water Treatment Plant Upgrade Contract at Granlahan to commence under my Department’s Water Services Investment Programme 2010 – 2013. Under a review of the Programme, carried out in 2011, my Department approved the inclusion in the Programme for the West Roscommon Regional Water Supply Scheme of an advance networks upgrade contract – the Castlerea Urban and Regional Water Supply Improvement Works.

In April 2013 my Department approved the Supplementary Design Review Report for the West Roscommon Regional Water Supply Scheme, which included advance works to address water quality issues on the Castlerea Urban and Regional Water Supply Scheme, at a cost of €8.3 million.

In mid-November 2013 a request was received in my Department from Roscommon County Council seeking approval of funding of almost €1.6 million for a Watermain Network Contract to interconnect the pipework on the Castlerea Urban & Regional Water Supply Scheme. However, it was not possible for my Department to finalise its examination of the Council’s submission prior to the transfer of responsibility for the delivery of water services capital infrastructure to Irish Water on 1 January 2014.

Since 1 January 2014, Irish Water is responsible for the delivery of water services capital infrastructure. It is currently preparing a Capital Investment Plan for 2014 – 2016 that will provide for the transition of projects included in the Water Services Investment Programme 2010 – 2013. The further progression of all water services capital projects, including these schemes, is now a matter for Irish Water.

Irish Water has confirmed to my Department that it has established a dedicated team to deal with representations and queries from public representatives. The team can be contacted via an email to oireachtasmembers@water.ie or by telephone on 1890 278 278.

Traveller Ethnicity

141. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he has read the recently published Joint Committee on Justice, Defence and Equality’s report on the recognition of Traveller ethnicity; and his views on same. [19749/14]

Minister for Justice and Equality (Deputy Alan Shatter): I welcome the publication of the Report on the Recognition of Traveller Ethnicity by the Joint Committee on Justice, Defence and Equality.

The Deputy will be aware from my reply to questions on this subject, including my replies to Parliamentary Questions on 30th April 2014 (reference 19365/14) and 10th December 2013 (reference 52666/13), that I have previously undertaken to give serious consideration to the issue. My reply of 10th December also explained that my consideration of the issue will take account of the report of the Conference on the subject of Ethnicity and Travellers: An Exploration held in September 2012 and the outcome of an ongoing engagement with other Government Departments on the issue with a view to identifying any possible implications arising from the recognition of Travellers as an ethnic group. The Joint Committee’s Report, which is being

examined by my Department, will now also clearly form part of that consideration.

I hope that the examination of all relevant issues will be brought to a conclusion shortly, facilitating a full analysis of all aspects of granting ethnic status to Travellers to inform any proposals on the matter that I may wish to bring to Government.

Court Accommodation Provision

142. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if it is the intention of the Office of Public Works to hand Swinford Courthouse over to the Swinford community, who can then decide its future use. [19756/14]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, under the provisions of the Courts Service Act 1998, management of the courts, including the provision of accommodation for court sittings, is the responsibility of the Courts Service which is independent in exercising its functions.

However, in order to be of assistance, I have had enquiries made and I am informed that the Courthouse in Swinford is vested in the Courts Service but is no longer used for court sittings. The Courts Service has indicated that it is willing to return the building to the ownership of Mayo County Council and discussions are ongoing between the two organisations.

Garda Recruitment

143. **Deputy Terence Flanagan** asked the Minister for Justice and Equality to set out the position regarding recruitment to An Garda Síochána (details supplied); and if he will make a statement on the matter. [19770/14]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to put on record my appreciation for the contribution that those who volunteer for service as Garda Reserve members make on a daily basis to the work of An Garda Síochána. Together with full time members, they provide vital assistance to communities and neighbourhoods right across the country.

The Admission and Appointment Regulations provide that, as part of the competitive selection process organised by the Public Appointments Service for full-time membership of An Garda Síochána, “*due recognition to any satisfactory service by the person as a reserve member*” shall be given to such candidates. This provision was introduced in order to acknowledge the beneficial experience and skills gained by a reserve member and to allow them, at assessments and at interview, the opportunity to highlight that experience and skill. It is important that all persons wishing to join the full time force undergo the same competitive selection and recruitment process. A candidate who fails any stage of the process will be eliminated and will not be allowed re-enter this particular competition.

Crime Data

144. **Deputy Patrick O’Donovan** asked the Minister for Justice and Equality to detail the number of prosecutions gardaí in the Garda division of Limerick have made against persons whose car exhausts exceed the maximum noise levels; and if he will make a statement on the matter. [19771/14]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office (CSO), as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide statistics directly to the Deputy.

Stardust Fire

145. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will provide an update on the new evidence submitted by the Stardust fire families; if he will act on this urgent matter; and if he will make a statement on the matter. [19779/14]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, members of the Stardust Victims Committee have circulated a wide range of material concerning this case in recent months, and as I have previously indicated, I have not seen anything in that correspondence that would be grounds for my taking a different view to the conclusions set out in the Independent Examination which examined this matter. I am aware that members of the Committee met recently with An Garda Síochána and were requested to furnish any material they considered to be new evidence.

I understand that such material has to date not been received by An Garda Síochána but that it will be considered fully when it is made available.

Road Traffic Offences

146. **Deputy Patrick O'Donovan** asked the Minister for Justice and Equality in relation to sulky racing on public roads, if it is still the legal position that the Summary Jurisdiction Ireland Act from the 1800s requires persons to display the name of the owner of the horse drawn vehicle and the townland where they reside on the vehicle; and if he will make a statement on the matter. [19803/14]

Minister for Justice and Equality (Deputy Alan Shatter): I am making inquiries regarding the matter referred to by the Deputy and will contact him directly when the information sought is to hand.

Garda Vetting Applications

147. **Deputy Jack Wall** asked the Minister for Justice and Equality to set out the position regarding an application for Garda vetting in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19814/14]

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 processed by the Garda Central Vetting Unit (GCVU) and returned to the Authorised Signatory in FÁS on 24 April, 2014.

Residency Permits

148. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current or expected residency status in the case of a person (details supplied) in Dublin 1; and if he will

make a statement on the matter. [19825/14]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned has had his permission to remain in the State renewed for a further period to 25th November, 2016. This decision was conveyed in writing to the person concerned by registered post dated 29th April, 2014.

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

Immigration Status

149. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if an updated stamp 4 will issue in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [19826/14]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned has had his permission to remain in the State renewed for a further three year period to 23rd April, 2017. This decision was conveyed in writing to the person concerned by registered post dated 30th April, 2014.

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

Naturalisation Applications

150. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality to set out the position regarding to updating of stamp 4 and evaluation of their application for naturalisation in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [19827/14]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person referred to by the Deputy is currently registered in the State under Stamp 4 conditions granted to him as an exceptional measure. This permission is valid until 14 March 2015 and is renewable directly with their local immigration officer shortly before its expiry date.

I am also advised by INIS that there is no record of a current application for a certificate of naturalisation from the person referred to in the Deputy's question.

Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation

provided certain statutory conditions are fulfilled. The conditions are that the applicant must -

be of full age

be of good character

have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years

intend in good faith to continue to reside in the State after naturalisation

have, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—

(i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and

(ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.

A foreign national who is married to, or is the Civil Partner of, an Irish citizen for at least three years may apply for naturalisation under section 15A of the Irish Naturalisation and Citizenship Act 1956, as amended, where they have been continuously resident in the island of Ireland for the year immediately prior to the date of their application and for two out of the four years prior to that year. The marriage or civil partnership must be subsisting and recognised under Irish law. Section 15A provides that the Minister may waive certain conditions for naturalisation if satisfied that the applicant would suffer serious consequences in respect of his or her bodily integrity or liberty if not granted Irish citizenship.

Section 16 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, waive some or all of the statutory conditions in certain circumstances i.e. where an applicant is of Irish descent or of Irish associations; where an applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees; or where an applicant is a Stateless person within the meaning of the United Nations Convention relating to the Status of Stateless persons.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

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. 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 email service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Naturalisation Applications

151. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality to set out the position regarding update of stamp 4 and evaluation of application for naturalisation in the case of a person (details supplied) in County Longford; and if he will make a statement on the matter. [19828/14]

1 May 2014

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that a valid application for a certificate of naturalisation was received from the person referred to by the Deputy. I considered the application in April, 2013 and decided to defer making a final decision in this case for 12 months. The person concerned was notified of this decision in a letter issued on 16 April, 2013.

Processing has recommenced on the application with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation. Further information was requested from the person concerned in a letter issued via their solicitor on 4 April 2014. Once the requested information has been received and assessed the case will be finalised and re-submitted to me for decision.

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

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

Naturalisation Applications

152. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent of the progress made in respect of the determination of eligibility for naturalisation-stamp 4 update in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [19829/14]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the asylum case of the person concerned is currently before the High Court in the context of judicial review proceedings taken against the Refugee Appeals Tribunal. As these proceedings are ongoing, it would not be appropriate for me to comment further on that aspect of the case of the person concerned at this time.

In March, 2013, the person concerned applied for a right of residency in the State, accompanied by a right to work, based on parentage of an Irish born minor citizen child, and based also on the principles of the Zambrano Judgment. When consideration of this application has been completed, and a decision arrived at, the person concerned will be notified in writing of the outcome.

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.

Questions - Written Answers
Naturalisation Certificates

153. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if the certificate of naturalisation issued in the case of a person (details supplied) in County Westmeath can be amended to reflect their full name; and if he will make a statement on the matter. [19830/14]

Minister for Justice and Equality (Deputy Alan Shatter): The name that is printed on a certificate of naturalisation is taken from the name under which a person has applied for a certificate of naturalisation as verified by identity documentation submitted with the application.

On that basis, I do not deem it appropriate to issue an amended certificate of naturalisation to the person referred to by the Deputy. However, if the person concerned provides full details in relation to the matter to the Citizenship Division of the Irish Naturalisation and Immigration Service, then further consideration will be given to the request.

Deportation Orders

154. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the reason a deportation order has been reinstated in view of previous revocation in the case of a person (details supplied) in County Monaghan; and if he will make a statement on the matter. [19831/14]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that following a comprehensive and thorough examination of his asylum claim and an examination under Section 3 of the Immigration Act 1999 (as amended), a Deportation Order was made in respect of the person referred to by the Deputy on 1 July 2011. Judicial review proceedings were then initiated challenging the Deportation Order. These proceedings, which related to procedural rather than substantive matters, were settled and the deportation order was revoked. A new proposal to deport letter was then issued.

Following a comprehensive and thorough examination of his application for subsidiary protection, and a detailed examination of the representations he submitted for consideration under Section 3 of the Immigration Act 1999 (as amended), a Deportation Order was signed in respect of him on 20 February 2014.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by Email 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.

Residency Permits

155. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will facilitate change of residency status in the case of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [19832/14]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person referred to by the Deputy should be advised to make an application to INIS if they wish to have their immigration

status changed.

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

Defence Forces Properties

156. **Deputy Kevin Humphreys** asked the Minister for Defence if he will arrange for the wall separating Cathal Brugha Barracks, Rathmines and Greenfield Place, Dublin 6 to be adequately repaired (details supplied); and if he will make a statement on the matter. [19753/14]

Minister for Defence (Deputy Alan Shatter): A project is currently underway for the completion of repairs to the boundary wall at Cathal Brugha Barracks. Repairs to some sections of the wall have been completed with other work still ongoing. That portion of the boundary wall referred to at Greenfield Place is included in the next phase of the planned remedial works. The design and specifications for the work are currently being prepared and tenders will be sought on completion of the design stage.

Disadvantaged Areas Scheme Payments

157. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding area aid in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [19728/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The application was the subject of a Remote Sensing (i.e. satellite) eligibility inspection in respect of the 2013 Single Payment Scheme/Disadvantaged Areas Scheme application. The findings of this inspection established that the applicants had over-claimed on some land parcels. A ground inspection confirmed these findings. The total area over-claim was calculated at over 20% of the found area. Under the Terms and Conditions of the Single Payment Scheme/Disadvantaged Areas Scheme, payment cannot be made in cases where the level of over-claim exceeds 20%. The applicant submitted an application to have the findings of the inspection reviewed. The case was reviewed and it was confirmed that there were no grounds for over-turning the original findings.

In order to assist the applicant in understanding the final determined position a further detailed letter has issued from my Department. The applicant has also been informed of her right to appeal the decision to the Agriculture Appeals Office.

158. **Deputy Michael Ring** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will be paid their AEOS 3 payment. [19791/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme (AEOS 3) with effect from 1st May 2013.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identifica-

tion System, must be completed before any payment can issue. These checks are well under way and payments for AEOS 3 in respect of 2013 will commence shortly.

Grassland Sheep Scheme Payments

159. **Deputy Michael Lowry** asked the Minister for Agriculture, Food and the Marine when the next payment will issue for those on the grassland sheep scheme; the reasons for the delay in payments being issued to farmers cleared for payment; if his attention has been drawn to the hardship this is causing to farmers; and if he will make a statement on the matter. [19799/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payments under the 2013 Grassland Sheep Scheme commenced in December 2013 and, to date, payments worth €12,798,476 have issued nationally, to some 29,039 applicants, with payments continuing to issue as individual cases are confirmed eligible. An amount of €15 million in total is being incorporated into the Single Payment for sheep farmers under the new CAP.

Agriculture Schemes Administration

160. **Deputy Luke 'Ming' Flanagan** asked the Minister for Agriculture, Food and the Marine the provisions in place to assist those who suffer from dyslexia when completing paperwork in respect of farm records, grants and so on; his views having the access officers within his Department trained in dealing with those who suffer from dyslexia; and if he will make a statement on the matter. [19804/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department aims to ensure that the needs of all of its customers, including people with disabilities, are met and that rights to equal treatment are upheld in service delivery. Officers of my Department deal with a wide range of activities and clients with varying requirements. These are managed in a professional manner.

When a person with dyslexia brings his or her case to the attention of the Department's access officer, that officer advises a senior official in the relevant Division of the situation. Arrangements are then made to contact the individual directly either by phone or in person to go through the paperwork involved and assist / advise the client as appropriate.

Beef Exports

161. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine the date on which China imposed a ban on beef imports from the European Union; if this ban is still applicable to all member states of the European Union; and if he will make a statement on the matter. [19872/14]

162. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine the position regarding the ongoing efforts to have the ban on imports of Irish beef to China lifted; the recent discussions that have been held at political or official level; the likely timescale for the lifting of this ban; and if he will make a statement on the matter. [19873/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 161 and 162 together.

EU beef is banned from China because of the legacy of BSE and this ban came into force in the year 2000. To date no other EU country has succeeded in having this ban lifted. I have been seeking re-entry to this market for some time and as part of these efforts, we completed a very detailed questionnaire for the Chinese Ministry of Agriculture (MOA) on animal health risk factors for Irish Cattle and Cattle Source products. This was passed to the MOA in May 2011. A copy was also sent to Chinese Inspection and Quarantine Service (AQSIQ), which I understand will have the ultimate authority to lift any BSE ban. This questionnaire was updated following further questions from the Chinese Authorities in August 2013.

The issue of access for Irish beef has been raised at the highest political levels. The Taoiseach specifically raised the issue with President Xi Jinping during his visit in March 2012 and was advised by him that China is generally positive and confident about the safety of Irish beef. I have also raised the matter with Chinese counterparts whenever the opportunity has arisen, notably in discussions with with Vice Minister Niu Dun (MOA) and Minister Zhi Shuping (AQSIQ) when I visited China in April 2012. The Tánaiste visited China for a four day trade mission in mid August 2013 and also raised the issue of Irish beef with senior officials there.

A significant result of my visit during my meeting with Minister Zhi Shuping (AQSIQ) was the agreement to the establish a working group between my Department and AQSIQ on the issue. This made Ireland the first and only EU MS to proceed to joint working group level. This meeting took place in December 2013 when a team of five senior officials from my Department visited Beijing for high level meetings with representatives of AQSIQ and MOA where they addressed any remaining concerns on the Chinese side regarding the safety of Irish beef.

As an agreed follow-up action to the meeting and in order that the Chinese authorities may verify the information which we have given, my Department has invited a team from the Chinese authorities to visit Ireland where we will be able to demonstrate all the controls which we have put in place. In order to help focus such a visit, we have submitted to the Chinese authorities a draft Protocol for the export of meat to China and also a draft veterinary health certificate, which could accompany consignments of bovine meat to China. Our Embassy in Beijing is now pursuing this matter with the Chinese authorities and we await a formal response from their side to our proposals.

It must be remembered of course that ultimately the gaining of access to the Chinese market for Irish Beef is a matter for the Chinese Authorities. My Department is continuing to engage proactively with those authorities with a view to securing such access.

Single Payment Scheme Appeals

163. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine when a decision will issue on a LPIS appeal in respect of a person (details supplied) in County Monaghan; and if he will make a statement on the matter. [19876/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): A review of the land parcels declared by the person named under the 2013 Single Payment Scheme revealed that one of the land parcels declared by the person named contained ineligible features. As the person named applied for a review of my Department's decision, a visit by a Department official to verify the position is necessary to resolve the matter. This verification visit will be conducted in the coming weeks and the applicant will be informed of the outcome of the visit as soon as possible.

Agri-Environment Options Scheme Payments

164. **Deputy Frank Feighan** asked the Minister for Agriculture, Food and the Marine when payment of the agri-environment option scheme will issue in respect of as person (details supplied). [19884/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the 2011 Agri-Environment Options Scheme with effect from the 1st September 2011 and full entitlements have issued in respect of the 2011 Scheme year.

During a 2012 inspection, the person named was found to have non-compliances in respect of the Species Rich Grassland, Traditional Stonewall Maintenance, Traditional Hay Meadow, Planting of New Hedgerow and Riparian Margin actions. A letter issued to the person named notifying them of the inspection findings and setting out the appeal option. The person named submitted an appeal to the Agriculture Appeals Office which appeal remains to be determined. Without prejudice to the final outcome of the appeal the file is currently being processed on the basis of the Inspection findings with the intention of issuing the 2012 payment, net of penalty as soon as possible. In the event that the appeal is successful a balancing payment will issue.

Following the issue of payment in respect of the 2012 Scheme year, the application of the person named will be processed in respect of the 2013 Scheme year.

Agri-Environment Options Scheme Payments

165. **Deputy Frank Feighan** asked the Minister for Agriculture, Food and the Marine the reason 25% of an AEOS 2 payment has not been paid to a person (details supplied) in County Leitrim despite being informed last September it was cleared for payment. [19899/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the 2011 Agri-Environment Options Scheme (AEOS 2) with effect from 1st September 2011 and full payment has issued in respect of the 2011 and 2012 Scheme years.

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. This process has been completed for 2013 payments and the 75% payment in respect of 2013 issued on the 28th November 2013.

A review of the land parcels declared by the person named under the 2013 Single Payment Scheme revealed that several of the land parcels declared by the person named contained ineligible features. An official of my Department has been in direct contact with the person named with a view to resolving the issue. Once resolved the remaining 25% balancing payment will issue shortly thereafter.

Agri-Environment Options Scheme Payments

166. **Deputy Frank Feighan** asked the Minister for Agriculture, Food and the Marine the reason an AEOS 2 payment for 2013 has not been received by a person (details supplied) in County Leitrim. [19900/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the 2011 Agri-Environment Options Scheme with effect from the 1 September 2011 and full entitlements have issued in respect of the 2011 and 2012 Scheme years. During a 2013 inspection, the person named was found to have non-compliances in respect of the Traditional Hay Meadow and Coppicing of Hedgerow actions. A letter issued to the person named notifying them of the inspection findings and setting out the appeal option. As no appeal was received, officials in my Department are processing the application based on the inspection findings and I expect 75% payment in respect of 2013 to issue shortly. The balancing 25% payment will follow on.

Beef Data Programme

167. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine when a decision will issue on a beef data programme appeal in respect of a person (details supplied) in County Cavan; and if he will make a statement on the matter. [19910/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted an application for the 2013 Beef Data Programme which was received in this Department on 14 June 2013. The closing date for this Scheme was 15 May 2013. Late applications were accepted up to 9 June 2013 with a 1% penalty per working day that the application was received after the closing date of the Scheme. As the application in question was not received until 14 June 2013 it was deemed inadmissible. A letter to this effect issued to the person named on 08 July 2013 giving him recourse to appeal the decision to the Agriculture Appeals Unit within 3 months of the date of the decision letter. An appeal has been submitted to the Agriculture Appeals Office from the person named but as yet no decision has been made.

Single Payment Scheme Eligibility

168. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine the steps he will take to ensure that single farm payment entitlements of a person (details supplied) are returned to them as they had leased the farm for one year in 2013 due to severe ill health, and therefore would qualify under force majeure circumstances, where they have now returned to reasonable health and wish to resume farming full time; and if he will make a statement on the matter. [19914/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As the person named was not entitled to receive a direct payment in 2013, he does not have an automatic allocation right to receive payment entitlements under the Basic Payment Scheme. Article 30.7.(c) of Regulation (EU) No 1307/2013 allows a Member State to use their National Reserve to allocate payment entitlements to farmers who were prevented from being allocated payment entitlements as a result of force majeure or exceptional circumstances. *Force majeure* circumstances would include a severe illness which incapacitated the farmer in the 2013 reference year. As all *force majeure* applications are dealt with on a case by case basis, the person named would have to apply to my Department, giving supporting medical evidence before a decision can be made in his case. An official from my Department will contact the person named in the coming days.

Medical Inquiries

169. **Deputy Aengus Ó Snodaigh** asked the Minister for Health to outline the progress that has been made in relation to the inquiry into the death of a person (details supplied) who died in the street after a pharmacy refused a life-saving adrenaline injection when the person suffered an allergic reaction. [19757/14]

Minister of State at the Department of Health (Deputy Alex White): The Pharmaceutical Society of Ireland, the Pharmacy Regulator, is conducting an investigation into the case referred to by the Deputy. It would not be appropriate for me to make any further comment at this time. The Department is currently examining the feasibility of facilitating the wider availability of adrenaline pens without prescription in emergency situations, by persons trained in the administration of these pens.

Speech and Language Therapy

170. **Deputy Brian Stanley** asked the Minister for Health when a person (details supplied) in County Laois will receive speech and language therapy. [19729/14]

Minister for Health (Deputy James Reilly): As the issue raised by the Deputy relates to an individual case, this is a service matter for the Health Service Executive. I have asked the HSE to look into the particular matter raised and to reply directly to the Deputy.

Medical Card Administration

171. **Deputy Michael Healy-Rae** asked the Minister for Health the circumstances that exist that allow a general practitioner to bill a private health insurer for a minor surgical procedure when the person involved has a medical card; and if he will make a statement on the matter. [19731/14]

Minister of State at the Department of Health (Deputy Alex White): Under the terms of the GMS contract ‘the medical practitioner shall provide for eligible persons, on behalf of the Health Service Executive, 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’. The medical practitioner shall not demand or accept any payment or consideration from a GMS patient other than payments from the HSE as outlined under the terms of the contract, which include fees for procedures such as excisions/cryotherapy/diathermy of skin lesions; suturing of cuts and lacerations; and recognised vein treatment.

If a general practitioner provides a service to a GMS patient that is covered by the GMS contract, the GP is precluded from accepting payment either from the patient directly or from other sources such as the patient’s private health insurer. Claiming against a health insurance policy is a matter between the insured and the insurer. It is the insurer’s responsibility to satisfy itself that a claim is valid under the terms of the policy.

Vaccination Programme

172. **Deputy Willie O’Dea** asked the Minister for Health if his attention has been drawn to the number of persons who have been adversely affected as a result of the swine flu vaccination provided, one example of this being narcolepsy; the steps being taken to compensate for such injuries following the vaccination; the steps being taken to help sufferers live normal lives; and

if he will make a statement on the matter. [19733/14]

Minister for Health (Deputy James Reilly): The HSE and the Department of Education and Skills continue to provide a range of services and supports to individuals diagnosed with narcolepsy following pandemic vaccination regardless of age, on an *ex gratia* basis. These services and supports which are co-ordinated by the HSE National Advocacy Unit are intended to provide that individuals receive tailored assistance to address their specific requirements, where appropriate. It is acknowledged that treatment and individual medical needs may need to be reassessed over time to take account of changes in their condition or circumstances.

To date, the Irish Medicines Board has received reports of 62 cases with clinical information confirming a diagnosis of narcolepsy in relation to individuals following pandemic influenza vaccination. As the Deputy's question relates to an individual case it has been referred to the Health Service Executive for attention and direct reply to the Deputy.

Disabled Drivers and Passengers Scheme

173. **Deputy Robert Troy** asked the Minister for Health if a person (details supplied) in County Westmeath will be approved for a tax concession for disabled drivers. [19735/14]

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.

Medical Card Reviews

174. **Deputy Denis Naughten** asked the Minister for Health the reason a person who holds a medical card as a result of EU entitlement is being asked to complete a review form; the reason they are being asked to provide details of savings when their sole income is a UK pension; and if he will make a statement on the matter. [19759/14]

Minister for Health (Deputy James Reilly): The information sought by the Deputy is not readily available. However, I have asked the Health Service Executive to supply this information to me and I will forward it to the Deputy as soon as possible.

Prescription Charges

175. **Deputy Terence Flanagan** asked the Minister for Health the position regarding prescription charges for medical card holders (details supplied); and if he will make a statement on the matter. [19781/14]

Minister of State at the Department of Health (Deputy Alex White): Medical card holders are required to pay a €2.50 charge per item for medicines and other prescription items supplied to them by community pharmacists, subject to a cap of €25 per month for each person or family. Prescription charges do not apply to children in the care of the HSE or to methadone supplied to patients participating in the Methadone Treatment Scheme. As the HSE is responsible for the administration of the primary care schemes, I have asked the HSE to investigate the circumstances of this case and respond directly to the Deputy as soon as possible.

Medical Card Appeals

176. **Deputy Ciarán Lynch** asked the Minister for Health if he will review the refusal of a medical card in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [19793/14]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Health Screening Programmes

177. **Deputy Clare Daly** asked the Minister for Health with regard to the national bowel screening programme, the reason only one sample is taken when in Britain a week's samples are examined; and the level of personal data requested without which the kit will not be released, including mother's date of birth, which would not be known. [19805/14]

Minister for Health (Deputy James Reilly): BowelScreen, the National Bowel Screening Programme, uses a faecal immunochemical test (FIT) as its primary screening tool. It is one of the first population-based bowel screening programmes internationally to utilise this test as the primary screening tool. One sample has been proven to be sufficient under FIT and this approach is also likely to maximise uptake. The NHS UK screening programmes use a different primary screening test which requires multiple samples. As with all population screening programmes in Ireland, some personal data is requested to verify the identity of individuals being screened. No request is made to give a mother's date of birth. The personal details involved include name, date of birth, address, contact telephone number and GP details.

National Children's Hospital Status

178. **Deputy Billy Timmins** asked the Minister for Health when the planning application for the children's hospital will be lodged; the estimated start; when it will be completed; the estimated cost as of 28 April 2014; and if he will make a statement on the matter. [19813/14]

Minister for Health (Deputy James Reilly): The new children's hospital is a commitment in the Programme for Government and is a priority for me and for this Government. The National Paediatric Hospital Development Board is responsible for delivering the new hospital on schedule, to optimal design and value for money. The Board's membership reflects the skills and expertise required to achieve that, including construction, planning, engineering, procurement and architecture as well as clinical and stakeholder involvement. The Board is now in the final phase of the selection process for the appointment of a design team. The full design team is expected to be appointed in June, following which design development will begin, in order to submit an application for planning permission in February 2015. Construction is scheduled to commence in August 2015, and the transition of services to the new hospital is on schedule to commence at the end of 2018.

In October 2013, the Minister for Public Expenditure & Reform announced that up to €200m

would be made available for the new Children's Hospital from the sale of the National Lottery, adding to the existing €450m Exchequer funding and underlining the Government's commitment to the project. Philanthropic / non-Exchequer funding will be sought as appropriate. The business case for the hospital is currently being revised and updated, and this will set out outline capital costs for the hospital on the St James's campus and potential future revenue savings arising from operational efficiencies. Estimates set out in the revised business case will be reviewed and refined at each stage of the project.

Universal Health Insurance Provision

179. **Deputy Billy Kelleher** asked the Minister for Health if it is intended that lifetime community rating would still be in place for the introduction of universal health insurance and that younger persons who do not take out private health insurance prior to the introduction of universal health insurance would therefore have to pay a higher premium than they would have if they had taken out private health insurance previously; and if he will make a statement on the matter. [19816/14]

Minister for Health (Deputy James Reilly): The Government has embarked on a major reform programme for the health system, the aim of which is to deliver a single-tier health service, supported by universal health insurance, where access is based on need, not income. The *White Paper on Universal Health Insurance* (UHI) published on 2nd April 2014 provides detailed information on the UHI model for Ireland, the process for determining the future basket of health services, including those services that will be covered under UHI and the financing mechanisms for UHI.

Under UHI everyone will be insured for the same standard package of services and everyone will have a choice of health insurer. In addition, the White Paper states that people will enjoy the following important protections when purchasing a UHI policy:

- *Open enrolment* : A person must be accepted and provided with a UHI policy by their chosen insurer regardless of their age, health status or other risk factors.

- *Lifetime cover* : Every person will have the right to renew their UHI policy regardless of their age, health status or other risk factors.

- *Community rating* : Insurers will not be allowed to charge different premiums for the same policy depending on an individual's risk profile ('same policy, same premium'). This principle of community rating will be supported by a system of risk equalisation.

- *Equal access* : Insurers will not be allowed to sell a policy conferring faster access to services covered by the standard UHI package.

On that basis, therefore, there is no question of higher premiums attaching to individuals who opted not to take out private health insurance prior to the introduction of UHI.

However, in order to prepare for the transition to UHI, I am committed to maintaining an affordable and competitive health insurance market and I am keen to create the best possible environment within which more people will seek to take out and keep health insurance. In particular, I would like to encourage younger people to join as early as possible. Lifetime community rating is intended to encourage people to join health insurance schemes early and to retain their private health insurance cover. My Department is working on the legislation required to implement this measure, intended for introduction in 2015, and I will announce further details in due course.

General Practitioner Services

180. **Deputy Billy Kelleher** asked the Minister for Health if the ultimate introduction of free general practitioner care for all means that he is considering offering GPs a salary-based contract; and if he will make a statement on the matter. [19817/14]

Minister of State at the Department of Health (Deputy Alex White): The introduction of free GP care for children under 6 requires a new contractual framework to be put in place between the HSE and individual general practitioners. The draft contract is currently the subject of a consultation process. The fee structure for the provision of this service is being addressed by means of a complementary consultation process.

There are no plans at present to offer GPs a salary for the provision of universal GP care.

Hospital Services

181. **Deputy Billy Kelleher** asked the Minister for Health the administrative procedures in place for follow on treatment following surgery at the breast clinic in Beaumont Hospital; if all patients receive written notification of their diagnosis and subsequent appointments; and if he will make a statement on the matter. [19818/14]

Minister for Health (Deputy James Reilly): The HSE advises that patients with a new diagnosis of breast cancer in all breast cancer clinics are informed of their diagnosis and of any necessary follow up treatment such as surgery, chemotherapy or radiotherapy.

Beaumont Hospital has confirmed that, in line with other speciality areas, patients attending the breast clinic do not receive written notification of their diagnosis following surgery. However, patients do receive written notification of their subsequent appointments, with the exception of those returning for follow-up care within a very short time frame. Such people are advised verbally.

Medical Card Applications

182. **Deputy Bernard J. Durkan** asked the Minister for Health when a medical card will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19843/14]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Health Services Provision

183. **Deputy Bernard J. Durkan** asked the Minister for Health the position regarding a medical card and further backup facilities in the case of a person (details supplied) in County

Mayo; and if he will make a statement on the matter. [19844/14]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Hospital Waiting Lists

184. **Deputy Bernard J. Durkan** asked the Minister for Health if he will review the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19845/14]

Minister for Health (Deputy James Reilly): The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2013*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised by the Deputy, I have asked the HSE to respond directly to him on this matter.

Health Services Provision

185. **Deputy Róisín Shortall** asked the Minister for Health the person who currently has ownership of St. Paul's Services, Beaumont Woods; if there was a recent change in ownership and if so the reason for same; his plans to change the current use of these premises; and if he will outline any future plans in respect of St. Paul's. [19852/14]

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

Nursing Staff Provision

186. **Deputy Billy Kelleher** asked the Minister for Health if he, his Department or the Health Service Executive are aware that nursing homes are finding it extremely difficult to get staff onto back-to-nursing courses and this is causing major staffing problems; and if he will make a statement on the matter. [19869/14]

187. **Deputy Billy Kelleher** asked the Minister for Health if he or his Department have been informed that back-to-nursing courses or orientation courses to allow nurses who qualified abroad to work in Irish hospitals or nursing homes have been discontinued in many hospitals; and if he will make a statement on the matter. [19870/14]

188. **Deputy Billy Kelleher** asked the Minister for Health if the Irish Nursing Home Organisation has written to him expressing its concerns regarding finding suitable courses for nursing staff; and if he will make a statement on the matter. [19871/14]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 186 to 188, inclusive, together.

My Department initiated discussions with the Health Service Executive (HSE) to increase the number of adaptation places for nurses and midwives wishing to work in Ireland on foot of representations to me. As a result, the Office of the Nursing and Midwifery Services Director has been actively working with HSE Acute Hospital Services and Nursing Homes Ireland to increase the number of adaptation and assessment places available to nurses and midwives who require these placements. A one year project will commence shortly which should result in an increased number of places being available from July 2014.

At present arrangements are being finalised for this project and a communication will be issued via Nursing Homes Ireland when this is agreed.

Medical Card Appeals

189. **Deputy Michael McGrath** asked the Minister for Health the position regarding a medical card appeal in respect of a person (details supplied) in County Cork. [19875/14]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Medical Aids and Appliances Provision

190. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the reason for the delay in providing a person (detail supplied) in Dublin 10 with hearing aids. [19879/14]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive Community Audiology service administers and monitors hearing tests for adults who are at risk for hearing loss. Appointments for the audiology service are sent in a strict chronology according to clinical priorities and date of receipt of referral. The HSE has been asked to examine this matter and to reply to the Deputy as soon as possible.

Medical Card Data

191. **Deputy Pearse Doherty** asked the Minister for Health if he will provide a breakdown in tabular form of the number of persons granted a discretionary medical card in County Donegal over each of the past five years; the number of persons in County Donegal who hold a discretionary medical card; the number of persons in County Donegal who have previously held a discretionary medical card but have subsequently lost their medical card; and if he will make a

statement on the matter. [19905/14]

Minister of State at the Department of Health (Deputy Alex White): The information sought by the Deputy is not readily available. However, I have asked the Health Service Executive to supply this information to me and I will forward it to the Deputy as soon as possible.

Hospital Services

192. **Deputy Pearse Doherty** asked the Minister for Health the number of persons in County Donegal who have been diagnosed with age macular degeneration; the number of these who travel to County Sligo on a six weekly basis to receive Avastin eye injections; the reasons this treatment cannot be offered in Letterkenny General Hospital, County Donegal; and if he will make a statement on the matter. [19906/14]

Minister for Health (Deputy James Reilly): As this is a service matter, I have asked the HSE to respond directly to the Deputy.

Noise Pollution Legislation

193. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport the legislation in place on the maximum amount of noise that a car exhaust can emit; and if he will make a statement on the matter. [19772/14]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Vehicles in use on Irish roads must meet the standards specified in the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963. These require vehicles to be fitted with a silencer or other device that will reduce exhaust noise to a reasonable level. Article 85 of these Regulations prohibits the use in a public place of a vehicle which causes excessive noise. The Regulations also prohibit the alteration of an exhaust silencer in such a way that the noise emitted is increased.

New cars with EC Type Approval must meet the noise levels specified in Directive 70/157/EC. This sets a limit of 74 dB for vehicles equipped with a petrol engine and 75 dB for vehicles equipped with a diesel engine. The current NCT exhaust noise limit is set at 99 dB which is deemed to be an acceptable maximum limit.

However, I am aware that certain vehicles are fitted with standard exhaust systems when presented for their test and are subsequently retrofitted with modified, noisy exhaust systems once they have passed. This ensures that they pass the engine emission and exhaust noise aspects of the NCT test.

To combat this, I understand that the RSA works closely with An Garda Síochána to ensure that an effective enforcement strategy is in place to control the noise emitted from these vehicles between successive NCT tests and that An Garda Síochána have purchased sound measurement equipment which is being used at roadside enforcement checkpoints throughout the country. The penalty on conviction is a fine which, depending if there have been previous similar convictions, may not exceed €2,000 and/or, at the discretion of the court, imprisonment for a term not exceeding three months.

Where infringements are thought to exist, affected parties may wish to contact their local Garda station in order that they may be able to step up their enforcement activities.

Questions - Written Answers
Railway Stations Upgrade

194. **Deputy Paudie Coffey** asked the Minister for Transport, Tourism and Sport his plans to relocate Plunkett Station to the Waterford city side of the River Suir in view of the disruption caused to services by the severe weather at the start of this year; and if he will make a statement on the matter. [19734/14]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport. Issues relating to individual train stations, including their location on the network, are a matter for Iarnród Éireann in the first instance.

Noting this I have referred the Deputy's question to Iarnród Éireann. Please advise my private office if you don't receive a reply within 10 working days.

Road Safety

195. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport the criteria for establishing a 30 km speed limit in a residential area under existing legislation; and if he will make a statement on the matter. [19774/14]

196. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if it is possible for dense urban residential areas (details supplied) to be designated as 30 km per hour zones; if not if he will consider amending the legislation to provide for such areas; and if he will make a statement on the matter. [19775/14]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 195 and 196 together.

The Road Traffic Act 2004 provides that elected members of County and City Councils may make bye-laws in order to set special speed limits to roads in their administrative area. The application of the special speed limits must be in accordance with Road Traffic Act 2004 (Section 9(9)) - Guidelines for the Application of Special Speed Limits issued by the Department for Transport, Tourism and Sport in 2011.

A 30 km/h speed limit may only be applied at locations where there is a current or expected concentration of vulnerable road users. For that reason, its general application is limited to housing estates, roads in urban centres with no distributor function and access ramps to motorways or dual carriageways with low radii curves.

As part of the process of making Special Speed Limit bye-laws, Local Authorities must first consider the level of concentration of vulnerable road users and evidence of road collisions in which vulnerable road users were involved. Local Authorities must also undertake a public consultation on the draft proposals seeking observations from the public or other interested parties.

Public Transport

197. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport the body responsible for setting times for the operation of bus lanes; if his attention has been drawn to how uncoordinated these are on a single route (details supplied) and if he will arrange for this case to be standardised; and if he will make a statement on the matter. [19798/14]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The statutory responsibility for these matters lies with the relevant local authority, and I have no function in this area. I would therefore advise the Deputy to raise the matter with the local authority in question.

Sport and Recreational Development

198. **Deputy David Stanton** asked the Minister for Transport, Tourism and Sport the steps he is taking to promote sailing as a sport and to encourage and support children to take up sailing and learn the essential skills; and if he will make a statement on the matter. [19801/14]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Irish Sports Council, which is funded by my Department, is the statutory body with responsibility for the promotion, development and co-ordination of sport, including the allocation of funding for the National Governing Bodies of Sport. As this question is a matter for the Irish Sports Council, I have referred it to the Council for direct reply. I would ask the Deputy to inform my office if a reply is not received within 10 days.

Driver Licence Renewals

199. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport his plans to review the rule whereby people cannot renew their driver licences more than three months in advance in view of the fact that the rule prevents many emigrants, who might be home for a short holiday period, from renewing their licence while they are here; and if he will make a statement on the matter. [19856/14]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Prior to 2004, the period within which an application could be made to renew a driving licence was only one month before expiry. In that year, this was changed to three months before expiry.

I am satisfied that the period of up to three months before the expiry of a driving licence within which people can apply for renewal is adequate and reasonable, and I have no plans to change it.

I understand that, in the case of Irish driving licence holders living outside the country, the National Driver Licence System (NDLS) has arrangements in place whereby a person renewing a licence can do so without the necessity to return to Ireland. The Deputy should contact the NDLS to obtain details of this arrangement.

Taxi Regulations

200. **Deputy Derek Keating** asked the Minister for Transport, Tourism and Sport if he will provide justification for the fact a licensed taxi driver (details supplied) who paid a considerable sum of money to acquire a taxi licence and has reached retirement age is concerned the taxi licence cannot be sold or transferred to the person's child, who is currently out of work, and now the person faces a considerable financial loss as a result; and if he will reconsider the position of the Taxi Regulator. [19885/14]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): Action 14 of the Taxi Regulation Review Report, 2011, recommended the prohibi-

tion on the transferability of small public service vehicle (SPSV) licences with effect from 1st October 2012. The underlying principle for the recommendation was that a licence should determine a person's suitability to carry out a function and it should have no monetary value or be traded on the open market. The Report's recommendations were widely published to the industry, including through the National Transport Authority's and industry updates as well as on the various taxi forum websites.

It was intended that the measure would be introduced with effect from 1st January 2013 by way of regulations to be made by the National Transport Authority who have responsibility for the regulation of the taxi sector. However, it was concluded that it would be more appropriate to include such a provision in primary legislation.

The measure was therefore included in Section 14(1) of the Taxi Regulation Act, 2013 which was commenced with effect from the 6th April 2014.

Taxi Regulations

201. **Deputy Derek Keating** asked the Minister for Transport, Tourism and Sport if he will investigate a situation (details supplied) whereby a person has identified that any erosion of permitting taxis to use bus lanes when on the way to pick up passengers will have a detrimental effect on an industry which has been under considerable pressure for some time and taxi drivers feel that such a move is anti-competitive in view of the fact that all off-duty buses continue to have the lanes available to them at all times; and if he will reconsider this matter and commit to a process of consultation with the taxi industry in advance of any proposed change. [19909/14]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Bus lanes have been put in place, at some expense to the public, to provide on-street priority for buses. Their aim is make public transport more attractive by increasing the speed and reliability of bus journeys. When bus lanes were first introduced, it was agreed to allow taxis to use with-flow bus lanes while in service. This was a decision based on the fact that taxis are available for on-street hire. The National Transport Authority advise that the reference in section 11.4 of the recently published Integrated Implementation Plan to potential restrictions on the use of with-flow bus lanes by taxis, relates to possible interventions which might have to be considered in the future in specific circumstances.

Where high capacity public transport corridors, such as Bus Rapid Transit (BRT) or Luas extensions, are being implemented, it may be necessary, at certain locations, to assess whether all of the taxis seeking to use the Bus/BRT or Bus/Luas lane can be accommodated without impeding the high capacity vehicles. It is not an acceptable outcome of such infrastructure investments if the level of taxi usage diminished the effectiveness and efficiency of the BRT or Luas facility.

The principle that will be operated is that where taxis can be accommodated without delaying or impacting the operation of the BRT or Luas vehicle, they will continue to be able to use the Bus/BRT or Bus/Luas lane. However, where they would create delays to the BRT or Luas service, then consideration may have to be given to additional local restrictions to address that issue.