

## Written Answers.

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

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*Questions Nos. 1 to 10 answered orally.*

### **Afforestation Programme**

11. **Deputy Richard Boyd Barrett** asked the Minister for Agriculture, Food and the Marine his plans to deal with the consistent failure to meet afforestation targets here; and if he will make a statement on the matter. [25917/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The current Afforestation Scheme provides a range of grants that cover the full cost of establishment of the plantation and payment of annual premiums to both incentivise planting and to compensate for the loss of agricultural activity on the land that is planted. The Afforestation Scheme is a voluntary scheme and is one of a number of land-use options open to landowners.

A number of strategic actions specific to increasing the forest area have been recommended in the soon to be published *Forests, products and people – Ireland’s forest policy – a renewed vision*. This document takes account of the final report and recommendations of the Forest Policy Review Group. Amongst these are as follows:

- to reduce the differential between farmer and non-farmer premiums and review annually to determine whether further differential adjustments are warranted to mobilise private sector and institutional investment;
- DAFM to review the incentives for planting larger areas and for consolidating existing forest areas to increase long term competitiveness and efficiency in harvesting and transport; and
- DAFM to encourage State organisations and Local Authorities to convert part of their land bank holdings to public purpose forestry and in particular native woodlands;

The draft Forestry Programme for the period 2014 – 2020 has taken these recommendations on board by introducing changes to existing afforestation schemes, by designing new schemes and by retaining both the conservation and establishment elements of the native woodland scheme. The most significant changes being introduced is the single rate of premium which will make forestry more attractive to non-farmers. The new “Forestry for Fibre” measure will allow participants to fell at between 10 and 15 years thereby significantly reducing the length of time before the financial benefits of the plantation can be recovered. The Agro forestry measure, which is being introduced for the first time as an afforestation scheme, will provide further options for farmers who wish to continue grazing livestock while at the same time grow trees. This scheme is being introduced on a small scale pilot basis which will then be reviewed.

One of the benefits of agro forestry is that it could act as an introduction to forestry for farmers who may subsequently decide to plant a more traditional forest crop.

Other support measures such as support for knowledge transfer groups, targeted training and producer groups aim to incentivise forest holders to manage their plantations more effectively and to co-operate with neighbouring forest holders when it comes to harvesting and road building.

Further details regarding the new forestry Programme 2015-2020 are due to be submitted for public consultation in July 2014.

### **Inshore Fisheries**

12. **Deputy Thomas Pringle** asked the Minister for Agriculture, Food and the Marine his plan to introduce of a maximum lobster landing limit of 127 mm; if this will include a mandatory v-notching programme for lobster; and if he will make a statement on the matter. [26128/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** On 14 May I launched a package of measures aimed at supporting and developing Ireland's inshore fisheries. As part of the package of measures, I announced the introduction a maximum landing size for lobster of 127mm due to the importance of very large lobsters to the reproductive potential of the stock. The decision to introduce this new conservation measure followed on from consideration of over 250 submissions received during public consultation and of expert advice from the marine agencies. During the first 2 years of operation of this new measure, in order to provide support for potential financial losses throughout the transitional period, fishermen will be paid up to 75% of the market price for v-notching 'oversize' lobsters and returning them live to the sea.

The voluntary v-notching conservation programme has been an important contributor to the sustainability of Irish lobster stocks. It was with this in mind that I also announced an increase in grant aid for voluntary v-notching of lobsters from the existing maximum of 55% to a new maximum of 75% as part of the new Sustainable Inshore Fisheries Scheme to be delivered by BIM.

During the public consultation on the proposals for the lobster fishery, many fishermen, particularly inshore fishermen who depend heavily on lobster for their income, put forward a variety of alternative proposals to safeguard lobster stocks into the future. These alternatives included but were not limited to strengthening participation in the v-notching programme by a variety of means. I would like to see inshore fishermen themselves explore and develop such proposals to ensure the long-term sustainability of lobster and other important fisheries they rely upon. It is for this reason that I also announced the establishment of the National Inshore Fisheries Forum (NIFF) to provide inshore fishermen with their own space for convening and bringing common initiatives forward. A network of Regional Inshore Forums (RIF's), based on and linked to the community-led Fisheries Local Action Groups (FLAGs) around the Irish coast, will nominate delegates to bring forward regional proposals to the NIFF for wider industry discussion.

The purpose of the Forums will primarily be to develop and facilitate implementation of policies and initiatives relating to the sustainable management of the inshore fisheries within six nautical miles. From the ground-up, inshore fishermen need to be involved in designing policies that affect their livelihoods. I hope inshore fishermen will embrace the opportunity this new initiative provides to ensure the Forums become a successful platform for developing this

important sector of Ireland's fishing industry.

### **Sheepmeat Sector**

13. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the steps he is taking to support the sheep industry; and if he will make a statement on the matter. [25914/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The industry wide strategy for developing the sheep industry in Ireland was set out in the Food Harvest 2020 document which envisages a 20% increase in value terms of the sector by 2020. My approach to building on the significant achievements of the strategy up until now is to drive the development of the industry at home and increase Ireland's market share of the world market. This will ensure that producers and processors can plan for the future, increasing the value of the industry for the benefit of all.

In terms of the performance of the sector in 2013, I am pleased to note that for the third consecutive year Irish sheep throughput grew, reaching 2.61 million head, a rise of 8%. These developments led to sheepmeat production rising by around 3% to stand just over 55,000 tonnes. The total value of Irish sheepmeat exports is estimated to have increased by over 4% in 2013 to reach €220m. The market outlook for Irish sheepmeat in 2014 looks reasonably stable as a result of ongoing tight EU sheep supplies and a reduced presence of New Zealand lamb. Average prices to date this year are almost 6% ahead of 2013.

At producer level I continue to put in place incentives to ensure that producers see a viable future in the sector. Earlier this year the I announced the extension of the Sheep Technology Adoption Programme (STAP) for a further year. In committing funding of €3m to the programme in 2014 I am acknowledging the success of the 2013 scheme in which 4,000 producers participated. Support for the sheep sector also comes from the sheep grassland Scheme for which I have prioritised funding over the last four years. This scheme delivered €68 million directly to the incomes of Irish sheep farmers and I am very pleased that the scheme will operate again in 2014, with an increased budget of €15 million.

In addition to the budget for the 2014 Scheme being increased from €14 million to €15 million, there is the additional benefit to participating farmers in that payments under the Scheme will not be liable to Modulation, which previously applied at varying rates up to a maximum of 10%. The Modulation deductions made in respect of payments under the 2013 Scheme represent 7.5%. While it is envisaged that the payment rates will be increased under the 2014 Scheme, allowance must be taken of increased sheep numbers but overall I expect that an additional €2 million will be paid to sheep farmers in 2014 under the scheme.

As you are aware I am proposing under the new CAP that payments received under the 2014 Grassland Sheep Scheme will be incorporated into the calculation of the entitlement value in each year of the new regime for those farmers who participated in that Scheme. This will have the effect of increasing their entitlement value and ensure that such farmers do not lose through the cessation of the scheme at the end of 2014. This will include the additional €2 million payable in 2014 and will mean that enhanced funding will be available to sheep farmers under the new regime.

Under the new Rural Development Programme (RDP) I have made provision for improving efficiency and profitability in sheep production under the knowledge transfer measure and the lessons learned from STAP will inform the development of this measure. The RDP programme

will provide support to farmers by means of a range of measures across a number of priorities, including environmental objectives. The new agri-environment scheme, GLAS (Green Low-carbon Agri-environment Scheme) will support, among others, extensive and hill farmers, who have shown themselves to be careful custodians of the countryside in previous agri-environment schemes. GLAS intends giving priority to those commonage farmers who reach a collective agreement on the management of these valuable landscapes. It also includes a menu of environmental actions, many of which will be suitable for all sheep farmers.

On the export front I intend to drive further the search for new markets. My Department in consultation with the meat industry and in cooperation with Bord Bia and the Irish Embassies abroad is constantly pushing for new markets and opportunities. The usefulness of alternative markets as a buffer against market volatility was obvious in the sheep export statistics for 2013. Because of the economic downturn in the UK and France our exports to those markets dipped but we were able to offset this loss with increased exports to Belgium, Germany and Sweden thereby showing a positive net result for the sector at the end of the year.

This week I met with Mr. Liu Yunshan the 5th ranking member of the Chinese Communist Party Politburo Standing Committee and First Secretary of the Central Secretariat of the CPC. I informed him of the progress Ireland has made in our efforts to gain access to the Chinese market and thanked him for the agreement of the Chinese authorities to initiate access procedures for sheepmeat from Ireland.

### **Common Fisheries Policy Reform**

14. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if he will provide information on the matching funding which the Government will make available along with the €148 million from the European Union over the next six years under the Common Fisheries Policy. [26141/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The EU Regulation establishing the European Maritime and Fisheries Fund was published on 20 May 2014. Following months of intense lobbying and negotiation, I announced on 12 June 2014 that I had secured €148 million from the new Fund for the period 2014 to 2020 for the development of the Irish seafood industry and the coastal communities that depend upon it. This funding is more than double the amount that was available to Ireland during the last Common Fisheries Policy and will ensure a strong seafood industry in Ireland that can grow and expand to meet its potential up to 2020. Ireland's EMFF allocation is to be provided through 5 discrete funding envelopes, namely €71 million for investment in the seafood industry, €32 million for data collection, €37 million for control and enforcement, €5 million for implementation of the Integrated Maritime Policy, and €1.3 million for storage aid.

The new CFP is a major overhaul of the way which fishing is carried out in EU waters, the purpose of which is to provide a framework for the long term sustainability of fish stocks and the whole industry. The EMFF Fund will provide support for our fishing fleet to meet the challenges of the new discards ban. It will support the development of the seafood processing sector, a sustainable aquaculture industry and the communities that depend on a vibrant seafood industry. The new fund will help our seafood industry to develop and maintain long term sustainability and economic strength.

My Department has been working since 2013 on developing a new Operational Programme setting out the arrangements for spending Ireland's allocation under the Fund and has engaged with stakeholders on a number of occasions to date. Further public consultation and strategic

environmental assessment will take place over the summer 2014. The new Operational Programme must be submitted to the European Commission for adoption before the end of 2014.

While the co-financing rate for some measures in the EMFF Regulation is fixed, notably data collection at 80% and control and enforcement at mostly 90%, other measures are a matter of national discretion. I will be discussing this matter with the Minister for Public Expenditure and Reform in the near future, having regard to the general budgetary situation for the coming years and we will agree what co-financing by the Exchequer is appropriate.

### **Greenhouse Gas Emissions**

15. **Deputy Kevin Humphreys** asked the Minister for Agriculture, Food and the Marine the interactions he and his Department have had with other Departments here, and also with the European Commission with regard to meeting our EU targets on greenhouse gas emission targets; if any concerns been expressed regarding the Harvest 2020 policy at an EU level; and if he will make a statement on the matter. [26126/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The 2008 Effort Sharing Decision (ESD) formed part of the EU Climate and Energy Package in 2008 for the post-Kyoto period 2013-2020. Under the Effort Sharing Decision, Ireland's target is to reduce national greenhouse gas emissions by 20% compared to 2005 emission levels by 2020. The ESD does not set individual sectoral targets.

My Department along with the Department of Environment, Community and Local Government, as well as other relevant Departments, has continually made a strong case to the European Commission that there is a need for a more coherent approach to target setting as far as agriculture is concerned. In particular given that worldwide demand for production of food will increase by some 50% by 2030, EU policies must avoid downward pressure on food production, and maintain and enhance the EU contribution to sustainable global food production.

The Irish agri-food industry strategy, Food Harvest 2020 (FH2020) set targets for increases in the value of agriculture output and exports by 2020 and for a 50% increase in milk volume. The Commission is very aware of the targets contained in FH2020, and these are factored into all discussions on the 2020 targets and indeed on ambition to 2030.

The communication for a framework on climate and energy for 2030 was published by the Commission in January 2014. The inclusion of a subsection on agriculture and land use is a welcome first step towards seeking an approach to ambition for the sector that is realistic and consistent with meeting the twin challenges of sustainable food production, in the light of rising global demand, and climate change mitigation and adaptation, in the light of overall EU and global objectives.

My Department is supporting other Government Departments in negotiations on the 2030 climate framework to ensure the interests of Irish agriculture are reflected. The Department will also seek to build alliances with other member states to further support the development of appropriate policies for the treatment of agriculture and climate change.

### **Beef Data Programme**

16. **Deputy Thomas Pringle** asked the Minister for Agriculture, Food and the Marine if he will outline the details of the beef data and genomics programme; and if he will make a state-

ment on the matter. [26131/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I announced details of some of the measures under consideration in the in the new Rural Development programme (RDP) on 13th May last. I expect to be in a position to submit the draft RDP to the European Commission for evaluation and approval shortly.

The proposed Beef Data and Genomics Programme is, subject to Commission approval, intended to deliver an accelerated improvement in the quality and environmental sustainability of the beef herd through the application of genomics technology. This will help farmers to maximise productivity in a sustainable way, while supporting improved quality and traceability in the national suckler herd, as set out under the Food Harvest (FH) 2020 strategy.

The programme will provide support to farmers to take samples for genotyping from selected animals in their herds and to provide vital breeding data to support the development of a national cattle breeding databank. The data will provide farmers with the tools to select higher quality and more efficient breeding replacements through the use of cutting edge genomic technology. The selection of more efficient animals with the right genetics for easy calving and high weight gain thereafter, that can be finished earlier, will have a substantial environmental dividend and will also contribute to improving productivity, reducing input costs and improving margins for farmers.

Improved knowledge on the genetic merit of an animal should facilitate more informed on-farm selection decisions with the eventual outcome of increased genetic gain for a range of performance traits and therefore greater farm profitability. Using data gained from the implementation of genomic selection in Irish dairy cattle since 2009, genomic selection is expected to increase genetic gain by up to 50%; however this is dependent on good accuracy of selection for which the main requirement is individual animal performance data on a very large number of animals of known parentage.

Some €295 million has provisionally been allocated for BDGP and payments will, subject to the approval of the programme by the EU commission, be paid to farmers for work carried out, including the development of a herd breeding plan, training and transaction costs. Among the activities being considered for the programme are the:

- recording of animal events,
- recording of a range of performance criteria,
- taking and sending for laboratory testing tissue (DNA) samples from selected animals, and
- selection of high quality replacement bulls and heifers over the five period of their BDGP contract.

Officials in my Department are currently in discussions with the EU Commission on the final details of the programme and it will be some time before the final details are known.

### **Forestry Management**

17. **Deputy Richard Boyd Barrett** asked the Minister for Agriculture, Food and the Marine if he intends to develop agro-forestry as part of an expansion of sustainable afforestation; and if he will make a statement on the matter. [25916/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The draft

Forestry Programme for 2014-2020 does include a measure for agro forestry. Agro-forestry under EU rules means land use systems in which trees are grown in combination with agriculture on the same land. The measure will be targeted at silvopastoral agro-forestry systems which combine forestry and pasture. Key objectives of the scheme will be to:

- produce high quality hardwood timber where appropriate (including oak, sycamore and cherry);
- encourage continuous cover forestry and close-to-nature silvicultural techniques; and
- enhance the quality and diversity of landscapes.

As this is the first occasion agro forestry will be funded under the afforestation scheme, support for this type of forestry will be launched on a small-scale pilot basis; the target area to be planted will therefore be relatively small compared to the other afforestation categories.

In accordance with EU State Aid rules only 80% of eligible costs can be funded; premiums will be available and will be paid for five years and will cover the cost of maintenance only. Once land is converted to agro-forestry it will be classified as forest land and the provisions of forest legislation will apply. Support for the establishment of demonstration plots for research purposes may also be considered under this measure.

Further details regarding this scheme are due to be submitted for public consultation in July 2014.

### **Farm Assist Scheme Eligibility**

18. **Deputy Thomas Pringle** asked the Minister for Agriculture, Food and the Marine if he has considered the impact on farm incomes arising from the changes in the means testing of farm assist in budget 2013 by the Department of Social Protection; his views on the impact the changes have made to farm income; and if he will make a statement on the matter. [26129/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Farm Assist scheme is the responsibility of the Minister for Social Protection. The changes to the Farm Assist scheme were made in order to bring the scheme into closer alignment with the Jobseeker's Allowance scheme's treatment of self-employed persons, and were part of the overall package of measures agreed by the Government in Budget 2013.

There were 10,300 recipients of Farm Assist in 2013, with total expenditure of almost €100 million. The scheme is based on Jobseeker's Allowance, and was introduced in 1999 to replace the 'Smallholders Unemployment Assistance' for low income farmers. Farm Assist recipients retain all the advantages of the Jobseeker's Allowance scheme, such as retention of secondary benefits and access to activation programmes.

The headline rates of Farm Assist are being maintained so that farm families with the lowest income are least affected by these changes. Farm Assist remains a flexible payment and any farmer experiencing lower levels of income or cash-flow issues, due for example to bad weather, can ask the local welfare office to review the level of means applying to his/her claim.

All farms, and in particular lower income drystock farms, benefit significantly from the €1.2 billion in single farm payments paid by my Department each year.

The new Rural Development Programme will also be a vital support to farm families in terms of enhancing the competitiveness of the agri-food sector, managing natural resources in

a sustainable manner, and ensuring the balanced development of rural areas. The Government has given a clear signal of its commitment to a strategic investment in rural Ireland and the agri-food sector by providing National Exchequer funding to bring the total amount available for RDP schemes to over €4 billion in the period to 2020.

### **Local Enterprise Offices Remit**

19. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine if he will consider providing assistance to the local enterprise offices to ensure that they can provide a services with a rural-agriculture dimension; and if he will make a statement on the matter. [23713/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As the Deputy is aware the development, operation and funding of the 31 Local Enterprise Offices (LEOs) throughout the country is a matter for my colleague the Minister for Jobs, Enterprise and Innovation.

These newly established offices are charged with promoting entrepreneurship and micro-enterprise development. They have been specifically developed to provide the first-stop-shop for those starting a new business as well as those wishing to expand an existing one. As advised in the answer to Parliamentary Question 23810/14 earlier this month, these offices “will be able to provide information and guidance to all business ideas, including those with a rural / agricultural dimension, and can provide funding and mentoring / training to projects that have the potential to trade internationally and become commercially viable”.

As part of their remit, where necessary, LEOs will refer entrepreneurs and aspiring businesses to relevant support services to assist specific development needs. In that context, if requested, marketing, consumer, innovation support services could be provided by Bord Bia while, if relevant, Teagasc could assist with scientific and technological knowledge.

### **Horticulture Sector**

20. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine the steps he has taken to develop food and other export and home market opportunities from the horticultural sector with particular focus on investment in research and development in view of the EU's concern over a deficit in this area. [23714/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Horticulture is a hugely important sector to Ireland and my Department has worked tirelessly on increasing the output and value of this sector. In fact, in 2013, Ireland's horticultural industry, excluding potatoes, had a farm-gate output value of €314m. This represented a 6% increase on the value of output for the sector in 2012.

Mushrooms represent over one third of the value of output for the sector and a significant proportion of our crop is exported to the UK. The value of output from the mushroom sector has grown significantly in recent years on the strength of an Industry/EU co-funded mushroom promotion campaign operating on the UK market since autumn 2010. Given the success of the original 3-year mushroom promotion campaign on the UK market, Bord Bia, with support from the Industry, submitted an application for a further 3-year mushroom promotion campaign which commenced in Autumn 2013 and covers both the Irish and UK markets and will see a spend of €2.7 million over the period.

The mushroom sector has also benefited strongly from participation in the EU's Producer Organisation Scheme which is administered by my Department. Ireland's largest Producer Organisation, Commercial Mushroom Producers (CMP) consists of 54 mushroom growers who, through their Producer Organisations, receive substantial aid through the scheme each year.

Through the National Development Plan, a total of €13.6m was paid to applicants under the Scheme of Investment Aid for the Development of the Commercial Horticulture Sector over the period 2009-2013. This competitive grant aid scheme supports capital investments in specialised horticultural equipment and buildings that contribute to at least one of the scheme's four objectives namely: to improve the quality of output, to facilitate environmentally friendly practices, to improve working conditions and to promote diversification of production.

A further €5 million in funding has been awarded to 163 successful projects under the 2014 Round of the Scheme. This will support investments by growers of approximately €13 million before the end of this year.

In support of the sector my Department implements the EU Marketing Standards for fresh fruit and vegetables by conducting inspections to verify these products meet quality and labelling requirements. One of the key points in these inspections is verification of country of origin labelling.

On the research front Teagasc is researching the benefits of creating new horticulture energy hubs that will allow new horticultural enterprises to reduce their energy costs while at the same time allowing the energy generator benefit from meeting their targets regarding utilisation of excess heat. Utilisation of such excess heat has the potential to reduce heating costs for some horticultural growers by up to one third. For a crop like tomatoes this could translate into a 20% reduction in overall production costs.

Teagasc is responsible for providing education and training as well as an advisory service for Ireland's agri-food sector and has recently invested €2m in developing its horticultural training facilities at the Botanic Gardens, Glasnevin. In addition following consultation with employers in the horticultural sector Teagasc are currently re-focussing their horticultural courses to meet industry demand for skilled commercial horticulture focussed graduates.

Teagasc also plan to develop a horticulture technology hub at Ashtown which will cover horticulture education, research and advisory services all under one single management structure. This should lead to strong efficiencies and synergies especially between the horticultural food production side and food research team based at Ashtown. This €5m investment will involve construction of new mushroom tunnels, glass and protected structures as well as new classrooms and seminar rooms.

### **Employment Data**

21. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the decrease in employment in agriculture, forestry and fishing in Quarter 1 2014; the reason for this decrease; the steps he has taken to arrest this downward slide in employment; and if he will make a statement on the matter. [26117/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The CSO's Quarterly National Household Survey (QNHS) shows that there was an annual increase in employment of 2.3% or 42,700 in the year to the first quarter of 2014, bringing total employment to 1,888,200. Employment increased in nine of the fourteen economic sectors over the year and fell in five.

The increase recorded in Agriculture, Forestry & Fishing was 14.3% or 14,300, compared to the first quarter of 2013, giving a figure of 110,500 for employment in the primary sector in the first quarter of 2014.

The CSO has advised that due to necessary changes in the sampling framework introduced incrementally to reflect the 2011 Census of Population, the first fully valid year-on-year comparisons for the agriculture sector will only be available from Q4 2014. The CSO also advise that the most valid comparison for all the QNHS data is year-on-year, i.e. Quarter 1 of 2014 should be compared with Quarter 1 of 2013, rather than with Quarter 4 of 2013.

The agri-food sector makes a significant contribution to employment at national and regional levels. While the sector accounts for almost 9% of employment at national level, it accounts for 14% of employment in the BMW region. This underlines the importance of the sector at a regional level, as well as the opportunities for further development which the implementation of Food Harvest 2020 will bring.

The new Rural Development Programme will be a vital support to rural Ireland in terms of enhancing the competitiveness of the agri-food sector, managing natural resources in a sustainable manner, and ensuring the balanced development of rural areas. The Government has given a clear signal of its commitment to a strategic investment in rural Ireland and the agri-food sector by providing National Exchequer funding to bring the total amount available for RDP schemes to over €4 billion in the period to 2020.

### **Fishery Harbour Centres**

**22. Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine if a process is in place whereby enterprises in marine tourism and marine-related engineering and electronics industries can apply for workspaces in national harbours, in particular at Howth harbour, County Dublin. [25913/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department owns, manages and maintains the six Fishery Harbour Centres located at Howth, Dunmore East, Castletownbere, Dingle, Rossaveel and Killybegs.

Properties located in the Fishery Harbour Centres are, when appropriate, offered for tenancy under lease agreement by means of an open competitive tendering process in accordance with good practice and public procurement guidelines.

In 2013, my Department held public competitive tendering processes for vacant sites in three Fishery Harbour Centres namely Howth, Castletownbere and Killybegs and plans with regard to potential future uses for vacant properties at the Fishery Harbour Centres are kept under ongoing review by my Department.

While Fishery Harbour Centres are first and foremost working fishery harbours, there are also a wide range of other activities in all the harbours, including Howth. My Department elicits harbour users views through regular communication with them and via the annual Harbour Users Forum which was most recently held in Howth on the 23rd January 2014.

Consideration will be given to demand for particular services should such demands become apparent, subject to public competitive tendering obligations.

Optimising the maximum return for the Exchequer, while delivering on a public service delivery remit, is foremost when considering potential future uses for vacant properties in the

harbours.

### **Rural Development Programme Funding**

23. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the total allocation for the Rural Development Programme 2014-2020; and if he will make a statement on the matter. [26114/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Rural Development Programme, 2014-2020 (RDP) will be co-funded from the National Exchequer and the EU's European Agricultural Fund for Rural Development (EAFRD). The agreement reached on the Multiannual Financial Framework provides for a total allocation of EU funding of €2.19 billion (€313m per annum over 7 years) to Ireland for a new RDP. A sum of €2.037 billion of the EU funding is allocated to measures to be delivered by my Department with the remainder allocated to LEADER funding which is administered by the Department of the Environment, Community and Local Government.

The Government's continuing commitment to strategic investment in the agri-food sector and the rural economy is evidenced by the provision of matching funding to bring the total allocation for the new RDP to over €4 billion.

The annual expenditure for each proposed measure over the lifetime of the new RDP will be subject to the normal annual budgetary procedure with the main areas for support being:

- a substantial new agri-environment/climate scheme (GLAS), which will build on the progress made under REPS and AEOS. This will provide for a maximum payment of €5,000 for up to 50,000 farmers and a further payment of up to €2,000 for a limited number of farmers who take on particularly challenging actions;

- continued strong support for disadvantaged areas (now Areas of Natural Constraint) amounting to about €195 million annually;

- support for on-farm capital investment amounting to €395 million over the lifetime of the RDP;

- knowledge transfer and innovation measures, aimed at underpinning farm viability, sustainability and growth through the adoption of best practice and innovative solutions;

- a beef data and genomics programme aimed at improving the genetic quality of the beef herd and worth up to €52 million per year; and

- other supports aimed at collaborative farming, organic farming, etc.

### **Grassland Sheep Scheme Payments**

24. **Deputy Seán Kyne** asked the Minister for Agriculture, Food and the Marine when it is envisaged that a final decision on the future of the sheep grasslands scheme will be made; if it will be retained as a separate payment or if it will be integrated with single payment entitlements; and if he will make a statement on the matter. [26136/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The current Grassland Sheep Scheme is based on Article 68 of EU Regulation 73/2009 which governs di-

rect payments in the form of the Single Payment Scheme. As of 1 January 2015 that Regulation is superseded by EU Regulation 1307/2013 and consequently there is no longer any legal basis for the continuation of the Grassland Sheep Scheme in its present form.

In developing the shape of the new system of Direct Payments in Ireland, I have been very conscious of the needs of sheep farmers, in particular those who farm on hill and commonage land. In general, sheep farmers hold low value entitlements under the current Single Payment Scheme and will benefit significantly from the model of convergence that is to be applied in Ireland where those with a low Initial Unit Value will see the value of their entitlements increase over the period of the scheme.

When determining the Initial Unit Value of a farmer's entitlements under the Basic Payment Scheme in 2015, Regulation 1307/2013 gives Member States the option to take into account any payment the farmer received in 2014 under Article 68 schemes such as the Grassland Sheep Scheme. This option is only available where the Member State is not applying voluntary coupled support to the sector concerned under the new CAP.

I have decided to apply this provision in Ireland as a means of safeguarding the value of the payments received under the Grassland Sheep Scheme for those farmers concerned. The Grassland Sheep Scheme is the only Article 68 scheme that is being incorporated into the calculation of entitlements under the new Basic Payment Scheme. If such incorporation does not take place the value of such payments would simply remain in the national fund and would be redistributed generally among all farmers who establish entitlements.

The incorporation of the Grassland Sheep Scheme payment into the calculation of a farmer's Initial Unit Value in 2015 will obviously result in a higher entitlement value for the farmers concerned from the start of the Scheme rather than relying solely on the gradual process of convergence to increase the unit value over the five year period up to 2019. Our analysis confirms that as a result of this provision the group of farmers who receive the Grassland Sheep Scheme will have an immediate financial benefit in 2015 as part of their payment under the Basic Payment Scheme.

### **Agriculture Schemes Payments**

25. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if he will consider an amnesty for farmers being penalised retrospectively due to unintentional over-claiming of payments due to changes in EU land eligibility technology. [26142/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** While there is no option to apply an amnesty in the case of those adversely affected by the ongoing land eligibility review, I can reassure the Deputy that every effort is being made to protect the interests of all Irish farmers during the process, including the interest of the majority of farmers, who were fully compliant in the declarations they made on an annual basis under the Schemes.

The issue of land eligibility is particularly crucial in the context of the various area-based schemes operated by my Department. The Deputy will be fully aware of the value of these EU funded Direct Payment Schemes, with farmers benefiting annually from funding of over €1.5 billion under Schemes such as the Single Farm Payment Scheme, the Disadvantaged Areas Scheme, the Agri-Environment Schemes, etc.

The European Commission has an obligation to ensure that Member States manage and use the EU funding granted to them in accordance with the very restrictive provisions governing the Schemes and general financial provisions. Under the Common Agricultural Policy, this is done

by way of a Clearance of Accounts procedure. This is a formal process and both the Commission and Member States are obliged to adhere to the requirements laid down in the legislation.

Deputies will be aware of the process, which involves audit missions, follow-up correspondence, a formal bi-lateral meeting followed by further correspondence, leading ultimately to the Commission's letter of findings. This letter, which was recently received, proposes significant corrections totally €181.5m, significantly ahead of the level that might reasonably have been anticipated.

However, we have the right, and fully intend availing of this right, to ask for the matter to be reviewed by the Conciliation Body. This body will review the case and seek written and oral observations from each party. It will make its recommendations, which the Commission will consider before arriving at its final definitive decision. Ultimately it is open to each Member State to initiate legal proceedings in the European Court of Justice in relation to the Clearance decision.

This is an extremely serious process. During the years 2002 to 2012, the Commission imposed financial corrections amounting to almost €5 billion on Member States. Ireland's share of this total amounted to €25.6 million (or 0.5% of the total amount corrected – one of the lowest percentages among Member States). Under the EU Regulations, the Commission has the right to impose a flat-rate correction of 2%, 5%, 10% or greater, depending on its assessment of the risk to the EU Fund involved.

On the other hand, the level of the correction can be based on the assessed risk, if the Member State can establish the risk and the Commission is satisfied with the calculations. In such circumstances, if the risk is dealt with by the Member State by collecting the debts arising from the over-payments, the amounts collected are taken into account by the Commission in its final assessment. This is the approach Ireland is following.

### **GLAS Scheme**

26. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the total number of applicants he expects to join the new GLAS scheme 2014-2020 in the years 2015, 2016 and 2017; the average payment he expects them to receive; and if he will make a statement on the matter. [26115/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** GLAS (the Green Low-carbon Agri-environment Scheme) is part of a suite of proposed measures under the new Rural Development Programme (RDP). Prior to any roll-out of the scheme the RDP must be submitted to the European Commission for approval and I expect to be in a position to do this shortly. The European Union approval procedure will involve a detailed analysis of our proposals and will take a number of months.

GLAS is designed around core requirements which all applicants must satisfy. A tiered approach is being applied to entry into the Scheme and the tiers are based on a consideration of priority environmental assets and actions.

The proposed maximum payment is €5,000 per annum, with the Scheme building up to the inclusion of some 50,000 farmers with a total envisaged expenditure of €1,450m over the programming period. It is envisaged that the number of Scheme participants at end of 2015 will be 25,000; at the end of 2016 will be 35,000 and at the end of 2017 will be 45,000 with the full complement of 50,000 being achieved in 2018. I expect most farmers to achieve the maximum payment under the Scheme.

It is also proposed that, within budget limits, a GLAS+ payment would be put in place for a limited number of farmers who take on particularly challenging actions which deliver an exceptional level of environmental benefit. It is proposed that this payment will be up to €2,000 per annum.

### **Animal Welfare**

27. **Deputy Maureen O'Sullivan** asked the Minister for Agriculture, Food and the Marine if he is committed to engaging in the outstanding issues he referred to at the Animal Health and Welfare Conference which took place on 16 May 2014 in Dublin Castle; if he is committed to re-engaging on the outstanding issues of hare coursing, digging out of foxes, badger culling, fur farming and the use of animals in circuses; and if he will make a statement on the matter. [26098/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Hare coursing is a matter for my colleague the Minister for Arts, Heritage and the Gaeltacht who has responsibility under national and EU wildlife law to ensure the conservation of the populations of certain species, including the hare. However, my Department is represented on a Monitoring Committee on Coursing, which was established in 1993/94, to monitor developments in coursing. This committee, which also includes representatives from both the National Parks and Wildlife Service (NPWS) and the Irish Coursing Club (ICC), keeps the situation under constant review to ensure that coursing is run in a well controlled and responsible manner in the interest of animal welfare both for hares and greyhounds alike. Since 1993, Irish Coursing Clubs have made it compulsory for greyhounds to be muzzled while they chase the hare thus making injury to hares a very rare occurrence. Veterinary Inspectors from my Department attend and monitor coursing events.

In relation to digging out, under the Animal Health and Welfare Act 2013, lawful hunting of an animal may take place unless the animal is released in an injured, mutilated or exhausted condition. The Hunting Association of Ireland and The Irish Working Terrier Federation have set out rules and procedures for the use of hunt terriers. It is intended that these rules and procedures will be examined in the context of Section 25 of the Animal Health and Welfare Act 2013 with a view to adapting them as modern Codes of Practice under the Act.

Badgers are protected by national legislation and are listed within the Berne Convention. My Department monitors the animal welfare aspects of badger culling on a continuous basis and is satisfied that culling has contributed to a significant reduction in the incidence of TB in cattle and that the arrangements and procedures involved in culling result in minimal injury to badgers.

A Code of Practice for fur farmers has been drafted under the new Animal Health and Welfare Act and includes a series of practical measures to assist fur farmers adapt the highest standards of animal husbandry and provide practical assistance for breeding and rearing of animals. This code is currently available on my Departments website.

With regard to the use of animals in circuses, my Department is working with circus representatives on the preparation of a code of practice. This code when enacted will be complemented by unannounced inspections by my officials.

### **Greenhouse Gas Emissions**

28. **Deputy Kevin Humphreys** asked the Minister for Agriculture, Food and the Marine the action his Department is taking to meet our EU 2020 targets on greenhouse gas emissions from the agriculture sector, which it is projected we will not meet; and if he will make a statement on the matter. [26125/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department is acutely aware of the need to identify cost effective abatement options that can reduce carbon emissions while at the same time improving farm profitability. We are currently developing a low carbon agriculture sectoral roadmap under the Heads of the Climate Action and Low Carbon Development Bill 2014 and this roadmap will take into account the targets in the industry's Food Harvest 2020 strategy as well as existing mitigation commitments. The roadmap will also outline a longer term view and seek to balance the objectives of allowing the food industry to grow so as to meet the food security challenges that face the world as well as the need to meet future climate change ambition.

The Environmental Analysis Report on Food Harvest 2020 found that the adoption and use of high technology and best production methodologies at farm production level will yield the best environmental outcomes and result in the most effective mitigation measures. The new Rural Development Programme (RDP) for the period 2014-2020 is being informed by the findings and recommendations in this report and the '*Marginal Abatement Cost Curve for Irish Agriculture*' (September 2012 prepared by Teagasc), and will be a key support in enhancing the competitiveness of the agri-food sector, achieving more sustainable management of natural resources and ensuring a more balanced development of rural areas.

The measures in the RDP 2014-2020 will be designed to support the smart green growth message of Food Harvest 2020 and thus encompass the themes of technology, efficiency and sustainability. The main elements of the consultation document in terms of proposed measures are:

- a substantial new agri-environment/climate scheme (GLAS), which will build on the progress made under REPS and AEOS;
- incentives for on-farm capital investment, which will incorporate support for investments with clear sustainability benefits;
- knowledge transfer and innovation measures including support for the European Innovation Partnership, which are aimed at underpinning farm viability, sustainability and growth through the adoption of best practice and innovative solutions;
- a new beef data and genomic technology that will have a range of benefits in terms of sustainability, profitability, animal health and welfare, quality assurance, and herd quality;
- other supports aimed at collaborative farming, artisan producers and organic farming.

The Government's policy position is to seek an approach to carbon neutrality in the agriculture and land-use sector, including forestry, which does not compromise capacity for sustainable food production. Teagasc has carried out a recent study entitled '*Carbon-Neutrality as a Horizon Point for Irish Agriculture*' (December 2013) which aims to address and provide a scientific framework for the challenge posed in seeking an approach to carbon-neutrality in the longer term for agriculture. My Department will continue to work closely with other Departments and agencies in developing the technical capacity necessary to underpin evolution of national climate policy and the development of a definition for carbon neutrality in the agricultural sector.

## **Disadvantaged Areas Scheme Eligibility**

29. **Deputy Thomas Pringle** asked the Minister for Agriculture, Food and the Marine if he will outline the process of the reassessment of areas covered by the areas of natural constraint scheme; the details of the new biophysical criteria; and if he will make a statement on the matter. [26130/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** There is an ongoing review at EU level of the Disadvantaged Areas Scheme (DAS) – this Scheme, to be known as Areas of Natural Constraint, is to be delineated by Member States using soil and climatic criteria, as proposed by the Commission, as follows:

- Climate, including Low Temperature and Heat Stress;
- Soil, including Drainage, Texture & Stoniness, Rooting Depth and Chemical Properties;
- Soil & Climate, including Soil Moisture Balance;
- Terrain, including Slope.

An area (administrative unit) would be delineated as an Area of Natural Constraint, when it meets the proposed threshold set for one of the above criteria only. The Commission are suggesting the delineation be carried out at a LAU2 level – District Electoral Division (DED) in Ireland's case. To qualify under the new system, an area will need to show that at least two-thirds of its utilised agricultural land meets at least one of these criteria.

The resultant Areas of Natural Constraint would be subject to a fine-tuning process. These so called Second Stage Criteria are designed to remove areas which, although they meet the biophysical criteria, are deemed to have overcome the natural disadvantage and, therefore, should not benefit under the Scheme. The Second Stage Criteria would not apply to the criteria Low Temperatures, Heat Stress and Slope. The suggested ones for the other criteria are as follows:

- Soil Moisture Balance: Fine tune using % of area that is covered by fixed irrigation.
- Drainage: Take account of the artificial drainage, which can in effect move soils from one class to another.
- Texture and Stoniness, Rooting depth and Soil Chemical properties: Fine tune using production related indicators.

Commencement of the process must firstly await finalisation of the Teagasc innovative Irish Soil Information System (ISIS), which is designed to complete the national soil survey and which is scheduled for completion later this year. On completion of ISIS the necessary comprehensive delineation may initially commence to see which land is included and excluded as Areas of Natural Handicap. Under the CAP Reform agreement, Member States have until 2018 to introduce a new regime.

## **Farm Inspections**

30. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the steps he will take to ensure fairness and transparency in the on-farm inspection regime; and if he will make a statement on the matter. [25915/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Depart-

ment, in the context of delivering the Single Payment Scheme, Disadvantaged Areas' Scheme and other area related schemes, is required to carry out an annual round of inspections covering both the eligibility of the land declared to draw down payments and also cross compliance aspects, to ensure adherence with EU regulatory requirements in the areas of public, animal and plant health, environment and animal welfare and ensuring that the farm is maintained in good agricultural and environmental condition. The basis for these inspections is governed by EU legislation and there are certain minimum numbers and types of inspections that must be conducted each year. Details of these inspections and the regulations involved are published in the Terms and Conditions of the schemes which are sent to every applicant annually.

These inspections are a necessary requirement in order to draw down approximately €1.6 billion of EU funds annually and to avoid EU disallowances. The inspections are subject to repeated audits by the European Commission, the European Court of Auditors and the Comptroller and Auditor General's Office and this ensures an independent verification that inspections are conducted in full compliance with the legal requirements. In abiding with the findings of these audits my Department ensures that these inspections are conducted in a fair and equitable manner and in full accordance with the legislative provisions. Furthermore inspecting officers are very experienced and are regularly trained to ensure that they carry out inspections in a professional manner, with a process of continuous oversight by supervisors and random verification of inspections to ensure a fair and consistent approach. In implementing the inspection programme, my Department takes maximum possible account of the realities of farming.

A comprehensive appeal mechanism is in place in order to protect the interests of farmers who have difficulties with the inspection findings or who consider that the inspection has not been conducted in accordance with legislative requirements. This appeal system incorporates the option for a farmer to initially seek to have the inspection outcome reviewed internally by an officer more senior than the inspecting officer. Where the farmer remains dissatisfied, the decision can be appealed to the independent Agriculture Appeals Office and ultimately to the Office of the Ombudsman, which brings an entirely external and visibly independent dimension to the process.

### **Animal Welfare**

31. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine the extra resources he has made available to enforce the new animal health and welfare legislation. [26100/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Considerable resources are being devoted to enforcing the new Animal Health and Welfare Act 2013 which brings together and modernises many existing laws in the area of animal health and welfare. My Department's network of regional offices throughout the country, together with the Animal Welfare helpline, are valuable resources and provide a reporting mechanism for any person concerned with an animal welfare issue. My Department also continues to provide considerable financial supports to both animal welfare organisations to assist their work in animal welfare activities and to local authorities to assist their work in dealing with abandoned horses. In this regard funding of €1.8m was provided to animal welfare organisations to support their activities in 2014 and funding of €3m was provided in 2013 to local authorities for their work in control of horses.

A feature of the new Act is that it provides for my Department to enter into service agreements with other bodies to act as authorised officers for the purposes of the Act. In this regard, service agreements have been agreed with the ISPCA, granting inspector's of that body greater

powers to perform their current functions. The support of An Garda Síochána is crucial in enforcing the Act and my officials will continue the collaborative approach built up over many years with the Gardai in ensuring compliance with animal health and welfare legislation. Codes of Practice are also a feature of the new act. These are designed to provide practical guidance relating to various parts of the act and will play an important role serving as guides to good welfare for those working with animals and reflecting best practice internationally.

In conclusion, the Animal Health and Welfare Act was a priority for me and I am confident that its enactment will facilitate a more effective implementation of animal health and welfare legislation. I am satisfied that adequate resources are being provided for this purpose.

### **Common Agricultural Policy Reform**

32. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his plans under the Common Agricultural Policy reform proposals to assist and support young farmers who have been farming for more than five years to build a viable farming enterprise; and if he will make a statement on the matter. [26139/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The new Direct Payments Regulation that will come into force in 2015 provides for a Young Farmers Scheme to assist young farmers in the initial stages of establishing a farming enterprise. Qualifying “Young Farmers” will be eligible to apply to the National Reserve for an allocation of new entitlements or a top up on the value of existing entitlements and also to participate in the Young Farmers Scheme.

The definition of Young Farmer includes the criteria that such persons are aged 40 or less in their first year of application and that they have established their holding within five years of their first application under the Basic Payment Scheme. This definition is included in the new Direct Payment Regulation, applies to all Member States, and no Member State has any discretion to vary these conditions. Member States may however add further qualifying criteria. In this regard, to ensure that limited resources are targeted specifically at persons who have a genuine interest in agriculture, I have decided to apply the following educational requirement:

- S/he has successfully completed a recognised course of education in agriculture giving rise to an award at FETAC level 6 or its equivalent.

The essential purpose of the Young Farmers Scheme is to assist young farmers in the initial stages of establishing a farming enterprise in their own name and to encourage generational renewal. It is for this reason that the payment is restricted to those who are establishing a farming enterprise or have established such a holding in the previous five years. In addition the restricting of the payment to a maximum of five years will make it possible to support those young farmers who will come on-stream in the years subsequent to 2015.

Most farmers who have been farming for more than five years hold existing entitlements under the Single Payment Scheme. Where such farmers hold low value entitlements they will benefit significantly from the process of convergence that will apply under the Basic Payment Scheme. They will also benefit from the Greening payment which, as it is calculated as a percentage of a person’s payment under the Basic Payment Scheme, will converge in line with the Basic Payment.

The National Reserve under the current Single Payment Scheme operated up to the scheme year 2012 and many of the group in question were in a position to avail of an allocation of entitlements or a top-up on existing entitlements during one of those years.

I am however very conscious of the group of young persons who were unable to avail of the Installation Aid Scheme and who are also excluded from the benefits of being a 'young farmer' due to the five year rule. I am actively investigating alternative ways in which this group may be assisted.

### **GLAS Scheme**

33. **Deputy Seán Kyne** asked the Minister for Agriculture, Food and the Marine the consultation and discussion with farming groups regarding the GLAS scheme especially regarding 50% and 80% for the tiered participation of commonage shareholders in the scheme. [26132/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I announced details of the new GLAS (Green Low-carbon Agri-environment Scheme) on the 14 of January 2014 as part of a suite of proposed measures under the new Rural Development Programme. GLAS will provide significant funding to farmers who undertake environmental actions in line with national and EU environmental objectives. It will contribute to the overall public good and will build on the success of previous agri-environment schemes.

Stakeholder consultation has been a central element in the development of the new RDP, and has been ongoing for almost a year. In that time, a number of different formal and informal consultation processes involving the farming organisations have taken place. The most recently completed stakeholder consultation centred on the Strategic Environmental Assessment (SEA). As part of this process I published a consultation document on the new Rural Development Programme, which sets out the range of proposed measures in considerable detail.

Since I first proposed priority access for commonage owners who could achieve 80% participation level in a collective, I have listened carefully to the concerns expressed by farmers about the difficulty of achieving that level of agreement. Having reviewed the position in the light of those concerns, I announced on 13 May 2014 that I was building in a second-tier access to the Scheme where a minimum of just **50%** participation could be secured. I believe this will significantly ease the burden of securing collective agreements. Once the inputs from the final round of public consultation have been assessed, I will move to finalise the detail of the scheme. At that stage I envisage further discussions with the various farm bodies.

### **Milk Supply**

34. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if there is any threat to the supply of fresh liquid winter milk in the short to medium term; the steps he has taken to address this matter; and if he will make a statement on the matter. [26113/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The fresh milk market is the largest consumer market for milk and milk products in the State with an estimated retail value of €513m in 2013. National consumption of fresh liquid milk in 2013 was 552 million litres. Average per capita consumption in the State of 0.34 litres per day was the second highest in the EU.

The National Milk Agency, which operates under the aegis of my Department, was set up in 1994 to ensure an indigenous year round supply of milk for liquid consumption. To this end, all farmers supplying milk for liquid consumption in the winter months do so under contracts with processors which must be registered with the Agency. Farmers supplying milk in the winter months are paid a premium over the price paid to farmers who only produce milk in

the spring-autumn period. This premium reflects the additional costs of producing milk in the winter months.

Currently there is no indication of a threat to the supply of fresh liquid winter milk in the near term. In the five prescribed winter months of October 2013 to February 2014 total milk supplies by registered producers amounted to an estimated 296 million litres, an increase of 12 million litres on 2012/13, representing more than adequate cover for liquid milk consumption of an estimated 225 million litres.

The removal of EU quotas in 2015 may have an impact on the manufacturing and liquid sectors and in particular winter milk production and developments in that regard will be monitored closely.

### Income Data

35. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if he is concerned that the Teagasc national farm strategy for 2013 has pointed to the fact that cattle, tillage and sheep farmers' incomes are falling behind dairy farmers to the extent that persons are leaving the sector; and if he will make a statement on the matter. [26143/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The table below shows family farm income estimates from Teagasc's National Farm Survey for the last three years, by system of farming.

#### Family Farm Income by system of farming, 2011 to 2013

Family farm income by system of farming €	Dairying	Cattle Rearing	Cattle Other	Sheep	Tillage	All farms
2011	67,847	12,827	19,183	19,050	37,092	30,095
2012	49,290	12,186	17,896	18,243	37,151	25,479
2013*	64,371	9,460	15,595	11,160	29,907	25,639

\* Preliminary estimate

Source: Teagasc National Farm Survey

This data illustrates that there is a major gap between the incomes on dairy farms and those on drystock farms, with tillage farms in between. Dairy farm incomes increased by 31% last year, although this followed a reduction of 27% the previous year. Average income fell for all non-dairy farm systems.

It should be borne in mind that almost all dairy farms are classified by Teagasc as full-time farms in terms of the labour input required, whereas most drystock farms are classified as part-time in terms of labour input required. A further point is that family farm income does not equate to farm household income. On 28% of all farms the farm holder had an off-farm job, and on 51% of farms either the holder and/or spouse had an off-farm job in 2013, both marginally higher than in 2012. Overall, it is estimated that on 75% of farms, either the farmer and/or spouse had another source of off-farm income, be it from employment, pensions or other social welfare payments.

While a number of drystock farmers will convert to dairy in the post-quota era, I expect that

only a relatively small number of larger scale drystock farmers will be in a position to do so. All farms, and in particular lower income drystock farms, benefit significantly from the €1.2 billion in single farm payments paid by my Department each year.

The new Rural Development Programme will also be a vital support to farm families in terms of enhancing the competitiveness of the agri-food sector, managing natural resources in a sustainable manner, and ensuring the balanced development of rural areas. The Government has given a clear signal of its commitment to a strategic investment in rural Ireland and the agri-food sector by providing National Exchequer funding to bring the total amount available for RDP schemes to over €4 billion in the period to 2020.

### **Trade Agreements**

36. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he is satisfied that the benefit achieved in the context of Common Agricultural Policy reform for European agriculture will not be eroded in any future international trade discussions; and if he will make a statement on the matter. [26137/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As a small open economy dependent on trade, Ireland favours ambitious and balanced trade agreements. We have a number of offensive interests in the current negotiations that are taking place with Japan, India, Vietnam, Thailand and of course the United States. Like others we have defensive interests as well. The current negotiations with MERCOSUR come to mind in that regard.

The recent reform of the Common Agricultural Policy was a useful and progressive reform making the CAP fit for purpose to 2020. It provided farmers and the agri-food sector with policy certainty for the years to come and with strategic financial support to increase sustainability and enhance competitiveness. Against this background, we must ensure that there is proper coherence between trade and agricultural policy in the EU. I have consistently made this point to my colleagues in other EU Member States and to the Commission and I will continue to work to ensure that we engage in trade negotiations that promote the interests of the EU agricultural sector.

### **Common Agricultural Policy Reform**

37. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the degree to which he is confident of achieving the best possible result for the agricultural community in the context of redistribution of direct payments under the various headings in the aftermath of Common Agricultural reform with particular reference to the need to ensure that regard is had for the size and importance of the various farm enterprises and the need to ensure the ongoing viability of such enterprises; and if he will make a statement on the matter. [26138/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** When formulating the shape of Direct Payments in Ireland, I based my decisions on some key fundamental principles. In particular, it is my clear objective that any disruption to our current levels of production arising from the Reform should be minimised. There was a distinct danger for Ireland that the Commission proposal to move to a 'flat-rate' would redistribute funds away from our most productive farmers and land, to the less fertile areas of the country. While recognising that it is no longer possible to justify variations in the level of support on the basis of out-dated historical references, my guiding principle was that the redistribution of funds should take place

in a gradual, phased manner over the five years of the new scheme thereby allowing farmers to adjust to the new level of income support.

For this reason, the redistribution of funds in Ireland will be managed solely through the mechanism of the Internal Convergence Model as originally proposed by Ireland. This model provides a clear methodology for the redistribution of funds from those who currently hold high value entitlements to those who hold low value entitlements. It is predictable and easily tracked and will make it possible to provide very clear information to farmers regarding the level of support they can expect to receive for the period 2015 to 2019. In addition it achieves the stated objectives of a gradual phased redistribution of funds in a fair and objective manner.

Any farmer with an Initial Unit Value below 90% of the national average entitlements value will see the value of their entitlements increase. The 'minimum entitlement value' by 2019 has been set at 60% of the national average while I have also applied a 'maximum value' whereby no farmer will receive a payment per hectare of over €700 by 2019.

I have also applied significant priority to young farmers under the Direct Payment Regulation and this priority is supported in our implementation. In common with many other EU Member States, Ireland has experienced a significant aging of our farming community and I have looked to the category of 'young farmer' as a means of encouraging generational renewal. In this context I have decided to apply the maximum amounts permissible of 3% of our Basic Payment ceiling to the National Reserve and 2% of our National ceiling to the Young Farmers Scheme for 2015. To ensure that the benefits of the 'young farmer' category are targeted at those who have a genuine interest in agriculture as a career, I am also applying a requirement for a high level of education in agriculture.

In determining eligibility under the new Scheme, I also decided to implement the so call Scottish Derogation measure which allows my Department to allocate entitlements to those who never held entitlements under the current Single Payment Scheme but who were actively farming in 2013. In addition farmers that were not eligible to receive a payment in 2013 (and therefore do not have an automatic allocation right) but who produced fruits and vegetables in 2013 will be eligible to receive an allocation of entitlements under the new reform. A minimum area of one hectare will be applied to this group.

In determining the number of entitlements to be allocated under the Basic Payment Scheme, Ireland will make use of eligible land declared in 2013 and 2015, whichever is lowest. This option is of particular importance in Ireland where much farming activity is based on leased land and where a future 'land reference' would have resulted in very disruptive land speculation.

The outcome is a reasonable and balanced compromise between the need for a fair redistribution of funds while ensuring that such distribution continues to reflect the realities of agricultural production in Ireland.

### **Common Travel Area**

38. **Deputy Terence Flanagan** asked the Tánaiste and Minister for Foreign Affairs and Trade his plans to legislate to ensure that there is passport-free travel for qualifying persons travelling within the common travel area; his views on a Bill regarding this issue (details supplied); and if he will make a statement on the matter. [26370/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** This question touches on some issues that are not within this Department's remit, however I can confirm that there is no requirement to present a passport for travel within the common travel

area. However, I am aware that at least one airline requires a passport, not for travel within the common travel area, but rather as the only approved means of establishing the identity of Irish travellers. Customers are made aware of this airline requirement at the time of flight booking and accept this requirement as just one of a number of terms and conditions of the booking. Ultimately customers have the option which airline to use and can travel without a passport within the common travel area with other carriers. Accordingly, I do not believe that enacting legislation envisaged by the Deputy would address the question of the voluntary terms and conditions to be accepted by Irish travellers when making a flight booking.

### **VAT Rate Application**

39. **Deputy Terence Flanagan** asked the Minister for Finance his plans to change the current threshold for VAT which is pricing new small businesses out of the market; and if he will make a statement on the matter. [26502/14]

**Minister for Finance (Deputy Michael Noonan):** VAT registration thresholds provide a mechanism for exempting business with a low turnover from having to register for VAT. This reduces the administrative burden on both small businesses often at the developmental stage and on the Revenue Commissioners. The VAT registration thresholds for small businesses are currently €37,500 in the case of a person supplying services and €75,000 in the case of person supplying goods. These thresholds were last increased in Budget 2008 from €35,500 and €70,000 with effect from the 1 May 2008.

With regard to increasing the thresholds, I would point out that Ireland already operates the third highest registration threshold for goods and the fourth highest threshold for services in the EU. Indeed, some Member States do not operate any VAT registration threshold, requiring all businesses to register for VAT irrespective of their level of turnover. While the registration thresholds are designed to reduce the administrative burden on businesses and Revenue, registration thresholds are not intended as a means of keeping small businesses permanently outside the VAT system. Therefore in setting registration thresholds levels, the objective is to strike an appropriate balance between the desirability of reducing the administrative burden on small businesses and the need to avoid undermining tax compliance or causing competitive distortions relative to registered firms.

### **Tax Code**

40. **Deputy Ciarán Lynch** asked the Minister for Finance the taxation implications of the widespread practice, especially in the pharmaceutical industry, of persons being engaged on a self-employed basis to perform duties similar to their company employee colleagues; and if he will make a statement on the matter. [26377/14]

**Minister for Finance (Deputy Michael Noonan):** There are a number of differences between the tax treatment of a self-employed individual and an employee. The main ones are:

- self employed individuals are required to account to the Revenue Commissioners for income tax, USC and PRSI through the self assessment system whereas, in the case of an employee, the employer is required to account to the Revenue Commissioners for income tax, USC and PRSI through the PAYE system,

- self employed individuals who earn income in excess of €100,000 are liable to USC at a rate of 10% on income over that amount whereas the maximum rate for employees is 7%, and

- the PAYE income tax credit does not apply to self employed individuals.

In addition, an employer must pay employer's PRSI in respect of remuneration paid to employees. This does not arise in the case of payments made to a self employed individual.

I am informed by the Revenue Commissioners that, in recent years, they have become increasingly aware of instances where companies purport to engage individuals as independent self employed contractors when, in practice, they perform duties in a similar manner to employees. The Revenue Commissioners examine such arrangements on a case by case basis, taking account of the facts and circumstances of each case, to determine if such individuals are genuinely self employed. In arriving at a determination, the Revenue Commissioners have regard to the criteria set out in the Code of Practice for determining Employment or Self-employment Status of Individuals, and also relevant case law. If the Deputy has concerns in particular cases that individuals are not genuinely self employed, the Revenue Commissioners would be happy to examine any such cases.

I am also advised by the Revenue Commissioners that there is a national audit project (known as the "contractors project") underway since July 2013, concerned with service professionals who provide services through a company under contract to third-party clients, including clients in the pharmaceutical industry referred to by the Deputy.

In 2011, through normal audit activity, Revenue identified a potential issue in situations where professionals providing engineering services formed companies (of which they were both directors and employees) which then contracted with client companies, often multinationals, for the provision of the services of the individual. A characteristic of these companies was that they typically had no other business, and no non-director employees. In a number of such cases examined, the level of expenses reimbursed tax free to the director/contractor was found to be excessive and in several cases included expenses which either had not been incurred at all, or were personal rather than business-related.

A pilot project operated in Revenue's South West Region in 2012 and 2013 which audited 119 companies with additional liability in 107 cases, and a further 24 directors of contractor companies have also agreed settlements. The total additional tax liability was €2,801,977. Penalties of €906,433 (32%) and interest of €857,216 were imposed. By this time it was clear that there was a pattern of behaviour which warranted a national audit project. A list of companies was compiled from the business sectors identified in previous audits, where there were few or no employees apart from the directors, and which exhibited one of the following characteristics: (a) travel and subsistence expenses amounting to more than 20% of turnover; (b) other expenses amounting to more than 20% of turnover, or (c) the combination of both amounting to more than 25% of turnover. The cases fell into the categories of professional, scientific and technical services (60%), information and communication services (38%) and certain administrative and support services (2%). In addition to cases from this list, audits which remained open in the South West Region at 1 July 2013 were subsumed into the national project.

Since 1 July 2013, a total of 385 company audit cases have been closed, with additional liability in 299 cases, and a further 49 directors of contractor companies have also agreed settlements. Additional tax of €5,969,630 has been identified, with penalties of €1,765,995 (30%), and interest of €1,639,623. At the moment 368 companies remain under audit, and Revenue is now moving to bring these cases to finality. Most of the audits now open indicated their intention to make a disclosure to Revenue some months ago and availed of a concession whereby Revenue agreed to allow additional time and to provide guidance in compiling disclosures. Revenue has now written to those taxpayers advising that the process of preparing disclosures must be completed urgently if the benefits of voluntary disclosure (which encompass lesser

penalty and non-publication provided certain specific conditions are met) are to be preserved.

In the course of the contractors project it has become clear that the provision of services under contract is a large and growing practice with many thousands of contractors involved in a range of professional services sectors. Many of these professional contractors operate companies in a traditional mode, where they employ staff, operate from an established place of business, and provide a range of specialised services on the open market. For such companies, Revenue's project has generally found little or no additional tax liability arising from travel expenses. Another, quite different type of contracting also exists in considerable numbers, where an individual's services are obtained, often through the facilitation of a recruitment agency, and a contract is concluded with the individual's company. In some cases, a company may be provided to the individual for this purpose. Typically, the work is done at the client's premises and the contractor's company has no other business. Between these two types of contractor there are a huge number of individual variations.

Revenue published two tax briefing articles in 2013 which made it clear that, where the services of an individual are being provided through an intermediary, as opposed to the traditional provision of goods or services to the market generally, the expenses which may be claimed against tax liability are similar to those that may be claimed by an employee. Thus for example an individual going to work abroad under a contract must bear the cost of doing so him/herself regardless of whether the contract is with the person or with his/her company.

As the current phase of the contractors project comes to a conclusion, Revenue will review the outcomes in detail and decide how best to reflect them in future audit activity. At the same time, Revenue will examine the impact of emerging practices in other areas, for example in the use of contractors operating abroad, to ensure that they pose no risks of loss to the exchequer.

### **Priory Hall Development**

41. **Deputy Brendan Ryan** asked the Minister for Finance if the owners of apartments in Priory Hall have had their credit ratings amended in respect of the mortgage loans on those properties as per the resolution framework for Priory Hall agreed in October 2013; if he will examine the case of a person (details supplied); and if he will make a statement on the matter. [26393/14]

**Minister for Finance (Deputy Michael Noonan):** An Implementation Oversight Group, under the aegis of the Department of the Taoiseach, is in place to oversee the overall implementation of the October 2013 Priory Hall Resolution Framework. The Framework provides, inter alia, that the credit rating of the residents of Priory Hall apartments, in respect of the mortgage loans on those properties, be restored to the position it would have been in prior to evacuation of the complex. I understand from the Department of the Taoiseach that the vast majority of residents have had their credit ratings restored. However, regarding the particular case raised by the Deputy, my Department will follow up on the matter and will revert to the Deputy as soon as possible.

### **NAMA Loan Book**

42. **Deputy Pearse Doherty** asked the Minister for Finance the number of vacant residential properties the National Asset Management Agency is exposed to in Dublin by postcode; and the number by county outside Dublin. [26407/14]

**Minister for Finance (Deputy Michael Noonan):** I would like to advise the Deputy that a detailed breakdown of the property securing NAMA's remaining loans by region and by sector is outlined on page 42 of its Annual Report and Financial Statements for 2013, which is available on the Agency's website, [www.nama.ie](http://www.nama.ie). In evidence to the Dáil Committee of Public Accounts on 29 May, NAMA indicated that it has an interest as a secured lender in about 16,000 residential units, mainly apartments, which are mainly located in Dublin, Cork, Limerick and Galway. The vast majority of these properties are currently let by their owners/receivers in the private rental market. NAMA does not generally have an exposure to vacant property in that as residential properties within its portfolio are brought to a completed state, they are placed on the market by debtors or receivers for rent or sale or made available for social housing.

### **Property Taxation Exemptions**

43. **Deputy Clare Daly** asked the Minister for Finance the reason a person with a building condition assessment pyrite damage rating of 2 is not exempt from the property tax this year as the assessment was carried out this year, even though the property clearly has no value in that condition. [26462/14]

**Minister for Finance (Deputy Michael Noonan):** To be eligible for an exemption from the charge to Local Property Tax (LPT), a liable person must obtain a certificate from a competent person, such as an engineer or a geologist, confirming the presence of significant pyritic damage and, I am informed, a liable person cannot claim the exemption until the relevant certificate has been issued in respect of the residential property concerned. In the absence of this certificate, LPT must be paid in full or by means of one of the approved phased payment arrangements.

It is not clear from the Deputy's question whether the necessary sampling and testing of the sub-floor hardcore material has been carried out on foot of the results of the Building Condition Assessment and whether the relevant certificate has issued to the property owner. Section 10A of the Finance (Local Property Tax) Act 2012 (as amended) provides that a temporary exemption from the charge to Local Property Tax (LPT) will apply for a period of at least three consecutive years for residential properties that have been certified under Regulations made by the Minister for the Environment, Community and Local Government as having "significant pyritic damage".

The Finance (Local Property Tax) (Pyrite Exemption) Regulations 2013 (S.I. No. 147 of 2013) require that residential property owners demonstrate significant pyritic damage in accordance with I.S. 398 Reactive Pyrite in sub-floor hardcore material Part 1, which was published in 2013 by the National Standards Authority of Ireland. This standard provides guidance on the Building Condition Assessment, as well as on the sampling and testing to be carried out, to establish the presence of significant pyritic damage.

As regards the period from which the exemption can be claimed, the standard procedure is for property owners to start the period of exemption from the liability date following the issue of the certificate. The exemption is linked to the three year valuation period and, depending on when in a 3-year valuation cycle the certificate is issued, the exemption may last for up to five years. For example, where a property owner received the relevant certificate in June 2014 then on 1 November 2014 (liability date for 2015) he/she can claim the exemption for the five year period of 2015 to 2019. Where a property qualifies for the exemption, it continues to apply even where the property is subsequently remediated before the end of the exemption period.

As the Deputy can appreciate the rules governing when, and for how long, the exemption applies are complex and are best explained by the use of examples. I am advised that further

detailed information and examples on how the exemption for residential properties with significant pyrite damage operates are provided by the Department of Environment, Community & Local Government, [www.environ.ie](http://www.environ.ie), or they can be accessed from the LPT pages of the Revenue website [www.revenue.ie](http://www.revenue.ie).

### **Banks Recapitalisation**

44. **Deputy Seamus Healy** asked the Minister for Finance further to Parliamentary Question No. 177 of 18 April 2012 (details supplied) and in view of the statement made by him in the reply and the fact that the statement indicates that €1.2 billion was put into Bank of Ireland by the National Pension Reserve Fund on behalf of the State following the Central Bank's 2011 prudential capital assessment review the portion of ownership of Bank of Ireland that passed into the hands of the State as a result of NPRF putting the €1.2 billion into the bank; the type of shares in Bank of Ireland that were purchased by the NPRF in this transaction; when the transaction was completed; the portion of Bank of Ireland that was owned by the State on each of the following dates, 1 January 2011 and the day following the date of completion of the €1.2 billion transaction; and if he will make a statement on the matter. [26474/14]

**Minister for Finance (Deputy Michael Noonan):** The table referred to in PQ 18719/12 issued on April 18th 2012 showed a total investment by the State of €1.2bn in Bank of Ireland as a result of the 2011 PCAR exercise. This figure was shown coming from the NPRF and a note to the table indicated that the contribution from the exchequer was put at zero as the figure was calculated net of the proceeds from the share sale to private investors.

In order to understand the background to this presentation, the relevant transactions need to be broken down into their component parts. First the NPRF subscribed for its pro-rata share of the 2011 rights issue i.e. approximately €1.2bn of ordinary shares and that is the figure shown in the table. Second there was a contractual agreement to sell approximately €1bn of these rights issue shares to a North American investor consortium at the same price. Third there was the investment of €1bn in Contingent Capital Notes ("cocos") made by the Minister directly i.e. from exchequer funds. Fourth in order to mitigate the impact of this outlay on the exchequer, the Minister subsequently directed the NPRF to transfer the funds from the ordinary share disposal to the exchequer and this transfer is disclosed in the 2011 NPRF Annual Report. The coco investment and the disposal proceeds effectively offset each other and explain why the exchequer contribution in the table is shown as zero.

The State's equity holding in Bank of Ireland was 36% on 1 January 2011 and post the NPRF's net €0.2bn investment in the ordinary equity of the bank, the State's shareholding fell to 15.1%, if one includes approximately 0.1% held separately by the NPRF in a discretionary fund.

The disposal to the North American consortium completed in two tranches, with the first shares transferring on July 29th 2011 and the second on October 12th 2011. If the State had not agreed to sell a portion of the shares it was entitled to as part of the bank's rights issue, it would have maintained its stake at 36% but at a significant additional cost to the taxpayer during what was a very difficult period for the country. Moreover as I have said in recent days, the announcement that private investors were prepared to put money into Bank of Ireland at the time had significant knock on benefits for both the bank and the State itself.

### **Credit Unions Regulation**

45. **Deputy Michael McGrath** asked the Minister for Finance if the Central Bank of Ireland is conducting an inquiry into certain matters at a credit union (details supplied) in Dublin 3; and if he will make a statement on the matter. [26494/14]

**Minister for Finance (Deputy Michael Noonan):** I have been informed by the Central Bank of Ireland that while the Central Bank does not comment on any specific institution, they have confirmed that they are engaged with the credit union in relation to certain irregularities and there is an on-going Garda investigation into these matters.

It has been brought to my attention that a number of anomalies were discovered in the accounts of the credit union and that an independent forensic review is now underway. This review will determine the financial loss to each affected member and will ascertain the true financial position of these accounts. I understand that the credit union concerned has stated that any member whose account has been affected will have their account amended to reflect the correct position and no member will be at a financial loss. In relation to those accounts where payments are alleged to have been made, specific steps will also be taken to determine the true position in relation to these accounts.

While the net loss to the credit union is estimated to be between €400,000 and €450,000, I have been informed that the credit union expects indemnification of this amount under its insurance policy.

*Question No. 46 withdrawn.*

### **Budget Consultation Process**

47. **Deputy Terence Flanagan** asked the Minister for Finance if he has considered publishing at budget time a forecast income and expenditure account for the next ten years and a forecast national balance sheet projecting the next ten years; and if he will make a statement on the matter. [26510/14]

49. **Deputy Terence Flanagan** asked the Minister for Finance his plans to make budget information more user friendly and understandable for the general public; and if he will make a statement on the matter. [26512/14]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 47 and 49 together.

My Department is always considering how to present Budgetary information more clearly. In recent times, we have, for example, published alternative presentations of Exchequer returns, provided presentations and infographics along with the Budgetary material, published monthly revenues and expenditures of all sectors of general government and published working papers on selected issues. Consistent with the requirements of the two-pack, in October, alongside other euro area member states we will be publishing a draft budgetary plan for the first time, and the CSO will be publishing new data on contingent liabilities with potentially large impacts on public budgets, government guarantees, non-performing loans, and liabilities stemming from the operation of public corporations. Under the two-pack our economic forecasts are provided for endorsement to the Irish Fiscal Advisory Council. The Department of Public Expenditure and Reform, under my colleague Minister Brendan Howlin TD has expanded the information provided in the Expenditure Report to include performance budgeting information, comprehensive reviews of expenditure and a new public spending code.

We have also taken part in an IMF Fiscal Transparency Assessment, and the recommenda-

tions from that report have been referred to a steering group for consideration and implementation as appropriate. This report includes recommendations relating to a public sector balance sheet and incorporating more information on revenue and expenditure flows in budget documentation.

However, it is important to recognise that the provision of additional information adds a burden to my officials. Adding extra material must be considered carefully so as not to hamper the core forecasting and monitoring requirements that we are legally bound to provide and, which, as a consequence, is our priority. We will continue to improve the budgetary and financial information in all relevant documents, taking care to ensure that it is useful to stakeholders.

### **Economic Policy**

48. **Deputy Terence Flanagan** asked the Minister for Finance the forecasting that his Department carries out; the future period this covers; and if he will make a statement on the matter. [26511/14]

**Minister for Finance (Deputy Michael Noonan):** Up until recently, the forecasting period covered in the Budget and Stability Programme included the current year, and at least three future years, for example 2014 - 2017. Under the new European fiscal framework, Ireland is required to provide forecasts in the Budget and the Stability Programme for a period until the medium-term budgetary objective (also known as MTO) is achieved, which in Ireland's case is estimated to be 2018. In order to provide economic and strategic guidance over a longer term period, my Department published the Medium Term Economic Strategy last December. This provided projections out to 2020 for the first time, to give a focus for the future direction of the Irish state.

*Question No. 49 answered with Question No. 47.*

### **EU Fiscal Policy**

50. **Deputy Terence Flanagan** asked the Minister for Finance the major issues he raised with euro area Finance Ministers when he reviewed other countries budgets last year; and if he will make a statement on the matter. [26513/14]

**Minister for Finance (Deputy Michael Noonan):** Member States subject to a macroeconomic adjustment programme are exempt from submitting a Draft Budgetary Plan (DBP). Cyprus, Greece, Portugal and Ireland did not have to present a DBP, as the surveillance took place in the context of the programme. Therefore the assessment of the euro area was based on the 13 Member States that submitted DBPs. In the case of Austria, Germany and Luxembourg, DBPs were submitted by outgoing governments and on a no-policy change basis. Ministers carefully scrutinised and discussed each other's Draft Budgetary Plans. It was agreed that the fiscal plans for 2014 were broadly appropriate. The Eurogroup welcomed the fact that no draft budgetary plan was found to be in serious non-compliance with the obligations of the SGP and that consequently no resubmission of a DBP would be requested by the Commission. I agreed with my colleagues on this conclusion. The Eurogroup concluded that fiscal consolidation efforts are delivering results and that the euro area is making its way out of the crisis. The euro area's government debt level is expected to stabilise in 2014 and the deficit is planned to fall below 3 per cent of GDP.

## Departmental Staff Remuneration

51. **Deputy Sean Fleming** asked the Minister for Finance the cumulative total of unapproved salary top-ups currently being paid under the remit of his Department; and if he will make a statement on the matter. [27084/14]

**Minister for Finance (Deputy Michael Noonan):** The cumulative total of unapproved salary top-ups currently being paid under the remit of my Department is nil.

## School Curriculum

52. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills if civil, social and political education will be removed as a compulsory State examinable subject under the new junior cycle curriculum; and the way students will be educated in areas such as aspects of active citizenship, human rights and the political system under the new curriculum. [26368/14]

53. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills if his attention has been drawn to Ireland's obligations under a number of United Nation's conventions, including the United Nation's Convention on the Rights of the Child 1989, to provide education on human rights to children; and the way this obligation will continue to be fulfilled if and when the junior cycle curriculum is reformed. [26369/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 52 and 53 together.

In the context of the implementation of the new Framework for Junior Cycle the only subjects that will be "compulsory" are English, Mathematics and Irish. This decision has been taken to give schools the flexibility to develop their Junior Cycle programme mindful of the educational needs of their own students and mindful of the principles, statements of learning and key skills as set out in the Framework. In fact, the new Framework includes a strong focus on education for active citizenship and the promotion of human rights and responsibilities.

Education about active citizenship and human rights issues are an integral component of the Framework for Junior Cycle. For example, one of the 24 'Statements of Learning', that encompass the key knowledge and skills that students will develop during their junior cycle, requires that students will "value what it means to be an active citizen with rights and responsibilities in local and wider context". In addition, the 8 key skills which underpin the new Framework for Junior Cycle, include "working with others" whereby students should realise and experience how they can "contribute to making the world a better place". As students will be expected to experience these principles, statements of learning and key skills, it is anticipated that education for active citizenship and education about human rights and responsibilities will continue to be an important part of the new Junior Cycle.

I recently approved a new short course in CSPE that has been developed by the National Council for Curriculum and Assessment (NCCA). This short course will be available to schools to implement from this September, should they wish to do so, as part of their Junior Cycle programme. This programme is in fact designed for 100 hours of teaching compared to less than 70 hours for the existing CSPE syllabus. The new short course aims to inform, inspire, empower and enable young people to participate as active citizens in contemporary society at local, national and global levels based on an understanding of human rights and social responsibilities. One of the three strands in the short course focusses on 'rights and responsibilities'. The United Nations Declaration of Human Rights (UNDHR), the United Nations Convention

on the Rights of the Child (UNCRC), and the European Convention on Human Rights (ECHR), are key documents which underpin the course. Informed by these documents, CSPE students will be expected to participate in activities which include designing a campaign to highlight a human rights issue.

As with Junior Cycle, education about active citizenship and human rights issues are also reflected at Senior Cycle. As part of transition year, students are afforded the opportunity to further interrogate some of the themes encountered in CSPE at Junior Cycle. This is facilitated by the availability of resources and materials that have been developed by a number of NGOs, including Amnesty International, for use by transition year pupils.

I have also indicated my intention to introduce 'Politics and Society' as a new optional Leaving Certificate subject. One of the objectives of the draft syllabus, which has been developed by the NCCA, is to develop 'a sense of care for others and a respect for and a valuing of diversity in all areas of human life within the parameters of human rights principles'. In addition, the draft syllabus is structured around four key areas. One of these areas is 'Active Citizenship'. The Politics and Society subject will be made available to schools once the NCCA has advised my Department on a number of outstanding issues.

### **Student Grant Scheme Eligibility**

54. **Deputy Joan Collins** asked the Minister for Education and Skills the supports that are in place for parents of multiple birth children in respect of the transition from second to third level education (details supplied). [26375/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The assessment of means under my Department's student grant scheme is based on gross income from all sources. The means test arrangements of the student grant scheme are applied nationally. In the case of both employed and self-employed applicants, gross income is assessed with certain specified social welfare and health service executive payments excluded. There are no particular supports in place through SUSI for parents of multiple birth children in relation to the transition from secondary to third level education. However, the Deputy may be aware that various income thresholds apply depending on the number of dependent children in a family and/or the number of relevant persons attending further or higher education.

Officials in my Department have been informed by Student Universal Support Ireland (SUSI) that the three students referred to by the Deputy applied for student grants for the academic year 2014-2015 and each was refused as the reckonable income for their household was in excess of the maximum allowable in order to qualify for funding. If an individual applicant considers that she/he has been unjustly refused a student grant, she/he may appeal, in the first instance, to the appeals officer in SUSI. Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board. The relevant appeal form is available to download from [http://www.studentfinance.ie/downloads/1375344221/2013\\_SGAB\\_appeal\\_form.pdf](http://www.studentfinance.ie/downloads/1375344221/2013_SGAB_appeal_form.pdf)

### **Student Grant Scheme Eligibility**

55. **Deputy Brian Walsh** asked the Minister for Education and Skills the circumstances in which an applicant is considered estranged for the purposes of a grant application; the documentation that is required as proof of estrangement; and if he will make a statement on the

matter. [26383/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** A student may be assessed as an independent mature student if he or she has attained the age of 23 on the 1st of January of the year of first entry to an approved course or of re-entry following a break in studies of at least three years and is not ordinarily resident with his/her parents from the previous October. Otherwise he or she would continue to be assessed on the basis of parental income. Only in exceptional cases, where compelling independent evidence of estrangement from parents/guardians is provided, can candidates who are under 23 be assessed without reference to their parents/guardians income or address.

The assessment of a case of estrangement is carefully considered to ensure there is sufficient evidence to demonstrate that the exceptional circumstances pertaining in such cases genuinely exists. The type of evidence required is dependent on the applicant's individual circumstances. Compelling independent evidence of irreconcilable estrangement must be provided to allow a grant awarding authority to fully satisfy itself that the conditions for the application of exemption are met. Evidence from services, including the Courts services and the Health Service Executive, working in a professional capacity with the family or the student, which demonstrates and confirms the genuine and irreconcilable nature of the estrangement would generally be necessary for an awarding authority to satisfy itself of the veracity of the case. The appropriate officer(s) depends the individual's particular circumstances.

### Site Acquisitions

56. **Deputy Michael P. Kitt** asked the Minister for Education and Skills when a site will be purchased for the construction of a 12-teacher school building for a school (details supplied) in County Galway; and if he will make a statement on the matter. [26417/14]

57. **Deputy Michael P. Kitt** asked the Minister for Education and Skills if he has been in contact with Galway County Council to enquire if it is investigating all possible sites simultaneously in respect of a school (details supplied) in County Galway; and if he will make a statement on the matter. [26418/14]

58. **Deputy Michael P. Kitt** asked the Minister for Education and Skills if a school (details supplied) in County Galway is designated as a rapid build project, ensuring construction by 2015 or 2016; and if he will make a statement on the matter. [26419/14]

59. **Deputy Michael P. Kitt** asked the Minister for Education and Skills if it would be appropriate to commence a compulsory purchase order process due to the clear difficulties in site acquisition in respect of a school (details supplied) in County Galway; and if he will make a statement on the matter. [26420/14]

60. **Deputy Michael P. Kitt** asked the Minister for Education and Skills if he will meet representatives from a school (details supplied) in County Galway and its patron in order to outline the way this matter will be progressed; and if he will make a statement on the matter. [26421/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 56 to 60, inclusive, together.

I wish to advise the Deputy that my Department is progressing a site acquisition to provide permanent accommodation for the school referred to by the Deputy. My Department works closely with Galway County Council in relation to all site acquisitions and my officials are in

regular contact with Galway County Council in that regard. However, as I am sure the Deputy will appreciate, there are sensitivities associated with land acquisitions which limits the information which can be provided. At this time I am not in a position to provide further information in relation to the ongoing work to acquire a site. The project to provide a new school building for the school was included in my Department's 5 year School Building plan and listed among those expected to proceed to construction in 2015 or 2016. Officials in my Department are progressing the site acquisition process with a view to maintaining this position, subject to no issues arising.

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

61. **Deputy Catherine Murphy** asked the Minister for Education and Skills the supports that are available in situations where teachers and parents at a mainstream school wish to facilitate the continued education of children with moderate learning disabilities due to, for example, Down's syndrome, in that mainstream school environment where they believe this would be beneficial to the children in question, either within a mainstream classroom or in a dedicated class within the school; the way an assessment is done to determine where this arrangement may be viable; if he will consider such an approach to be possible for a school (details supplied) in County Kildare if sufficient demand could be demonstrated; and if he will make a statement on the matter. [26423/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The policy of my Department is to secure the maximum possible level of inclusion of students with special educational needs in mainstream primary and post-primary schools, in order to ensure that as many children as possible can be educated with their peers within their own community.

Many pupils with special educational needs, including pupils with Moderate General Learning Disability in conjunction with Down Syndrome, will be able to attend a local mainstream school. Some children may be supported in a special class, with reduced pupil teacher ratios, attached to a mainstream school. These students have the option, where appropriate, of full/partial integration and interaction with other pupils.

Pupils with Moderate General Learning Disabilities (GLD) attending mainstream schools, including those with Down Syndrome with Moderate GLD, may receive additional teaching support through an allocation of individual additional resource teaching hours which are allocated by the National Council for Special Education (NCSE), if the child is assessed as being within the low incidence category of special need, as defined by my Department's Circular Sp Ed 02/05.

Reports of assessments, carried out by relevant professionals, are provided by schools to NCSE Special Educational Needs Organisers (SENOs) as part of the application process for support. The consideration of these reports is an integral part of determining the extent of supports to be provided for pupils with special educational needs.

Applications to establish special classes are also considered by the school's assigned SENO and those meeting the criteria for establishment are approved by the NCSE. Special classes may be discontinued by the NCSE where the need no longer exists.

All schools have the names and contact details of their local SENO. The school to which the Deputy refers should contact their local SENO to discuss further.

## Teaching Qualifications

62. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills if teaching qualifications gained in Moldova are recognised for teaching purposes in Irish secondary schools; and if not, the options available to convert such into a recognisable teaching degree in the State. [26440/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Teaching Council welcomes applications from teachers who qualified outside the EU and are deemed fully qualified and recognised in their home country. Each application is assessed individually to determine if the applicant meets the Council's registration requirements (as set out in the Teaching Council [Registration] Regulations 2009) and the evidence of character requirements which includes Garda Vetting and/or police clearance from his/her home country or other countries in which the applicant has resided. The Teaching Council has recognised Moldovan teacher education qualifications for the purposes of registration in the past. An applicant who qualified outside the EU/EEA (and is deemed fully qualified and recognised in their home country) having completed initial teacher education qualification(s) that is/are generally comparable to those awarded in Ireland is afforded the same compensation measure options (i.e. Aptitude Test and Adaptation Period) as set out in EU Directive 2005/36/EC to allow him/her to become fully recognised as a teacher in Ireland.

## School Accommodation

63. **Deputy Niall Collins** asked the Minister for Education and Skills the position regarding providing new school accommodation for a school (details supplied) in Dublin 24 at the announced site in Tallaght, Dublin 24; if he will have his officials deal with the concerns of the local community as conveyed to the school board in respect of traffic management and access issues; and if he will make a statement on the matter. [26461/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that the school project for the school to which the Deputy has referred, is proceeding through Architectural Planning.

As part of the planning preparation and application for planning permission my Department's design team will be liaising with the local authority and the school in relation to all traffic management and access issues.

## Schools Building Projects Status

64. **Deputy Dara Calleary** asked the Minister for Education and Skills the position regarding a proposed school building project (details supplied) in County Mayo; the reason the project has been delayed; the projected timeframe for the completion of the project; and if he will make a statement on the matter. [26477/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The major school building project referred to by the Deputy is at an advanced stage of architectural planning. The Stage 2(b) submission (Detailed Design) has been approved by the Department, however, as the project was not included in the Department's Five Year Building Programme, the project was not authorised to proceed to tender.

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.

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 continue to be progressed to final planning stages of architectural planning in anticipation of the possibility of further funds being available to my Department in the future.

### **State Examinations**

65. **Deputy Heather Humphreys** asked the Minister for Education and Skills his plans to reform the leaving certificate points system; and if he will make a statement on the matter. [26501/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Following a conference in 2011 by the National Council for Curriculum and Assessment (NCCA) and the Higher Education Authority (HEA) to explore issues relating to the transition between second level and higher education, a Transitions Reform Steering Group was established to include representatives from the my Department, the Higher Education Authority (HEA), National Council for Curriculum and Assessment (NCCA) the Irish Universities Association (IUA), Institutes of Technology Ireland (IoTI), the State Examinations Commission (SEC) and Quality and Qualifications Ireland (QQI). A shared report of this Group Supporting a Better Transition from Second-Level to Higher Education was published in March 2013. The report contains three key commitments to:

- Reduce the number of level 8 degree programmes in higher education and make them more broadly-based;
- Reduce the number of grading bands (A1, A2, B1, B2 etc);
- Address problematic predictability in the Leaving Certificate exams.

The full report is published on the Department's website Supporting a Better Transition from Second Level to Higher Education: "Key Directions and next Steps". Since the report was published the SEC and the NCCA have been looking at the extent of problematic predictability in the Leaving Certificate examinations. These key state agencies also agreed to reduce the number of grading bands used in the Leaving Certificate Examinations, acknowledging that the very large number of grades was contributing to a culture of teaching to the test and rote learning. Following discussions at 2 major consultation events of practitioners, students and other stakeholders as well as intensive discussion and analysis by the NCCA and the SEC, a new model for grading of the Leaving Certificate Examinations is emerging with eight grading bands (to replace 14 bands currently) based on 10% grading bands. Further information is available on the Department's website Key Directions Update – Easter 2014.

I am aware that in light of the high stakes nature of the Leaving Certificate examination system and the associated transition into higher education, that major changes will not occur without adequate notice being given to schools, students and parents. The intention, therefore, is that any new arrangements will begin to be implemented on a phased basis with the first stages for those entering fifth year of second level in September 2015.

66. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if Irish universities can make use of Irish-India friendship of business associations with a view to establishing third level links with India, whether located in India and Ireland, with a view to forming a basis for continued co-operation in the future; and if he will make a statement on the matter. [26555/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department has given responsibility to Enterprise Ireland to lead on development of trade and business for Education services internationally, promoting Ireland through the Education in Ireland brand. Enterprise Ireland has an office in New Delhi and a locally appointed Education Consultant/Pathfinder and delivers a series of initiatives for the Irish Education sector including trade visits, Ireland bound media visits, education fairs, on-line campaigns etc. Where relevant the agency works with networking organisations to support trade with India including the Ireland India Business Association (IIBA). Job outcomes from education are critically important for students both in Ireland and India and Organisations such as IIBA can play an important role supporting international cooperation and collaboration in the area of internships and graduate positions.

### **Departmental Staff Remuneration**

67. **Deputy Sean Fleming** asked the Minister for Education and Skills the cumulative total of unapproved salary top-ups currently being paid under the remit of his Department; and if he will make a statement on the matter. [27082/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** On foot of a request from the Committee of Public Accounts, employers in the Education Sector were asked by my Department to confirm that their organisations were in compliance with public pay policy as set down by the Department of Public Expenditure and Reform.

In this context the Heads of Education Sector employers under the remit of the Department certified that no employees in their organisations were in receipt of remuneration greater than the level set down by the Minister and that all allowances paid to employees, with the exception of a small number of allowances which are in the process of being regularised, had the appropriate sanction of the Minister. Confirmation of this was reported in detail by my Department to the Committee of Public Accounts in May of this year.

### **Public Procurement Contracts**

68. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform the changes that have been made to the rules regarding the tendering process for public contracts in order that small sole traders and small and medium enterprises are able to compete and offer tenders; and if he will make a statement on the matter. [26508/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Public Procurement is governed by EU and National rules. The aim of these rules is to promote an open, competitive and non-discriminatory public procurement regime which delivers best value for money. It would be a breach of the EU rules for a public body to favour or discriminate against particular candidates on grounds such as nationality, organisational size, etc. and there are legal remedies which may be used against any public body infringing these rules.

The Government acknowledges the significant role that SMEs play in the Irish economy and is committed to ensuring that SMEs are fully engaged with public sector procurement and the

opportunities presenting.

In order to encourage greater SME participation the Office of Government Procurement has conducted a targeted programme of education for suppliers who wish to learn more about doing business with the Irish Public Service. This programme consists of seminars, workshops and large scale ‘Meet the Buyer’ events hosted nationwide. These ‘Meet the Buyer’ events are run in conjunction with Enterprise Ireland and Inter-Trade Ireland. To date the OGP has facilitated workshops and presented at seminars to over 4,500 SMEs nationwide. These events afforded suppliers an opportunity to meet and discuss the issues with public service buyers and provide networking opportunities for suppliers and encourage consortia-building.

My Department has also recently finished reviewing and updating existing guidelines and procedures aimed at promoting SME participation in public procurement. Circular 10/14, launched on 17 April, sets out new initiatives aimed at opening up opportunities for small businesses that want to tender for public contracts and also to ensure that engaging with government procurement is easy and low cost. The main thrust of the circular is as follows:

- buyers are advised to undertake market analysis prior to tendering in order to better understand the range of goods and services on offer, the competitive landscape, including the specific capabilities of SMEs etc.

- the circular promotes transparency in procurement by requiring supplies and general services contracts with an estimated value of €25,000 be advertised on the Government’s electronic tendering portal, e-Tenders,;

- it encourages suppliers including SMEs to fully use e-Tenders and avail of its facilities in relation to registration, e-tendering and automatic alerts in relation to future tendering opportunities.

- buyers are encouraged not to set turnover thresholds at more than twice the estimated contract value and puts limits on insurance levels for suppliers where possible

- promotes greater use of “open” tendering and less use of “restrictive” tendering

- it encourages SMEs to consider using consortia where they are not of sufficient scale to tender in their own right or where they may lack certain capabilities necessary to provide a compelling proposition

- it encourages Contracting Authorities to break large contracts down into lots where reasonable to do so. This enables smaller businesses to compete for these smaller elements of a larger contract. This has to be done in a way however that does not expose the State to undue risk or significant management overheads.

The SME Working Group, established under the Government’s Action Plan for Jobs, was consulted on the new Guidelines. The new Circular has been broadly welcomed by industry representative associations.

The SME Working Group is chaired by the Office of Government Procurement and includes representatives from ISME, IBEC, Inter Trade Ireland, Enterprise Ireland, the Competition Authority, the Small Firms Association, Chambers Ireland and the Department of Jobs, Enterprise and Ireland. The focus of this group is to develop and monitor strategies for SME access to public procurement. The group also has regard to actions aimed at maximising procurement opportunities for SME in the public sector.

At EU level there is a growing recognition of the need to promote and facilitate SME par-

ticipation in public procurement. The New EU Directives on Procurement are currently being transposed into Irish law by the Office of Government Procurement. They are intended to make it easier for businesses and SMEs to tender for public sector procurement contracts. They are designed to simplify the rules and provide more flexibility for public purchasers. The directives contain measures specifically designed to improve access for SMEs and start-ups. These include:

- A limitation on requirements for participation, to avoid unjustified barriers to SME participation. In particular, except in justified cases, turnover requirements are explicitly limited to two times the estimated contract value.

- Acceptance of self-declarations will have to be accepted for evaluating the capacity and capability necessary to select them as tenderers until the award stage and the promotion of e-procurement with mandatory electronic availability of procurement documents;

- Contracting Authorities will now have to comply or explain in relation to the division of contracts into lots;

- Member states will be required to provide the Commission with detail on SME participation. Such monitoring can support consistent application across all Member States and ensure that the objective of greater SME involvement is being delivered.

I am pleased to advise that my Department has accelerated some of the key measures contained within these new Directives and included them in the recent Circular 10/14 as set out above.

The reform of public procurement across the public service is on-going and will continue to provide opportunities to the SME sector to win business. The Office of Government Procurement will continue to work with industry to ensure that winning government business is done in a fair, transparent and accessible way and to ensure that government procurement policies are business friendly.

### **Heritage Projects**

69. **Deputy Éamon Ó Cuív** asked the Minister for Public Expenditure and Reform when the next meeting will take place between officials from the Office of Public Works and the Lough Mask Heritage Committee; the reason for the delay with this meeting; and if he will make a statement on the matter. [26453/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I am advised by the Commissioners of Public Works that they have not received a request for a meeting with the Lough Mask Heritage Group. Work has been continuing in relation to the development of certain proposals relative to the Moran's Mill, Ballinrobe Conservation project which were agreed with the Lough Mask Group prior to Christmas 2013 without delay.

Arrangements will be advanced shortly to hold a meeting of the stakeholder participants in the Ballinrobe project (Lough Mask Heritage Group, OPW, Fáilte Ireland and Mayo Co. Council) to address any issues arising.

### **Departmental Staff Remuneration**

70. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform the cu-

mulative total of unapproved salary top-ups currently being paid by his Department, or bodies under the remit of his Department; and if he will make a statement on the matter. [26493/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In response to the Deputy's question I can confirm that no unapproved salary top-ups are currently being paid by my Department, or bodies under the remit of my Department.

### **Public Sector Reform Implementation**

71. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform the changes made by this Government to date regarding public sector reform; the planned changes for the remainder of this Government; and if he will make a statement on the matter. [26507/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Since this Government took office in 2011, sustainable and far reaching Public Service Reform has been a key element of our strategy to meet the significant challenges that have faced the country. Our commitment to reform was highlighted at the outset by the creation of a new Department of Public Expenditure and Reform.

The Government published its first Public Service Reform Plan in November 2011. A Progress Report on that Reform Plan was published in September 2012 and a second Progress Report was published in January this year. These reports outline details of the significant progress that has been made to date on the delivery of reform.

While implementing reform at a time of increased demands on public services, we have reduced staff numbers by around 32,000 or 10% since 2008. The Public Service Exchequer Pay Bill was reduced from €17.5 billion in 2009 to €14.1 billion in 2013, net of the pension related deduction. New working arrangements have been introduced, including longer working hours, new rosters, and standardised arrangements for annual leave and sick leave. We have also made strong progress on the online delivery of services, shared services and public procurement, as set out in the Progress Reports referenced above.

The Haddington Road Agreement, which came into effect on 1 July, 2013, is a key enabler of the reform programme and will deliver an additional €1 billion reduction in the cost of the Public Service Pay and Pensions Bill by 2016. The Agreement also provides for a total of 15 million additional working hours annually across all sectors of the Public Service.

In January this year, I published the Government's new Public Service Reform Plan for 2014 to 2016. The key objective of the new Reform Plan is to improve service delivery and achieve better outcomes for service users. The areas addressed in the Plan include increased use of technology and improved engagement with service users; greater use of shared services and innovative approaches to service delivery; more efficient and effective public procurement and property management; increased accountability and transparency in public decision making; and a continued focus on building the required capacity and capability to deliver reform and service improvements.

The new Reform Plan and both Progress Reports on the original Reform Plan are available on my Department's website at [www.per.gov.ie/public-service-reform/](http://www.per.gov.ie/public-service-reform/).

### **Freedom of Information Legislation**

72. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform the

changes his Department has made since 2011 to the Freedom of Information legislation, including the changes made to publicly funded semi-State companies; and if he will make a statement on the matter. [26509/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Freedom of Information Bill 2013 which passed Committee Stage in the Dáil last November and is scheduled for Report Stage on 16 and 17 July reflects the outcome of a detailed and comprehensive review of Ireland's FOI legislation. In overall terms the Bill comprises a substantial updating and modernisation of FOI legislation based on international best practice, it extends FOI to all public bodies, consolidates FOI law into a single Bill as well as restoring the main amendments to FOI introduced in 2003 which in significant respects restricted and curtailed the scope of Ireland's FOI regime.

In terms of publicly funded semi-State companies, a key feature of the new FOI legislation is that FOI will now apply to all non-commercial state bodies. As a result, FOI will apply to at least another 70 public bodies. As far as commercial state bodies are concerned, as I have highlighted on a number of occasions in the course of the passage to date of the FOI Bill through the Oireachtas, I believe that there are other important considerations that should inform and guide the approach taken in finalising the FOI legislation. The Government's assessment is that, in general, and consistent with the approach adopted since FOI first came into effect in 1998 commercial state bodies should not be subject to FOI requirements. The rationale for this approach is the risk of the uneven competitive market environment that would be created in circumstances that commercial state bodies operating in a competitive market were subject to FOI but their privately-owned market competitors were not. This would be expected to have an adverse impact on the commercial position of the state body in question, which would not be in the public interest or consistent with the need to safeguard the State's economic and financial interests. Moreover, as I have indicated previously, very significant information is available on the activities of these commercial companies reflecting their obligations under company law, the information they provide to Government Departments and relevant sectoral regulators which is available for release under FOI or otherwise.

Notwithstanding the above, the Government has decided that, as a State company operating in a monopoly market, Irish Rail should be subject to FOI. I made provision for that change by way of a Committee Stage amendment to the Bill in the Dáil in November. The Deputy will also recall that Irish Water has been made subject to FOI with effect from March 2014 under the Freedom of Information Act 1997 (by way of S.I. No. 140 Freedom of Information Act, 1997 (Prescribed Bodies) Regulations 2014). Irish Water will continue to be subject to FOI under the new legislation. Records dating back to July 2013, the date of the establishment of Irish Water, are available under FOI. Furthermore where a commercial state body provides a service under a contract to a public body subject to FOI, the records relating to that service will now be subject to FOI, following enactment of the new FOI legislation. The case for extending the application of this principle to other commercial state bodies in a monopoly position will be considered in the context of Report Stage for the Bill.

The Deputy may also wish to note the following features of the new legislation:

- Extension of FOI to all public bodies as a default with limited exceptions as set out in the Bill bringing long-established high profile exclusions from FOI within remit; and to significantly funded bodies to enhance accountability of such bodies;

- Reversal of restrictions to Government records including the very wide definition of Government introduced in 2003, restoration of the strict definition of what constitutes a Cabinet record, communications between members of Government will no longer be exempt from FOI

and restoration to the original five years of the ten-year prohibition on the release of Cabinet records;

- Provision for some liberalisation of the mandatory ‘class’ exemption put in place in 2003 in relation to diplomatic communications and defence matters;

- Requirement by public bodies to prepare and furnish publication schemes to promote the proactive publication of information outside of FOI with the publication schemes encompassing at a minimum the requirements of the current sections 15 and 16 of the 1997 Act;

- Provision of a number of key principles to guide public bodies in the performance of their functions under the Act to achieve greater openness and strengthen accountability;

- Extensions of the functions/powers of the Information Commissioner, provisions to ensure that FOI requests relating to information held electronically are dealt with effectively;

- Confirmation that there is a general right of access to records held by public bodies and in applying exemptions, the right of access should only be set aside where the exemptions very clearly support a refusal of access.

The FOI Bill will, therefore, once it is enacted by the Oireachtas very significantly strengthen the legal framework for FOI in Ireland.

### **State Assets**

73. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform if an exercise is carried out by his Department on a yearly basis to record the value of saleable State assets; and if he will make a statement on the matter. [26514/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Deputy will recall my announcement in February 2012 of the scope and content of the State Assets Disposal Programme that was agreed by Government. NewERA subsequently prepared financial reports, including valuations, on the assets announced in the disposal programme. As no additional State assets are under consideration for disposal at this time, no exercise of the type referred to in the Deputy’s question is foreseen or intended.

However, although they do not purport to be a comprehensive financial statement of the State’s assets and liabilities, the Finance Accounts prepared by the Department of Finance provide an annual statement of all of the State’s shareholdings in any companies incorporated under the Companies Acts, except for companies where the shareholding is held by the National Pension Reserve Fund.

### **Public Sector Staff Remuneration**

74. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform his view on whether any savings made in public sector pay in recent years are liable to end when the Haddington Road agreement expires; and if he will make a statement on the matter. [26515/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Haddington Road Agreement (HRA), which came into force on 1 July 2013, included a number of measures including pay reductions for those public servants on annual salaries of €65,000 or more under the Financial Emergency Measures in the Public Interest Act, 2013. These measures

provided for a reduction of the public service pay and pensions bill by €1 billion by 2016. It is a three year Agreement covering the period to end June 2016 and forms the basis for current public service pay policy over that period.

### **Jobs Data**

75. **Deputy Gerald Nash** asked the Minister for Jobs, Enterprise and Innovation if he will provide details on the Industrial Development Agency and Enterprise Ireland supported companies in County Louth in 2010, 2011, 2012, 2013 and 2014 in tabular form; the number of jobs supported in County Louth by the agencies in the years concerned; and if he will make a statement on the matter. [26438/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Forfás Annual Employment Survey reports on job gains and losses in companies that are supported by the enterprise development agencies. Details of the total number of people employed in IDA Ireland and Enterprise Ireland client companies in each of the years from 2010 to 2013, inclusive, are set out in the attached tabular statements. Figures for 2014 will not be available until year end.

I am glad to say that the numbers employed in County Louth in companies supported by the enterprise development agencies operating under the aegis of my Department, IDA Ireland and Enterprise Ireland, has steadily increased in the four year period 2010 to 2013 inclusive. Total employment in IDA Ireland companies has risen from 1,286 at end 2010 to 2,299 at end 2013, while total job numbers in Enterprise Ireland client companies rose from 4,962 at end 2010 to 5,032 at end 2013. County Louth together with Counties Cavan and Monaghan comprise the IDA Ireland North East Region. Across the region as a whole there are 36 IDA Ireland supported companies employing 3,981 people with the highest concentration of companies located in Louth. The main clusters that have emerged in the North East are in international business services, mainly Financial Services, and consumer goods and manufacturing.

There have been a number of substantial FDI announcements for County Louth in recent years the potential to create thousands of jobs. In 2012, Paypal announced the creation of 1,000 jobs over the next four years and as recently as yesterday the company announced that it will add two new strategic functions to the site which will create an additional 400 new jobs in Dundalk, County Louth over the next four years. During 2013 National Pen announced the creation of 200 permanent jobs over a five year period while eBay, Inc. announced 450 high quality new jobs at an Operations Centre in Dundalk. Also in 2013 Becton, Dickinson and Company announced a €3.5 million investment in its plant in Drogheda on new equipment to manufacture state-of-the-art safety needles designed to help protect healthcare workers and patients from medical sharps injuries. The investment has created 28 new jobs at the plant. More recently, the company further announced that €16 million has been invested to expand its production of BD Posiflush syringes. The investment has created an additional 20 new jobs at the plant.

A core focus for Enterprise Ireland is to support the internationalisation of indigenous companies in County Louth and indeed the Region. This involves working with both existing clients and new companies – on a one to one confidential basis and on a group basis – to help them grow internationally. In terms of infrastructure, Enterprise Ireland has supported five Enterprise Centres in County Louth, which include the Science Services Centre at Finnabair Business Park and more recently the Creative Spark Enterprise Centre on the Inner relief road at Muirhevnamor. As well as infrastructure, potential entrepreneurs need guidance and encouragement when exploring a new business opportunity. Dundalk Institute of Technology manages Enterprise Ireland's New Frontiers Programme, a six month intensive programme for

new potential entrepreneurs to research a project idea. Phase II of year 3 of the programme was launched at the beginning of June 2014 with 12 participants, 7 of which are from County Louth. Participants receive financial support of €15,000 from Enterprise Ireland as they focus on developing an investor ready business plan over a six-month period, during phase 2 of the programme. They are also given office space in the Institute of Technology's incubation centre, mentoring and access to networking opportunities with potential investors.

**Table showing the number of people employed in IDA Ireland Client Companies 2010 – 2013**

-	2010	2011	2012	2013
No. of Companies	20	20	23	23
Total Jobs	1,286	1,453	1,795	2,299

**Table showing the number of people employed in Enterprise Ireland Client Companies 2010 – 2013.**

-	2010	2011	2012	2013
No. of Companies	183	174	173	173
Total Jobs	4,962	4,860	4,891	5,032

### Departmental Staff Remuneration

76. **Deputy Sean Fleming** asked the Minister for Jobs, Enterprise and Innovation the cumulative total of unapproved salary top-ups currently being paid under the remit of his Department; and if he will make a statement on the matter. [27086/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** All staff of my Department are paid in accordance with official Civil Service pay scales and there are no circumstances in which unapproved top-ups are applied. I have asked the agencies within my Department's remit to revert to me with confirmation that the salaries paid to all staff have been properly approved and that there is no instance of unapproved bonus or top-up. I will revert to the Deputy on receipt of this confirmation.

### Social Insurance

77. **Deputy Ciarán Lynch** asked the Minister for Social Protection the social welfare consequences for a person and the State of the wide-spread practice, especially in the pharma industry, of persons being engaged on a self-employed basis to perform duties similar to their company employee colleagues; and if she will make a statement on the matter. [26378/14]

**Minister for Social Protection (Deputy Joan Burton):** An individual's classification for social insurance purposes is important as it affects the rate of Pay Related Social Insurance (PRSI) which they pay on their salary or income. This in turn affects the social insurance benefits to which they are entitled. Generally an individual is classified for PRSI purposes as an employee or as self-employed.

Where an individual is classified as an employee PRSI is payable on their earnings by the

employee and their employer. Generally employees pay class A PRSI at the rate of 4%. In addition, their employers make a PRSI contribution of 10.75% in respect of their employees, resulting in the payment of a combined 14.75% rate per employee under full-rate PRSI class A. Class A provides employees with entitlement to the full range of social insurance benefits including short term benefits in respect of illness, unemployment and maternity as well as long term benefits such as widow/widower's or surviving civil partner's pension and State pension contributory. Where an individual is classified as self-employed, he or she pays class S PRSI at the rate of 4% on their earned income from self-employment. Those paying class S can have an entitlement to certain short-term benefits (i.e. maternity benefit) as well as long term benefits such as widow/widower's or surviving civil partner's pension and State pension contributory. In order to determine an individual's correct rate of PRSI, my department uses the Code of Practice for Determining Employment or Self-Employment Status of Individuals.

The report from the advisory group on tax and social welfare, published in May 2013, identified trends in the labour market which have resulted in some workers being classified as self-employed, whereas their employment characteristics would properly determine them as employees. The report suggested that in some cases persons have falsely declared themselves as self-employed so as to avail of different tax treatment. In other cases, employees have been falsely declared as self-employed so as to circumvent employer obligations under labour legislation. If the Deputy can supply my department with the details of the specific case to which he is referring, I will be happy to have it investigated and the insurability determined under the Code of Practice for Determining Employment or Self-Employment Status of Individuals.

### **Fuel Allowance Payments**

78. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection if there is back pay owed to a person (details supplied) due to underpayment of fuel allowance; and if she will make a statement on the matter. [26398/14]

**Minister for Social Protection (Deputy Joan Burton):** Fuel allowance is paid for the heating season which generally runs from October to April. It is awarded from the first payday after the date of receipt of application. In this instance the application for person concerned was received on 22 July 2013. The 2013/2014 fuel allowance season commenced on 11 October 2013 and the fuel allowance payment was made to the person concerned from 11 October 2013 up to and including 10 April 2014. I am satisfied that the person concerned received her full fuel allowance entitlement and that there are no arrears due.

### **Rent Supplement Scheme Payments**

79. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection if an exception can be made with rent allowance in respect of a person (details supplied); and if she will make a statement on the matter. [26399/14]

**Minister for Social Protection (Deputy Joan Burton):** Special arrangements have been put in place in the Dublin area to protect existing rent supplement customers from entering homelessness under the Interim Tenancy Sustainment Protocol (ITSP). The Rents Unit has been advised that this claimant's landlord is increasing the rent in August 2014. This family has been living in their current address since 2010 and under the terms of the ITSP we have referred the claimant to the relevant Tenancy Sustainment Service. The Rents Unit will work in conjunction with the Service so that this family will not face the threat of homelessness. The

rent supplement will also continue to be paid per the terms of ITSP.

### **Disability Allowance Appeals**

80. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection the circumstances for denial of social welfare in respect of a person (details supplied); and if she will make a statement on the matter. [26401/14]

**Minister for Social Protection (Deputy Joan Burton):** The application from the person concerned for disability allowance, based upon the evidence submitted, was refused on habitual residency grounds and the claimant was notified in writing of this decision on 30 April 2013. The person subsequently appealed this decision to the Social Welfare Appeals Office (SWAO). An oral appeal hearing was scheduled in this case and I am informed by the SWAO that the person did not attend the hearing. Based on the available evidence, the appeals officer found that the person concerned had failed to show that his main centre of interest was in this State and disallowed the appeal. The person concerned was notified by the Social Welfare Appeals Office of this decision in writing on 20 May 2014. An appeal's officer's decision is final and conclusive in the absence of fresh facts or evidence not already taken into consideration.

### **JobsPlus Scheme**

81. **Deputy Seán Conlan** asked the Minister for Social Protection the reason a person (details supplied) in County Monaghan is in receipt of less money on the JobPlus scheme than on jobseeker's allowance; and if she will make a statement on the matter. [26406/14]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned is currently a participant on a Community Employment (CE) Scheme and is in receipt of €511.60 per week and the weekly PRSI deduction from this is €20.46. CE participants are the employees of schemes and are obliged to pay PRSI at the appropriate class (A8/A9). For the majority of CE participants who are earning €352.00 or less, there is no change as the 0% Class A8 rate of Employees PRSI applies. However, CE participants who earn in excess of €352 per week are subject to the Class A9 rate of Employees PRSI and will pay 4% on the total income. PRSI bands are applied on this basis to all persons in employment, including those on CE schemes and the payment carries the same benefits and entitlements under PRSI for all. The potential advantage to the CE participant, outside of the financial impact as outlined above in taking up a CE place, is access to funding for education and training and the opportunity to pursue a FETAC Major Award. This combined with the work experience will greatly enhance the opportunity to gain employment and exit the Live Register.

*Question No. 82 withdrawn.*

### **Disability Allowance Administration**

83. **Deputy Sandra McLellan** asked the Minister for Social Protection if she will investigate and review the public phone lines for the disability allowance office and consider a free phone number in view of the delays and often unanswered calls which is costing the public an unacceptable amount of money on phone credit (details supplied); and if she will make a statement on the matter. [26412/14]

**Minister for Social Protection (Deputy Joan Burton):** Disability allowance receives

approximately 13,000 telephone calls a month. The average time taken to answer a call in 2014, up to the end of May, was 3 minutes 55 seconds. The Department endeavors to provide the most responsive phone service possible to its customers. A call management system is in place across all headquarter buildings, including disability allowance, which allows managers to monitor and manage call volumes. It provides a flexible means of managing sudden peaks in customer demand and allows for the active management of calls by way of assigning, where feasible, more staff to the phone lines at peak periods. LoCall numbers have been in operation across the Department's scheme areas for many years. This system has worked successfully in conjunction with the Interactive Voice Response technology to facilitate customers making contact with the appropriate section of the Department, at a low cost to the caller. There are no plans to provide a single free phone number across the Department at this time. In addition to the telephone service the Department provides a range of contact channels for customers including e-mail, SMS (text), through our website *www.welfare.ie* and face-to-face. In line with the principles of quality customer service, the Department keeps its contact channels options under review in order to make full use of new and emerging technologies to broaden the choice of service delivery channels for customers.

Furthermore, to equip staff to deal effectively with customers, the Department provides training in customer service which includes communicating effectively with customers, effective telephone techniques, active listening and the importance of understanding and empathy. Training courses also include the raising of awareness of disability, mental health and diversity issues relevant to staff and customers.

*Questions Nos. 84 and 85 withdrawn.*

### **Free Travel Scheme Payments**

86. **Deputy Damien English** asked the Minister for Social Protection the annual cost to the State of providing a travel pass to a person in receipt of the carer's allowance irrespective of whether the carer uses the travel pass or not; and if she will make a statement on the matter. [26426/14]

**Minister for Social Protection (Deputy Joan Burton):** The free travel scheme is currently available to all people living in the State aged 66 years or over, to carers and to customers under 66 who are in receipt of certain disability type payments. There are currently over 780,000 customers in receipt of free travel.

The scheme permits customers to travel for free on most CIE public transport services, LUAS and a range of services offered by up to 90 private operators in various parts of the country. Free travel is also available on cross border journeys to and from Northern Ireland. Customers aged 66 years and over can travel for free on journeys within Northern Ireland.

The cost to the Department for each free travel pass normally depends on how much the pass is used by the pass holder. If a person does not use their free travel pass there is no cost to the Department apart from the administrative cost of issuing the pass and maintaining records.

Transport companies are paid on the basis of fares foregone. The Department pays the CIE Group centrally in respect of transport services provided under the free travel scheme. The apportionment of payment between the three constituent companies, Bus Eireann, Iarnród Éireann and Dublin Bus, is determined by CIE based on passenger numbers.

The private operators are paid on the basis of fares forgone based on surveys carried out before they join the free travel scheme and subject to review by subsequent surveys.

The free travel scheme was frozen by the previous Government at €77 million as outlined in the National Recovery Plan 2011-2014 and Budget 2011. This cap remains in place. Prior to the freeze the rate of payment to companies was reviewed annually and adjusted on the basis of changes in rates of fares and numbers of eligible customers. However, it has not been possible to increase the level of funding provided to existing operators or to accept additional routes or providers within the scheme since the introduction of the cap.

### **Home-makers Scheme**

87. **Deputy Ruth Coppinger** asked the Minister for Social Protection if she will re-examine the home-maker's scheme for those who had home-making responsibilities prior to 1994 in order that those persons are not disadvantaged in getting the State pension compared to those with caring responsibilities after 1994 (details supplied). [26429/14]

**Minister for Social Protection (Deputy Joan Burton):** The rate of State pension (contributory) a person qualifies for on reaching the age of 66 depends upon, among other conditions, the average number of contributions paid or credited each year, from the time they enter insurable employment.

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.

To be eligible for the homemaker's scheme, a person must:

- Permanently live in the State (exception may be made where EU regulations apply),
- Be aged under 66,
- Have started insurable employment or self-employment before the age of 56,
- Not work full-time, although for the purposes of this scheme, a person can work and earn less than €38 gross per week,
- Care for a child (under 12) or an incapacitated person on a full-time basis.

It is important to note that the homemaker's scheme will not, of itself, qualify a person for a pension. The standard qualifying conditions must also be satisfied. These require a person to enter insurance ten years before pension age, pay a minimum of 520 contributions at the correct rate and achieve a yearly average of at least 10 contributions on their record from the time they enter insurance until they reach pension age.

The homemaker's scheme was introduced from 1994, and as with most schemes, this was without retrospective effect. The possibility of backdating was considered in the context of the Green Paper on Pensions. This found that that backdating it to 1953 would cost approximately €160 million in additional spending annually. The amount reduces to €150 million if backdated to 1973/74. However, this remains a very significant additional cost that would have to be met from either cuts in Exchequer spending, or increases in taxation. Consequently, the Government has no plans to backdate this scheme prior to 1994.

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.

### **One-Parent Family Payments**

88. **Deputy Clare Daly** asked the Minister for Social Protection in view of her comments on a radio programme (details supplied) in respect of the restriction and means testing to the one-parent family payment introduced by her in the Budget 2013 if she accepts that her actions are the direct opposite of those of her predecessor which she sought to praise. [26464/14]

**Minister for Social Protection (Deputy Joan Burton):** Until the early 1970s, the only category of lone parent families to receive support under the social welfare system, were widows through the contributory and non-contributory schemes introduced for them in 1935. Schemes for other types of lone parent families began to be introduced in 1970 when the first scheme for deserted wives was announced, followed by provision for unmarried mothers in 1973 and provision for prisoners' wives in 1974. Following the Report of the Commission on Social Welfare (1986), a unified social assistance scheme for lone parents was introduced in 1990, known as the lone parent's allowance (LPA) to provide support for all lone parents, whether a man or a woman, and regardless of the circumstances which originally gave rise to their lone parenthood. The one-parent family payment (OFP) scheme, which was introduced in 1997, builds on the LPA scheme.

The number of OFP recipients stood at 77,400 in April, 2014. The cost of the OFP scheme was €935 million in 2013 and is estimated to be €863 million in 2014. Both the OFP maximum personal rate for the parent (€188 per week) and the increase for each additional qualified child (€29.80) remain untouched since 2011. An OFP recipient can also earn up to an average of €425 per week and still receive the OFP payment.

The OFP scheme has played an important role in providing income support to lone parents since its introduction. However, in the past, this income support was passive in nature, with little systematic engagement being made by the State with recipients. This engendered long-term social welfare dependency and associated poverty among one-parent families.

Despite significant levels of State spending on OFP the results have been poor in terms of tackling poverty and social exclusion rates among lone parent families who continue to experience higher rates of 'consistent poverty' in comparison to the population generally.

The reforms to the OFP scheme that were introduced in Budgets 2011, 2012, and 2013, aim to address these issues. They aim to provide the necessary supports to lone parents to help them to escape poverty and joblessness, to participate in education and training and by entering the workforce to attain financial independence for both themselves and their families.

The reforms to the OFP scheme also aim to bring Ireland's support for lone parents in line with international provisions – where there is a general movement away from long-term and passive income support.

The Social Welfare and Pensions Act, 2012, introduced changes to the OFP scheme, including the phased reduction of the maximum age limit of the youngest child at which a recipient's payment ceases to 7 years from 2014 for new entrants and from 2015 for existing recipients.

Special Provisions exist for customers who are in receipt of the Domiciliary Care Allow-

ance (DCA) and, also, for those who are recently bereaved. These savers can extend payment of the OFP beyond the maximum age limit threshold for these customers.

OFP recipients affected by these changes are supported to transition to other social welfare income support payments as appropriate, including family income supplement (FIS), carer's allowance (CA) and jobseeker's allowance (JA) including the JA transitional arrangement.

Previous OFP recipients who avail of a jobseeker's payment are required to engage with the Department's activation service, where they are provided with access to a range of educational and employment supports to increase their skills and assist them in securing employment. This is a significant reform for lone parents as it is the first time that this cohort has access to the Department's full activation process. Lone parents, in receipt of a jobseeker's payment, who do not engage in the activation process, will be subjected to the same penalty rates and disallowances as every other jobseeker.

The income disregard of the OFP scheme is also being reduced on a phased basis for new and existing recipients of the payment. It is currently €90 per week and will reduce to €60 per week by 2016. The OFP earnings disregard does seem to have played a role in facilitating lone parents to enter the workforce but it may also have had the effect of trapping lone parents in low-paid part-time employment in order to keep their earnings below the disregard. The result is that, despite the fact that 36% of OFP recipients are in employment, relatively small numbers are moving off the OFP scheme because their earnings exceed the upper limit.

The reforms to the OFP scheme aim to provide affected lone parents with access to a wide range of supports and services. These supports are designed to enable lone parents' secure improved outcomes for themselves and their families by enhancing their prospects of securing long term financial independence.

*Questions Nos. 89 and 90 withdrawn.*

### **Social Welfare Code Reform**

91. **Deputy Terence Flanagan** asked the Minister for Social Protection her plans to lobby for change in social welfare rules in order that company directors whose businesses fail receive social welfare payments before a wait of 18 months; and if she will make a statement on the matter. [26504/14]

**Minister for Social Protection (Deputy Joan Burton):** Self-employed persons are liable for PRSI at the Class S rate of 4% which entitles them to access long-term benefits such as State pension (contributory) and widow's, widower's or surviving civil partner's pension (contributory). Ordinary employees who have access to the full range of social insurance benefits pay Class A PRSI at the rate of 4%. In addition, their employers make a PRSI contribution of 10.75% in respect of their employees, resulting in the payment of a combined 14.75% rate per employee under full-rate PRSI Class A.

Any person of working age who does not qualify for jobseeker's benefit may claim means tested jobseeker's allowance. Subject to means and other qualifying conditions, self-employed persons may claim jobseeker's allowance if their business ceases or there is reduced demand for their services.

In assessing means from self-employment, income from the previous twelve months is used as an indicator of likely future earnings. Given the variety of self-employment situations, the means assessment procedures are applied in a flexible manner to ensure that any circumstances

that would be likely to lead to a significant variation, either upward or downward, in the level of a person's income from one year to the next are taken into consideration.

In September 2013, I published the report of the Advisory Group on Tax and Social Welfare on Extending Social Insurance Coverage for the self-employed. The Group was asked to examine and report on issues involved in extending social insurance coverage for self-employed people in order to establish whether or not such cover is technically feasible and financially sustainable, with the requirement that any proposals for change must be cost neutral.

The Group found that the current system of means tested jobseeker's allowance payments adequately provides cover to self-employed people for the risks associated with unemployment. In this context, the Group noted that almost 9 out of every 10 self-employed people who claimed the means tested jobseeker's allowance during the three-year period from 2009 to 2011 received payment. Consequently, the Group was not convinced that there was a need for the extension of social insurance for the self-employed to provide cover for jobseeker's benefit.

### **Social Welfare Code Reform**

92. **Deputy Terence Flanagan** asked the Minister for Social Protection her plans to change social welfare rules for self-employed people in order that they receive social welfare payments, like employed people; and if she will make a statement on the matter. [26505/14]

93. **Deputy Terence Flanagan** asked the Minister for Social Protection if it is possible for self employed persons to pay a PRSI stamp in order that they receive social welfare payments, like employed people if their business fails; and if she will make a statement on the matter. [26506/14]

**Minister for Social Protection (Deputy Joan Burton)(Deputy Joan Burton):** I propose to take Questions Nos. 92 and 93 together.

Self-employed persons are liable for PRSI at the class S rate of 4% which entitles them to access long-term benefits such as State pension (contributory) and widow's, widower's or surviving civil partner's pension (contributory). Ordinary employees who have access to the full range of social insurance benefits pay class A PRSI at the rate of 4%. In addition, their employers make a PRSI contribution of 10.75% in respect of their employees, resulting in the payment of a combined 14.75% rate per employee under full-rate PRSI class A. (For employees earning less than €356 per week, the rate of employer's PRSI is 8.5%).

Self-employed workers may access social welfare supports by establishing eligibility to assistance-based payments such as jobseeker's allowance and disability allowance. In the case of jobseeker's allowance they can apply for the means-tested jobseeker's allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. In assessing means from self-employment, income from the previous twelve months is used as an indicator of likely future earnings. Given the variety of self-employment situations, the means assessment procedures are applied in a flexible manner to ensure that any circumstances that would be likely to lead to a significant variation, either upward or downward, in the level of a person's income from one year to the next are taken into consideration.

It is recognised that the downturn in the economy had an impact on many self-employed persons and the consequent reduction in their income and activity levels. This may be reflected in any assessment of their means from self-employment for jobseeker's allowance purposes. As in the case of a non-self-employed claimant for jobseeker's allowance or disability allowance, the means of husband/wife, civil partner or co-habitant will be taken into account in de-

ciding on entitlement to a payment.

In September 2013, I published the report of the Advisory Group on Tax and Social Welfare on Extending Social Insurance Coverage for the self-employed. The Group was asked to examine and report on issues involved in extending social insurance coverage for self-employed people in order to establish whether or not such cover is technically feasible and financially sustainable, with the requirement that any proposals for change must be cost neutral.

The Group found that the current system of means tested jobseeker's allowance payments adequately provides cover to self-employed people for the risks associated with unemployment. In this context, the Group noted that almost 9 out of every 10 self-employed people who claimed the means tested jobseeker's allowance during the three-year period from 2009 to 2011 received payment. Consequently, the Group was not convinced that there was a need for the extension of social insurance for the self-employed to provide cover for jobseeker's benefit.

The Group found that extending social insurance for the self-employed was warranted in cases related to long term sickness or injuries. To this end, the Group recommended that class S benefits should be extended to provide cover for people who are permanently incapable of work, because of a long-term illness or incapacity, through the invalidity pension and the partial capacity benefit schemes. The Group further recommended that the extension of social insurance in this regard should be on a compulsory basis and that the rate of contribution for class S should be increased by at least 1.5 percentage points.

This recommendation will require further consideration in conjunction with the findings of the most recent Actuarial Review of the Social Insurance Fund which indicated that the self-employed achieve better value for money compared to the employed when the comparison includes both employer and employee contributions in respect of the employed person.

My colleagues in Government and I will reflect on the findings of the Advisory Group on this issue and will further consider the recommendations contained in the report taking into account future developments in terms of the budgetary and fiscal situation.

### **Departmental Legal Cases**

94. **Deputy Terence Flanagan** asked the Minister for Social Protection the full impact on the State of the Waterford Crystal court case; and if she will make a statement on the matter. [26516/14]

**Minister for Social Protection (Deputy Joan Burton):** As the Deputy is aware the matters relating to the Waterford Crystal Pension schemes are the subject of a hearing by the High Court.

The case is scheduled for hearing by the High Court in the Autumn. The Deputy will therefore appreciate that it would not be appropriate for me to comment on matters relating to this case at this time.

### **Pensions Reform**

95. **Deputy Terence Flanagan** asked the Minister for Social Protection the work her Department is doing on pensions as our population starts to age; and if she will make a statement on the matter. [26517/14]

**Minister for Social Protection (Deputy Joan Burton):** Reforms have been introduced in recent years to ensure the sustainability of pensions into the future. These decisions were taken in the context of changing demographics and the fact that people are living longer and healthier lives. For example, there are currently 5.3 people of working age for every pensioner and this ratio is expected to decrease to approximately 2.1 to 1 by 2060. The over 65 year old population is also projected to increase from 11% of the total population in 2010 to 15% in 2020 and to 24% in 2060.

There are approximately 17,000 additional pensioners coming into receipt of State pension each year. In the absence of reform, it is estimated that State expenditure on pensions (including public sector occupational pensions) would increase from approximately 7.5% of GDP in 2010 to 11.7 % in 2060. In 2013, the overall Departmental expenditure figure was €20.2 billion and expenditure on pensions accounted for 32% of this.

Whilst the increase in life expectancy is a very welcome development, this also has obvious and significant implications for the future costs of State pension provision. The fundamental principle involved here is that longevity in the workforce needs to be supported if people are to achieve the income they expect or would like to have in retirement.

A number of policy reports on pensions have been completed including a Green Paper on Pensions (2007) and a National Pensions Framework in 2010. I commissioned the OECD Review of the Irish Pensions System which was completed in 2013.

Arising from the changing demographics described, these policy reports and the need to provide for sustainable pensions and longer working lives, a range of reforms have been introduced recently to the pension system as follows -

In January 2014, State pension age was standardised at age 66 with the cessation of State pension transition. The State pension age will increase to 67 years in 2021 and to 68 years in 2028.

With effect from April 2012, and as provided for in legislation in 1997, the number of paid contributions required to qualify for a State pension increased from 260 paid contributions to 520 paid contributions.

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.

As announced in Budget 2012, the period for which a claim for State pension can be back-dated is six months. This change came into effect in April 2012.

From December 2013, the number of paid contributions required for Widow's/Widower's/Surviving Civil Partner's pension increased from 156 contributions to 260 contributions.

It is also planned to introduce a "total contributions approach" to determine eligibility for a State pension. The level of pension paid will be directly proportionate to the number of social insurance contributions made by a person over his or her working life. The proposed date for the introduction of a move to a total contributions approach is 2020, but this may be subject to change.

It is Government policy through the provision of generous tax reliefs to support private supplementary pension saving to allow individuals cater for an adequate income in retirement. The Deputy will be aware the Government has previously highlighted its concern at the cur-

rently low supplementary pension coverage rate of approximately 50% of workers. This is why the Programme for Government includes a commitment to reforming Ireland's pension system to progressively achieve universal coverage, with particular focus on lower-paid workers.

The OECD Review of the Irish Pensions System provides an international perspective on Ireland's retirement-income provision. Whilst endorsing pension policy reforms undertaken to date, the report also makes a number of recommendations for future reform. The OECD's key recommendation is to improve the adequacy and sustainability of pensions by increasing coverage in the funded part of the pensions system through a universal mandatory or quasi-mandatory employment based pension system.

The OECD has indicated in its report that its first preference is a mandatory scheme, with its second preference being automatic enrolment, whereby people would be automatically enrolled but could opt out. I have previously stated that a soft-mandatory approach such as that envisaged by an auto-enrolment scheme, using scale to achieve greater cost efficiencies for the member, has been proven a successful and proactive way in which we can increase supplementary pension coverage. However, it is recognised that introduction of any such initiative would be best supported by a more favourable economic environment than is currently the case. The recommendations contained within the OECD report are currently being considered.

### **Rent Supplement Scheme Payments**

96. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the maximum rent support available in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [26544/14]

**Minister for Social Protection (Deputy Joan Burton):** The maximum rent limit for an eligible family unit as outlined in the specified area is €850.00 per month.

### **Child Benefit Applications**

97. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent, if any, to which arrears in respect of child benefit are due in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [26547/14]

**Minister for Social Protection (Deputy Joan Burton):** Child benefit is paid up to and including the month of a child's 16th birthday and continues to the month of the 18th birthday provided the child is in full-time education. In order for payment to continue after the age of 16, it is necessary for the school to certify that the child is in full-time education and will be until the age of 18.

In the case of the person concerned, a completed application form was received and child benefit was awarded to January 2014, the month of the child's 18th birthday. Child benefit is not paid after the month of the 18th birthday, even if the child remains in full-time education.

### **Rent Supplement Scheme Payments**

98. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if an increase in rent allowance will be considered in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [26551/14]

**Minister for Social Protection (Deputy Joan Burton):** The rent supplement claim for the client concerned was reassessed on 10 June following a rent reduction. All arrears owed will issue to the client by cheque.

### **Disability Allowance Appeals**

99. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will accept this request for appeal against decision to refuse disability allowance in the case of a person (details supplied) in County Kildare in view of the availability of conclusive medical evidence to the effect that they will not be in a position to take up employment in the foreseeable future; and if she will make a statement on the matter. [26558/14]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned has not been received by that office. A form has been forwarded to the person concerned requesting him to state the grounds for his appeal of the Department's decision. On receipt of his reply the appeal will be opened and processed in the normal manner.

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.

### **Pension Provisions**

100. **Deputy Heather Humphreys** asked the Minister for Social Protection her plans to provide a pension for long serving community employment members in a supervisory position who are due to retire shortly; and if she will make a statement on the matter. [26559/14]

**Minister for Social Protection (Deputy Joan Burton):** The Labour Court recommended in July 2008 (LCR19293) that an agreed pension scheme should be introduced for Community Employment (CE) scheme supervisors and assistant supervisors and that such a scheme should be adequately funded by FÁS, the agency responsible for CE at that time. Notwithstanding the position of this Department (which now has responsibility for CE) in rejecting that liability for these costs be met from public funds, this matter has been the subject of discussions with the Department of Public Expenditure and Reform and the unions representing CE supervisors.

Given the level of funding that would be required from this Department, the implementation of the claim is not considered sustainable in light of the current and on-going fiscal environment and the requirement to contain and reduce public expenditure. The costs of the introduction of any scheme are likely to be of the order of €3m per annum, with retrospective costs of the order of at least €30m.

It should also be noted that this Department is not the employer of CE supervisors and such employees are not public servants. The responsibilities of the sponsoring organisations and the individuals concerned must also be recognised when considering pension provision arrangements.

### **Departmental Staff Remuneration**

101. **Deputy Sean Fleming** asked the Minister for Social Protection the cumulative total of

unapproved salary top-ups currently being paid to staff under the remit of her Department; and if she will make a statement on the matter. [27088/14]

**Minister for Social Protection (Deputy Joan Burton):** All staff serving in my Department and the Agencies that operate under its aegis, namely the Pensions Authority, the Citizens Information Board and the Office of the Pensions Ombudsman, are paid in accordance with pay scales approved by the Department of Public Expenditure and Reform. There are no top up payments made to any of these staff.

### **Departmental Records**

102. **Deputy Seamus Kirk** asked the Minister for Arts, Heritage and the Gaeltacht if it is the case that 52 files been taken from the National Archives pertaining to the treatment of mothers and children in State care in mother and baby homes across the country; if copies have been made of these files in order that the information contained therein may be accessed during their absence; when it is expected that the files will be returned; and if over 40 files from 1992 which were previously removed have still not been returned; and if he will make a statement on the matter. [26391/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Under section 8(9) of the National Archives Act 1986, Departmental records transferred to the National Archives may be temporarily requisitioned in writing from the Director by an authorised officer of the appropriate Department of State. This is a routine administrative arrangement in relation to archives which have been made available for public inspection.

Records temporarily requisitioned by a Department of State may be retained for a period of up to 6 months in accordance with the National Archives Act Regulations 1988. Records are regularly requisitioned on a temporary basis by Departments of State from the National Archives and it would not be feasible to make copies of all documents so requested, particularly in cases where the records are urgently required for consultation by the requisitioning body or where the quantity of records involved is large.

The Director of the National Archives has the statutory right to specify arrangements which are to be made relating to access by the public to such archives while so requisitioned.

In relation to the Department of Health, I am advised that

- The Director of the National Archives has written to that Department to alert it to the fact that records temporarily requisitioned by it remain available for public inspection under the National Archives Act 1986 and that access requests will need to be facilitated during the period of recall.

- The Department of Health has agreed that requests for access to such files will be handled by its Press Office in the case of requests from the media. Requests for access from others, including staff in the National Archives, will be facilitated by that Department's Records Management Unit.

- If the Department of Health wishes to extend a requisition period after six months, a request must be made in writing to the Director to extend this period. In such a scenario, the National Archives could ask the Department of Health to copy the files as an alternative to their continued retention.

With regard to files relating to the treatment of mothers and children in State care in mother

and baby homes, I am advised that 12 such files were recalled by the Department of Health in recent weeks, as is permitted under the Act. The National Archives has been assured that these original records will be examined and returned as expeditiously as possible. I am further advised that, while the records are in the temporary custody of the Department of Health, they continue to be open to public inspection and, where feasible, access is being facilitated by that Department in the manner referred to above.

In relation to files returned to the Department of Health in 1992, I am advised that these were withdrawn from public access by that Department because, following examination on delivery to the National Archives, it became apparent that the files contained personal information on identifiable individuals and public release could have potentially caused distress to living persons. I understand that the transfer of the files in question was an oversight that was rectified shortly after their arrival in the National Archives and that the catalogues in the Archives Reading Room were amended to reflect the return of the files.

### **Wildlife Regulations**

103. **Deputy Maureen O'Sullivan** asked the Minister for Arts, Heritage and the Gaeltacht if his attention has been drawn to the content in the magazine (details supplied) which reveals that on 1 December 2013 hounds hunted a deer; if he will carry out an investigation into the potential breach of the Wildlife Amendment Act 2000; and if he will make a statement on the matter. [26099/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** My Department is aware of the article in question and the matter is under investigation.

### **Turbary Rights**

104. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question No. 479 of 27 May 2014, the number of applications he has received in each of the past five years seeking his consent to cut turf on a designated bog and to date in 2014; the date on which each application was received; when a decision was made; if consent was granted; and if he will make a statement on the matter. [26480/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan)(Deputy Jimmy Deenihan):** As I informed the Deputy in my reply to Question No. 497 of 27 May 2014, applications for consent to cut turf on sites nominated for designation as raised bog special areas of conservation under the European Communities (Birds and Natural Habitats) Regulations 2011, or on sites designated as raised bog natural heritage areas under the Wildlife (Amendment) Act 2000, may be made to me, as Minister for Arts, Heritage and the Gaeltacht.

I am advised that some 1,400 applications for consent to cut turf on designated sites have been received in the past five years and to date in 2014. The relevant details sought by the Deputy in relation to those applications have been forwarded to him under separate cover.

### **Turbary Rights**

105. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question No. 416 of 19 July 2012, the number of the 25 applications that were approved, rejected or on hand; and if he will make a statement on the matter. [26481/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I am advised that, in all the cases referred to involving applications to extract turf, responses were issued to the applicants in July and August 2012 indicating that consent could not be given.

### **Departmental Staff Remuneration**

106. **Deputy Sean Fleming** asked the Minister for Arts, Heritage and the Gaeltacht the cumulative total of unapproved salary top-ups currently being paid under the remit of his Department; and if he will make a statement on the matter. [27078/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I assume that the Deputy's Question relates to my Department and the bodies under its aegis.

As the Deputy will be aware, my Department and the bodies under its aegis are subject to Civil and Public Service pay policy, as determined by the Department of Public Expenditure and Reform, and I am advised that no salary top-ups of the nature described by the Deputy are being paid.

### **Broadband Services Provision**

107. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources with respect to the roll out of high speed broadband services for rural areas of County Meath, when he expects the completion of the formal mapping exercise to determine the final list of areas in need of State subsidy for the provision of such services; for areas that will be determined not to be in need of State subsidy to provide high speed broadband, will there be time based targets for the roll out of such services that can be easily identified by those persons who reside or have businesses in these rural areas; and if he will make a statement on the matter. [26427/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** 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 publication of the Plan, investments by the commercial sector are under way 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.

As a result of this accelerated investment the addressable area required by the State-led 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. Consequently, the speeds that are available in these areas are demonstrably better than those that are available in more rural areas.

On 25 April last, I signalled the Government's commitment to a major telecommunications network build-out to rural Ireland, with fibre as the foundation of its investment, as part of the

State-led intervention under the National Broadband Plan. This commitment is a clear expression of the 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 be part of an end-to-end strategy that will address all parts of Ireland that cannot access commercial high speed broadband services.

A comprehensive mapping exercise is under way in my Department which will identify those areas that will require a State intervention. I have published a county-by-county list of towns and villages which have already been identified for a fibre build-out. This list is available on my Department's website, [www.dcenr.gov.ie](http://www.dcenr.gov.ie). Currently, a total of 40 areas in County Meath have been identified as requiring an intervention. This is an indicative list and is subject to the completion of the mapping exercise. 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. I expect that this mapping exercise will be concluded in the autumn.

I would point out that the EU Commission's guidelines on State aid for high speed broadband infrastructure preclude Member States from intervening in regions in which private investors have demonstrated plans to roll out their own infrastructure within the following three years. In this regard, I understand that at least one network operator has published a programme to roll out 36 fibre-based broadband networks in County Meath by July 2016.

I would emphasise to the Deputy that in line with EU State Aid Guidelines the State will set timelines for investment commitments to be met by commercial operators. If such investments have not happened within the timelines, the State will have to intervene so as to ensure nationwide access to high speed broadband services.

In tandem with the completion of the mapping exercise, intensive design and planning work is ongoing in my Department with a view to producing a detailed end to end strategy for the State led intervention. It is my intention to conduct a full public consultation on the outcome of the mapping process and the proposed strategy. EU State aid clearance will also be required for the intervention once finalised. This will be followed by a detailed procurement process with a view to commencing construction of the fibre network and provision of services in identified areas as quickly as possible.

### **Departmental Staff Remuneration**

108. **Deputy Sean Fleming** asked the Minister for Communications, Energy and Natural Resources the cumulative total of unapproved salary top-ups currently being paid under the remit of his Department; and if he will make a statement on the matter. [27080/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The information sought regarding payments to staff by Semi-State Companies is an operational matter for each Company. All directions issued by the Government in relation to remuneration of staff in Semi State Companies have been brought to the attention of the relevant State Companies.

## Pyrite Remediation Programme

109. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government the implications that have arisen from the recent discovery of pyrite in concrete blocks for the pyrite remediation scheme; the areas of the country that will be eligible to apply; if homes affected in County Mayo will be eligible to apply; if not, the reason for same; and if he will make a statement on the matter. [26431/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In April this year my Department was made aware of a potential problem with pyrite in concrete blocks by the market surveillance authority (i.e. building control authority) in whose functional area the block manufacturer is located.

*It is understood that a small number of construction sites have been supplied with the affected blocks . Testing* has been carried out in a number of the buildings/dwellings on the sites identified which has confirmed the presence of deleterious material (sulphates/pyrite) in the blocks. The solution identified in those cases appears to be for demolition and rebuilding. Further testing is being carried out on other buildings/dwellings on the sites identified and the results will determine the appropriate course of action in respect of those dwellings/buildings.

Remediation of construction defects is a matter for resolution between the contracting parties and my Department understands that in each case the costs of resolution are being pursued, in the first instance, with the relevant contractors and suppliers in accordance with the terms and conditions of the construction contracts .

The pyrite remediation scheme, which was published by the Pyrite Resolution Board in February of 2014, was developed having regard to the recommendations set out in the report of the independent Pyrite Panel and in accordance with the relevant provisions of the Pyrite Resolution Act 2013. The Panel was established in September 2011 to explore options for a resolution to the problem of pyrite in the subfloor hardcore material which at that time had manifested itself in dwellings in a number of areas. The Panel reported to the Minister in July 2012.

It is a scheme of “last resort” and is limited in its application and scope. It is applicable to dwellings which are subject to significant damage attributable to pyritic heave established in accordance with I .S. 398 - 1 :2013 Reactive pyrite in sub-floor hardcore material – Part 1: Testing and categorisation protocol. In addition, applicants under the scheme must be able to demonstrate to the Board that they have no practicable options, other than under the scheme, to secure the remediation of their homes. The scheme applies to dwellings in the five local authority areas identified in the pyrite report - Meath, Kildare, Offaly and the administrative areas of Dublin City and Fingal. The Panel identified those areas following an extensive consultation process.

The Pyrite Resolution Act 2013 provides the statutory framework for the pyrite remediation scheme and while the Act provides that the scheme can be amended, replaced or revoked, this can only be done in accordance with the scope of the Act. The provisions of the Act apply only to dwellings affected by significant damage attributable to pyritic heave consequent on the presence of reactive pyrite in the subfloor hardcore material and not to damage arising in any other circumstance.

In this context, the scheme cannot be extended to include pyritic damage, or other forms of damage, which is not provided for in the Act.

## Water Charges Exemptions

110. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government if an extra water allocation will be made available to families with special needs children or adults; and if he will make a statement on the matter. [26451/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I refer to the reply to Question No. 370 of 10 June 2014. The position is unchanged.

### **Pyrite Remediation Programme**

111. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government his views regarding the approach being taken to homeowners with a building condition assessment damage rating of 2 where the builder is still trading; if a decision has been made to exclude these persons from the pyrite remediation scheme; if he will immediately take steps to address this issue and ensure that they are not excluded; and if he will make a statement on the matter. [26463/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Decisions in connection with the inclusion or otherwise of a homeowner in the pyrite remediation scheme are operational matters for the Pyrite Resolution Board. The pyrite remediation scheme, which was published by the Board in February 2014, was developed having regard to the recommendations set out in the Report of the Pyrite Panel. The scheme is one of “last resort” and only applies to dwellings which are subject to significant damage attributable to pyritic heave established in accordance with I.S. 398-1 :2013 Reactive pyrite in sub-floor hardcore material – Part 1: Testing and categorisation protocol. In addition, applicants must be able to demonstrate to the Board that they have no practicable options other than under the scheme to secure the remediation of their dwellings. In this regard it is incumbent on the Pyrite Resolution Board to ensure that any financial resources, other than Exchequer funding provided under the pyrite remediation scheme, which may be awarded to parties who bear some level of responsibility for the pyrite problem, should be secured for the remediation of the affected dwellings.

### **Local Authority Housing Provision**

112. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government when Central Statistics Office data will be available in relation to local authority house starts per month for 2014. [26465/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** My Department collates and publishes a wide range of housing and planning statistics that inform the preparation and evaluation of policy, and these data are available on my Department’s website at *www.environ.ie*. In July 2014, my Department will commence collating figures for the number of social housing starts for the first six months of the year as informed by local authorities. These data will be made available on my Department’s website and will be published subsequently on a quarterly basis.

### **Private Residential Tenancies Board**

113. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government the position regarding a housing situation (details supplied); and if he will

make a statement on the matter. [26469/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** The Residential Tenancies Act 2004 regulates the landlord-tenant relationship in the private rented residential sector and sets out the rights and obligations of landlords and tenants relating to, *inter alia*, security of tenure and the termination of tenancies. The Private Residential Tenancies Board (PRTB) was established as an independent statutory body under the Act to operate a national tenancy registration system and to resolve disputes between landlords and tenants.

The requirements for the valid termination of a tenancy by a landlord are set out in Parts 4 and 5 of the Act. Where there is an alleged failure by a tenant to offer up vacant possession of a dwelling on foot of the service of a valid notice of termination, the landlord has the right to refer a complaint to the PRTB for resolution. Further information on the PRTB’s dispute resolution services, including a downloadable dispute resolution application form, is available on the PRTB website [www.prtb.ie](http://www.prtb.ie). Having regard to the quasi-judicial nature of the work of the PRTB, it would be inappropriate for me to comment further on the specifics of any individual case.

### **Dormant Accounts Fund Administration**

114. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government in relation to his declared intention to publish a dormant accounts disbursement action plan, if he has consulted only with some Government Departments and with the special purpose agency Pobal with regard to the preparation of that action plan; the reason that led to the exclusion of all other stakeholders in the consultation process; and if he will make a statement on the matter. [26471/14]

115. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government his views on the analysis expressed in the Reaching Out – Guidelines on Consultation document, published by the Department of the Taoiseach, that consultation supports greater transparency, which is an important principle of good governance, that consultation helps to ensure that the operations of Government and bodies throughout the public sector are conducted with greater clarity and openness, that in public consultation processes, Governments recognise that public policy making is enhanced through the active involvement and contribution of all stakeholders with an interest in particular policy developments and that by ensuring interested parties can express their views about a particular proposal, the decision-making process becomes better informed, more rigorous and more accountable; his views that, in the absence of public consultation, the credibility of the forthcoming dormant accounts disbursement action plan is compromised; and if he will make a statement on the matter. [26472/14]

116. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government if the dormant accounts disbursement scheme for 2013-2016 is publicly available; if he will provide a copy to this Deputy; and if he will make a statement on the matter. [26476/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 114 to 116, inclusive, together.

Under the Dormant Accounts legislation, balances on dormant accounts with banks, building societies and An Post and the net encashment value of certain life assurance policies are paid into the Dormant Accounts Fund, which is managed by the National Treasury Manage-

ment Agency . The primary purpose of the legislation is to re-unite the original account holders with their moneys, including all interest due. In addition, the legislation also provides that disbursements from the Fund may be made for purposes of community benefit.

In accordance with the Dormant Accounts (Amendment) Act 2012, the objectives underpinning disbursements from the Dormant Accounts Fund remain unchanged; allocations will continue to focus on programmes or projects to assist the personal and social development of persons who are economically disadvantaged, the educational development of persons who are educationally disadvantaged and persons with a disability.

A new Disbursement Scheme was prepared, in accordance with the 2012 Act , after consultation with various Ministers , 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. The Scheme is also available on my Department's website at <http://www.environ.ie/en/Community/DormantAccounts>.

The 2012 Act also provides for the preparation of an Action Plan each year to give effect to the Scheme. My Department, together with Pobal, 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 relation to the Action Plan, which I expect to be finalised in the coming weeks. Under Government Accounting procedures, disbursements on Dormant Accounts measures are paid in the first instance "up front" from the relevant Department's Vote in the same way as with any other spending programme. Government Departments have to source funding for Dormant Accounts programmes from their Exchequer allocation in the annual Estimates process.

Once spending takes place, it is reimbursed to the Exchequer from the Dormant Accounts Fund in the form of Appropriations-in-Aid payable through each Department's Vote. The Government Departments will ensure that disbursements will have regard for the three themes set out in the Act, the priorities and policies of Government and the availability of monies within Departments for the proposals and measures to be adopted under the Action Plan. These are the first rounds of preparation of a Disbursement Scheme and Action Plan under the 2012 Act. The Department will review the experience involved in advance of the preparation of the next iteration of the Disbursement Scheme and Action Plan.

### **Rental Accommodation Scheme Criteria**

117. **Deputy Jerry Buttimer** asked the Minister for the Environment, Community and Local Government regarding the rental accommodation scheme, if there are any exceptions to the requirement to be on rent supplement for 18 months before qualifying for RAS; and if he will make a statement on the matter. [26486/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** While in general a household must be in receipt of rent supplement for 18 months or more to qualify for the Rental Accommodation Scheme (RAS), the 18 month threshold is a 'rule of thumb' to try to distinguish between persons who are seeking a short term income support and those who have a long term housing need. Housing authorities do, on occasion, accept households on to RAS where they have been less than 18 months on rent supplement. This occurs where there are exceptional circumstances and where a long term housing need can be demonstrated. This has been applied in respect of homeless persons and for households with special needs. Bringing persons into RAS before the 18 month period has

elapsed has also been applied administratively to facilitate a landlord who is bringing a number of properties across with tenants on rent supplement for different periods. It has also been used to facilitate persons moving back to employment.

### **Gender Balance Issues**

118. **Deputy Heather Humphreys** asked the Minister for the Environment, Community and Local Government the number of female councillors elected nationwide following the recent local elections; the way this figure compares with previous local elections; his views on the progress that is being made to encourage female participation in politics; the further steps that will be taken; and if he will make a statement on the matter. [26499/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Provisional data indicates that some 21% of the local authority members elected at the 2014 local elections were women. This compares with a figure of 19% at the 2009 local elections. The lack of equality in participation by women in politics has been recognised as a lacuna in public life for some time and I welcome this small, but important, increased level of representation by women in local government. The Government is committed to further improving the participation of women in politics and has introduced legislation linking the State funding of political parties under the Electoral Act 1997 to the achievement of a gender balance in candidate selection at Dáil general elections.

Part 6 of the Electoral (Amendment) (Political Funding) Act 2012 provides that in order to receive full State funding, a qualified political party must select at least 30% women candidates and at least 30% men candidates at the next general election. Seven years from the next general election, this will rise to 40% commencing at the general election held next after that. Payments made to political parties will be reduced by half in the event that this condition is not fulfilled. The provision is designed as an incentive mechanism to encourage political parties to apply a more equal gender balance in the selection of candidates.

### **Departmental Staff Remuneration**

119. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government the cumulative total of unapproved salary top-ups currently being paid under the remit of his Department; and if he will make a statement on the matter. [27083/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department, the agencies under the aegis of my Department and Local Authorities are all compliant with Public Sector Pay Policy. There is, however, one limited exception to the consolidated pay policy in respect of a travel allowance of €3,348 paid to one employee acting at Senior Executive Officer level in the Local Government Management Agency.

### **Defence Forces Personnel**

120. **Deputy Billy Kelleher** asked the Minister for Defence if he will have a review carried out of the file of a person (details supplied) in County Cork in an effort to get a resolution to accuracy of his discharge files; and if he will make a statement on the matter. [26387/14]

**The Taoiseach:** The Military Authorities have advised me that the person concerned served a total of 136 days in the Reserve Defence Force in 1969 and on 29 December 1969 he went

absent. In January 1970 a Court of Inquiry was convened where he was declared an “Illegal Absentee” and was struck off the strength with effect from 29 December 1969. The Military Authorities have further advised, that having reviewed the individual’s file, they are satisfied that the individual concerned was discharged in full accordance with Defence Forces regulations.

### **Departmental Staff Remuneration**

121. **Deputy Sean Fleming** asked the Minister for Defence the cumulative total of unapproved salary top-ups currently being paid under the remit of his Department; and if he will make a statement on the matter. [27081/14]

**The Taoiseach:** There are no unapproved salary top-ups currently being paid to staff of the Department of Defence, the Permanent Defence Force or the Army Pensions Board.

### **Aquaculture Licences**

122. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine the number of shellfish aquaculture licences nationally and covering what amount of foreshore, in hectares, is in the possession of French oyster farmers; the mechanism and process under which he sanctions such trading in licences; the number of such licence trades that have occurred in the past ten years; the average price per hectare in 2013 and 2014 for licences which are traded; if he has any control over this value; if business plans or other bona fides are required from non-national companies who intend to exploit the nationally owned and regulated public foreshore; if there is any requirement on these companies to employ local persons to operate sites here; the surveillance required for the importation of live shellfish stocks into these sites; if non-national companies are eligible for grant aid from the Irish State under the rules of the European Fisheries Fund or the forthcoming European Maritime and Fisheries Fund; if licences may be traded if they are subject to section 19(4)a of the 1997 Fisheries (Amendment) Act; if licences which are under the protection of section 19(4)a and which have been transferred and paid for under contract between the licensee and third party are still valid and, if so, who is the licensee and who is liable for licence fees to the State as per the conditions of the individual licences; if the perception by the Irish industry is true that non-national companies are given preference over existing Irish oyster farmers in terms of processing licence or renewal applications; and if he will make a statement on the matter. [26384/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under EU law there can be no discrimination on the grounds of nationality.

In practice, almost all aquaculture licences for oyster production have been granted to Irish registered companies or Irish operators.

My Department is examining its records and will revert to the Deputy if further information comes to light.

### **Disadvantaged Areas Scheme Eligibility**

123. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their disadvantaged area payment; his views that the delay in processing this application is extreme; if he will expedite the application

[26432/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the 2013 Disadvantaged Areas Scheme, applicants are required to maintain 0.15 livestock units for a minimum retention period of seven consecutive months, applicants are also required to maintain an annual average of 0.15 livestock units calculated over the 12 months of the scheme year. Payment under the 2013 Scheme has not issued to the person named as their holding has not satisfied the Scheme minimum stocking density requirements.

### **Farm Retirement Scheme Applications**

124. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine the schemes in place for a farmer who has to retire from farming due to ill health; his plans to put one in place; and if he will make a statement on the matter. [26434/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Early Retirement Scheme, in conjunction with the Young Farmers' Installation Scheme, aimed to encourage older farmers to pass their land on to younger, qualifying farmers. There was no specific scheme that catered for farmers retiring due to ill health, although someone in that situation could well have availed of the provisions of the Early Retirement Scheme.

The scheme was suspended in 2008 due to budgetary constraints. It was reopened briefly in September, 2009, with limited additional funding, to accommodate farmers who had applications completed or close to completion at the time of suspension. However, I have no plans to re-open this scheme or introduce another similar scheme at this time.

### **Bord na gCon Remit**

125. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine when he and his Department became aware of breaches of the Artificial Insemination of Greyhounds Regulations 2005 and the steps he and his Department have taken to ensure the integrity of the Irish Greyhound Stud Book is protected; and if he will make a statement on the matter. [26441/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Irish Coursing Club (ICC) is the authority responsible for the registration and identification of greyhounds. The ICC is subject to the general control and direction of Bord na gCon under Section 26 (2) of the Greyhound Industry Act, 1958. Bord na gCon is the statutory body with responsibility for the improvement and development of the greyhound industry, greyhound racing and coursing.

The requirements governing the practice of artificial insemination of greyhounds are set down in the Artificial Insemination of Greyhounds Regulations, 2005, S.I. No. 561 of 2005, which were made by Bord na gCon.

My Department was informed by Bord na gCon in early 2013 that procedural issues had arisen in relation to the registration of greyhounds conceived following artificial insemination which were at variance with the provisions set down in the Artificial Insemination of Greyhounds Regulations, 2005, S.I. No. 561 of 2005. The matters at issue are between Bord na gCon and the ICC.

Officials from my Department raised these matters with executives at the highest level in

Bord na gCon on a number of occasions in 2013 and again in 2014. Bord na gCon has confirmed to my Department that it has had a number of discussions with the ICC on these matters. Most recently Bord na gCon has informed my Department that it has initiated intensive discussions with a wide range of industry stakeholders, including the Irish Coursing Club, on these issues in recent weeks and it has invited written submissions from interested parties. I understand from Bord na gCon that there has been productive dialogue in this regard and that a comprehensive proposal for the resolution of this issue is imminent.

### **Farm Retirement Scheme Issues**

126. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway first received an early farm retirement pension; when payment of this pension will cease; and if he will make a statement on the matter. [26452/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is in receipt of an Early Retirement Scheme pension with effect from 23 September, 2008. The first payment under the scheme was made to them, with arrears, on 31 May, 2009.

Payment of the pension will cease with effect from 3 September, 2014.

### **Single Payment Scheme Eligibility**

127. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine the position regarding a single farm payment in respect of a person (details supplied) in County Offaly where it is estimated that the person will receive 10% less on 11.72 hectares than on his current SFP where on 4.42 hectares the person received €755.68 with a total value of €3340.11; and if he will make a statement on the matter. [26454/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the Single Payment Scheme the value of the entitlements was allocated on the basis of agricultural activity during the Reference Period of 2000 to 2002, and largely reflected the productive capacity of each farm during that period and gave rise to wide variations in the unit value of entitlements held by individual farmers.

It is no longer possible to justify the significant differences in the unit value of entitlements held by farmers based on the use of historical references. The model of convergence that will be applied in Ireland, while initially retaining the link with current payments under the Single Payment Scheme, gradually moves all farmers towards a national average value. The purpose of this model is to achieve a phased redistribution of payments between those who currently hold high value entitlements and those who hold low value entitlements.

The person named declared 11.72 hectares in 2013 and provided he retains that land in 2015, he will be allocated 11.72 new Basic Payment Scheme entitlements in 2015. The value of these entitlements will be based on a percentage of the value of Single Payment Scheme entitlements owned by him in 2014. In addition to the entitlements value, there will be a Greening payment.

While it will not be possible until 2015 to say definitively how much the payment per hectare will be, it is estimated that the person named will be eligible in 2015 to receive a total payment per hectare that will be slightly above the national average value. There will be a minor reduction by way of convergence each year thereafter.

## **Beef Data Programme**

128. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the number of persons who have contacted his Department under the beef genomics scheme, who have proof of postage, but have had their application rejected on the basis that they have no proof of delivery; when his Department's policy on proof of postage changed; if the application clearly stated that applications had to be submitted by registered post; the number of applications received under the scheme and the number received by registered post; and if he will make a statement on the matter. [26475/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department has currently received approximately 40 appeals relating to applications with no proof of postage. No appeals have been received where the applicant had a swiftpost or registered post receipt.

The Terms and Conditions of this Programme specifically state that a swiftpost receipt is required as proof of postage where it is claimed that an application had been submitted. This has been the only acceptable evidence of postage for the Single Payment Scheme in 2011 and since the Beef Data Programme commenced in 2013.

A total of 37,000 applications to join the Scheme were received with approximately 12,000 of these received using swiftpost/registered post.

The closing date for receipt of applications to join this Scheme was extended from 4 to 17 April, and a 1% penalty is applied for each day that the application is received after the closing date, up to the 12th of May. Cases where an application was received after the closing date are reviewed on an individual basis. Any case that is rejected by my Department has the right to appeal the decision to the Agriculture Appeals Unit.

## **Agriculture Schemes Eligibility**

129. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine the supports available to farmers who are aged under 40 years and who have already been actively farming for three years or longer; the reason this category of farmer will not qualify for the 60% rate of grant aid for on-farm investment; and if he will make a statement on the matter. [26482/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the terms of the EU legislation governing the 2014-2020 Rural Development Programme, the enhanced 60 per cent grant-aid for on-farm investment may only be paid to young farmers who meet certain conditions, including the requirement that they have been set-up in farming within a period of five years from the date of application of support. It is quite conceivable, therefore, that many of the young farmers described by the Deputy could qualify for the enhanced rate of aid.

Where young farmers do not meet the conditions laid down for the enhanced grant scheme, such farmers will be eligible to apply for grants at a standard rate under the other on-farm investment schemes which are made available under the new Programme.

## **Agri-Environment Options Scheme Payments**

130. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when payment of AEOS will issue in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [26496/14]

**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 Identification System, have to be completed before any payment can issue. During these checks a query arose in respect of land parcels declared as Natura. This is being dealt with by my Department at present and, the application will be processed with a view to making payment in respect of 2013 at the earliest opportunity.

### **Dairy Equipment Scheme Applications**

131. **Deputy Martin Heydon** asked the Minister for Agriculture, Food and the Marine the application process and eligibility criteria for grants available for dairy farmers; and if he will make a statement on the matter. [26498/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Final decisions have not yet been taken in relation to the application process or eligibility criteria which will be applicable under the proposed new Dairy Equipment Scheme in TAMS II. I can confirm, however, that the new Scheme will be extended to farmers who do not have milk quota at the time of application.

### **Common Agricultural Policy Reform**

132. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he has continued to have discussions with the farming organisations and others regarding the redistribution of benefits accruing from the Common Agricultural Policy reform; and if he will make a statement on the matter. [26523/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Subsequent to the agreement reached at EU Council on 26 June 2013, my Department entered into a comprehensive process of consultation with the farming community and farming organisations in the summer of 2013. Detailed submissions were received from a wide variety of groups and individuals including the main farming representative bodies, a number of regional groups and from individual farmers. The results of this process were collated and formed part of the Department's decision making process.

All of the major decisions relating to the shape of the reformed system of direct payments in Ireland have now been taken and my Department has moved to the very significant task of implementing the new scheme. The model of convergence that will be applied in Ireland, while initially retaining the link with current payments under the Single Payment Scheme, gradually moves all farmers towards a national average value. The purpose of this model is to achieve a phased redistribution of payments between those who currently hold high value entitlements and those who hold low value entitlements. A further targeting of funds will be achieved through the implementation of the Young Farmers Scheme and the National Reserve.

The Department has undertaken a comprehensive programme of information dissemination through a series of farmers' meetings, the provision of training to Teagasc and agricultural consultants, the establishment of a CAP Information Centre and in the production of a farmers' booklet 'CAP 2015: An Introduction to Direct Payments'.

Ongoing discussion with the various farming organisations regarding a wide variety of issues remains a constant feature of the work of my Department.

### **Common Agricultural Policy Reform**

133. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he will outline any particularly sensitive issues arising in relation to revised farm support payments emanating from the Common Agricultural Policy reform; the extent to which he expects to reach agreement in regard to same; and if he will make a statement on the matter. [26524/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The core issue arising from the reform of the Direct Payments related to the redistribution of available funds between those who historically held high value entitlements and those who held low value entitlements. This issue has been resolved in a fair and equitable manner through the development of the 'Internal Convergence Model' which has been widely advertised and explained.

However, in the case of direct payments, the new Direct Payment Regulation provides for significant benefits to persons who meet the definition of 'young farmer' both in terms of eligibility under the National Reserve and in participation in the Young Farmers Scheme. I am very conscious of the group of young persons who were unable to avail of the Young Farmers' Installation Scheme, due to its suspension in October 2008, and who are also excluded from the benefits of being a 'young farmer' under the new CAP reform due to the requirement that such farmers must have established their holding within five years of their first application under the Basic Payment Scheme. I am actively investigating alternative options of assisting this group of farmers.

### **Common Fisheries Policy Reform**

134. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent of the benefits accruing to the fishing industry with particular reference to those families depending on the sector arising from EU fisheries policy reform; and if he will make a statement on the matter. [26525/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Ireland's overarching goal, when negotiating the revised Common Fisheries Policy, was to ensure a sustainable, profitable and self reliant industry that protects and enhances the social and economic fabric of rural coastal communities dependent on the seafood sector, while balancing these objectives with the need to safeguard fish stocks for future generations. I strongly believe that the new CFP will achieve that goal.

A key element of the new CFP is the setting of fishing levels on the basis of the MSY Principle (Maximum Sustainable Yield). This should lead to healthy fish stocks, higher quotas for Irish fishermen and more sustainable fishing patterns.

The reform also contains a commitment to continue and further strengthen conservation measures in the biologically sensitive areas, including that off the South and West coast of Ire-

land (new Irish box). This commitment will also protect the livelihoods of coastal communities, including those families depending on the sector, by ensuring that fish are allowed to grow to maturity, are more plentiful and fished in an environmentally responsible manner. A new framework of Technical measures will also be introduced to avoid and minimise catches of juvenile fish.

Following months of intense lobbying and negotiation, I recently secured € 148m of EU funding for the period 2014 to 2020. This will support the fishing industry adapt to the new CFP and support development of the Irish seafood industry and the coastal communities and families that depend upon it. Ireland must now prepare a programme setting out the arrangements for spending the fund and submit this to the Commission by 20 October 2014.

My Department has been working on the new Operational Programme since 2013 and has engaged with stakeholders on a number of occasions to date. Further public consultation and strategic environmental assessment will take place over the coming months.

### **Agrifood Sector**

135. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he expects the agri-food industry to benefit from EU reforms such as Common Agricultural Policy and the abolition of milk quotas; and if he will make a statement on the matter. [26526/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As I have stated previously achieving political agreement on CAP reform was a major success for the Irish Presidency of the EU Council and it provides a well-balanced package of measures for our largest indigenous industry. These measures enhance the possibility of achieving Ireland's ambitious growth strategy for the agri food sector, as envisaged in Food Harvest 2020.

In particular the CAP Reform package established agreement on the basic share of the direct payment and on rural development reforms, which secures the production base of the Irish meat and livestock sectors. This in turn leaves farmers and other operators at the production base of the agri food sectors better positioned to both meet the competitive challenges and exploit the export opportunities of the international marketplace.

The agri-food industry is Ireland's largest indigenous manufacturing industry. Collectively the industry is responsible for some 140,000 jobs and has an annual output of more than €20 billion, with a huge reliance on exports.

Given this importance of exports, I have consistently placed great emphasis on developing relationships in new and expanding markets for all Irish meats and dairy products in order to build the kind of confidence in Irish production and control systems that provide a platform for long-term trading relationships in the future. I am continuing to work with industry to raise the profile of the Irish agri-food sector generally.

Notwithstanding current difficulties, there is a strong demand for meat globally and my focus continues to be to enable Irish exporters to take advantage of the opportunities that arise. My Department engages on a daily basis with many countries, in collaboration with Bord Bia and Irish embassies' personnel on market access issues. These initiatives have led to a number of notable successes in securing agreement to import from authorities in Japan, Singapore, Egypt and Iran which allow the import of Irish beef. To date in 2014, the Lebanon has agreed to re-open its market to Irish beef, sheepmeat and cooked meats. A certificate has also been agreed with Hong Kong allowing for the export of Irish sheepmeat and agreement has been reached

with Namibia on a certificate for the export of beef, sheepmeat and goatmeat.

On the dairy side my Department strongly supported the decision to abolish milk quotas on the basis that quotas were widely regarded, by both the Irish dairy sector and market analysts, as a brake on the potential of the sector to respond positively to market opportunities. All indications are that the abolition of quotas next April will bring about an expansion in the sector as the industry begins, in earnest, the quest to achieve the 50% increase in production target it set for itself in Food Harvest 2020. For my part I have been working on a number of fronts to prepare the industry for the move to a quota free environment and equip it to respond to the market opportunities arising.

There is no doubt that the realisation of this increased production target will be dependent on the achievement of maximum efficiency at production and processing levels. It will require particular focus on the changes needed in milk processing, in on-farm competitiveness and in the transfer of technology and knowledge to dairy farmers. It will also require investment in R&D and in marketing. The Irish dairy sector is well placed to deliver on those objectives. Significant progress has already been made in gearing the industry up to meet the challenge of a liberalised market. At farm level my Department, in conjunction with Teagasc, has been providing support to milk producers through various measures: The Dairy Efficiency Programme has provided assistance to help improve skill sets and increase on-farm efficiency, so that they can achieve better economic returns. More enhanced Knowledge Exchange measures are being proposed under the new Rural Development Programme. The Dairy Equipment Scheme encouraged capital investment to ensure farmers are equipped to gear up for expansion and a follow on Scheme is also proposed under the new Rural Development Programme. Support for AHI and ICBF programmes to improve animal health and genetics are helping to position the milk production sector to capitalize on the market opportunities afforded by an increasing global population and expanding demand for dairy products. At processor level, the major players in the sector are currently engaged in significant capital investment and expansion to prepare themselves for the increased production. The promoters of these expansion plans are confident that the demand from emerging markets will ensure strong returns for their dairy products. Over 85% of Irish dairy production is exported and growth in global population is forecast to stimulate strong levels of demand for dairy products.

### **Trade Agreements**

136. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he remains satisfied that trade deals negotiable by the EU, in the aftermath of Common Agricultural Policy reform, do not undermine the Irish or European food industry; and if he will make a statement on the matter. [26527/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As a small open economy dependent on trade, Ireland favours ambitious and balanced trade agreements. We have a number of offensive interests in the current negotiations that are taking place with Japan, India, Vietnam, Thailand and of course the United States. Like others we have defensive interests as well. The current negotiations with MERCOSUR come to mind in that regard.

The recent reform of the Common Agricultural Policy was a useful and progressive reform making the CAP fit for purpose to 2020. It provided farmers and the agri-food sector with policy certainty for the years to come and with strategic financial support to increase sustainability and enhance competitiveness. Against this background, we must ensure that there is proper coherence between trade and agricultural policy in the EU. I have consistently made this point to my colleagues in other EU Member States and to the Commission and I will continue to work

to ensure that we engage in trade negotiations that promote the interests of the EU agricultural sector.

### **State Laboratory Facilities**

137. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which the various veterinary laboratory facilities in respect of the bovine, pig, poultry, lamb and equine sectors here are adequate to meet all laboratory testing requirements; and if he will make a statement on the matter. [26528/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The laboratory facilities at Backweston are capable of meeting the vast majority of my Department's analytical and diagnostic requirements in relation to the bovine, pig, poultry, lamb and equine sectors. While DAFM Laboratories have the capability to carry out most of the tests in these areas, for cost efficient reasons, some low volume, highly specialised reference test methods that are periodically required are still outsourced to specialist centres. Examples of the type of tests still outsourced are the phage typing of bacteria, foot and mouth disease virus isolation, some confirmatory testing and certain toxin and residue analysis.

Amelioration works in one area, the category 4 containment laboratories, are in progress with a view to bringing that laboratory into operation. A mock up phase to check the feasibility of this project has been completed and the main works in this area are currently subject to procurement. The Category 4 laboratory will provide my Department with the additional containment facilities necessary to control the presence of exotic animal diseases that may be introduced into Ireland and is required to confirm Ireland's existing high animal health status.

### **Beef Industry**

138. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine his expectations for further development of the beef industry; and if he will make a statement on the matter. [26529/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** One of my priorities since taking office has been the continued development of the beef sector. I have sought to ensure that beef farmers have the necessary supports to enhance the profitability and sustainability of their livestock enterprises. The broad outline for developing the beef industry in Ireland was set out in my Department's Food Harvest 2020 (FH2020) strategy. The Beef Activation Group was established in February 2011 to consider the steps necessary to achieve the targets for the beef sector contained in the FH 2020 strategy. FH 2020 initiatives have had a positive impact on the beef sector since 2010 include: the launch by Bord Bia of the Origin Green Programme; the retention in 2012 of the Suckler Cow Welfare Programme; an increase in the number of advisors dedicated to beef in Teagasc; a trebling of the number of farmers in the ICBF Herdplus Programme; the launch of the Beef Technology Adoption Programme in 2012, worth €5m per year; the extension of the Teagasc / IFJ BETTER Farm Beef Programme to cover every county in Ireland.

This year, I announced details of an investment package worth up to €40m to beef farmers in 2014, aimed at sustaining a critical mass in the suckler cow herd, the seedbed for our beef industry. This package includes: €23m for the Beef Genomics Scheme; €10m for the Beef Data Programme; €5m for the Beef Technology Adoption Programme; & €2m in residual payments under the Suckler Cow Welfare Scheme. I also announced details in relation to the financial

allocations for the new Rural Development Programme 2014-2020 (RDP) as well as outlines of the proposed measures for inclusion. The development of a new RDP will be a key support in enhancing the competitiveness of the agri-food sector, achieving more sustainable management of natural resources and ensuring a more balanced development of rural areas.

Under the new RDP, beef suckler farmers will be eligible for participation under a range of measures, including: a substantial new agri-environment/climate scheme (GLAS), which will build on the progress made under REPS and AEOS. This will provide for a maximum payment of €5,000 for up to 50,000 farmers and a further payment of up to €2,000 for a limited number of farmers who take on particularly challenging actions; continued strong support for disadvantaged areas (now known as Areas of Natural Constraint) to the tune of about €195 million per year; incentives for on-farm capital investment, including support for the expansion of the dairy sector following the abolition of milk quotas in 2015; knowledge transfer and innovation measures, aimed at underpinning farm viability, sustainability and growth through the adoption of best practice and innovative solutions; a new beef data and genomics measure worth up to €52 million per year aimed at improving the genetic quality of the beef herd; a separate strand of the support for on-farm capital investment will be ring-fenced for young farmers at a higher rate of aid intensity of 60%; & other supports aimed at collaborative farming, artisan producers, organic farming etc.

The Government is confident that this range of measures will, when taken together with other Pillar I direct payments, assist suckler farmers to improve their on farm viability.

Another aspect of my strategy for the continued development of the beef sector is to constantly develop relationships with existing and in new and expanding international markets, raising the profile of Ireland and increasing international confidence in Irish production and control systems. Since taking office I have led trade missions to China, the US, Algeria and the Gulf Cooperation Council (GCC) countries in the Middle East. The US has lifted its ban on the importation of beef from the European Union and my Department is currently working with the meat industry to advance the various technical requirements to ensure commencement of trade at the earliest possible date.

There is a strong demand for meat globally and my focus is aimed at enabling Irish exporters to take advantage of the opportunities that arise. My Department engages on a daily basis with many countries, in collaboration with Bord Bia and Irish embassies' personnel, on market access issues. These initiatives have led to a number of notable recent successes in securing market access from authorities in Japan, Singapore, Egypt and Iran. This year to date we have agreed access terms with the Lebanon and Namibia. In 2013 the value of beef exports is estimated to have increased by 10%, driven by a 5% rise in output and a similar jump in average prices. As a result, exports were valued at €2.1 billion. I expect that our export performance will continue to improve.

The Government's investment this year in the beef sector is a strong vote of confidence in the sector. It exemplifies the smart, green growth initiatives envisioned in the FH2020 strategy and, coupled with additional support measures under the new Rural Development Programme, will underpin the development of a sustainable beef sector with long-term growth potential.

I recently launched a beef roundtable to bring together the various stakeholders to discuss current issues. There have already been a number of initiatives in the wake of this forum. These include: The Beef Roundtable discussions will reconvene quarterly to exchange intelligence on market developments and forecasts particularly in relation to supply, demand, prices, product specifications, retail changes etc; I have committed to launching a 'Beef Pricewatch' online tool to make price information more accessible and free of charge to farmers. Work has commenced

and already as an initial step the department has improved its website in order to make price information more user friendly for farmers.

My Department is examining the possibility of legislating for the recognition of producer organisations in the beef sector, and will shortly be launching a consultation with key stakeholder groups in this regard. This initiative could provide a vehicle for collective action by farmers in a way that can give them the advantages of scale and market presence, as well as a useful vehicle for transferring technology and expertise to improve profitability at farm level. My Department will prioritise its targeted on-farm capital investments for suckler farmers through the new Rural Development Programme; Bord Bia has allocated €0.5m to expand and target promotion of Irish beef through its campaigns in the UK and in certain continental markets.

During the first beef forum, I had requested Mr. Michael Dowling, Chairman of the Beef Activation Group, to review the implementation of the Group's report, after intensive consultation with all stakeholders. That report has been delivered, and I have asked roundtable participants to reflect on its recommendations.

### Food Harvest 2020 Strategy

139. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which targets set in Food Harvest 2020 remain on course; if any particular sector is performing better than others; the immediate action required if any; and if he will make a statement on the matter. [26530/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I am pleased to report that the industry developed targets set out in Food Harvest 2020 remain on course. The following table illustrates the progress achieved on the three headline targets as well as the current position in each of the main agricultural sectors.

Headline Targets	Base-line(2007-2009 Average*)	FH2020 Target	Latest Position
Primary	€4.596 billion	€6.27 billion	€6.13 billion
Exports	€8.298 billion	€12 billion	€10.29 billion
-	-	-	-
Gross Value Added	€6.053 billion (*2008 only)	€8.57 billion	€7.27 billion (2011 only)
-	-	-	-
Sectoral Data	-	-	-
Milk Output Value	€1.465 billion	+50%	+ 40%
Cattle Output Value	€1.552 billion	+20%	+ 38%
Pigs Output Value	€309 million	+50%	+ 53%
Sheep Output Value	€172 million	+20%	+ 26%

### Fishing Industry Development

140. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which fishing conservation policies adopted by the EU continue to benefit the fishing industry here; and if he will make a statement on the matter. [26531/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** From the outset of the Common Fisheries Policy revision process, Ireland's overarching goal was to ensure a sustainable, profitable and self-reliant industry that protects and enhances the social and economic fabric of rural coastal communities dependent on the seafood sector, while balancing these objectives with the need to safeguard fish stocks for future generations.

The new CFP, which was negotiated to completion under the Irish presidency, will ensure real meaningful reform to how EU waters are fished in the future. The agreement is designed to ensure the long-term sustainability of fishing in Ireland and throughout EU waters, utilising best scientific advice as a key determinant in setting annual fishing quotas in the future.

As well as providing the framework for the long-term sustainability of fish stocks around our shores, the new CFP will result in the continued economic viability of our fishing fleet and fish processing while supporting the communities that depend on a vibrant fishing industry. The package agreed will support the rebuilding of fish stocks in European waters and will allow for setting TACs and quotas to reflect catches when a landing obligation is introduced on the basis that for the first and subsequent years, discarding of that stock will no longer be allowed. In the longer term as fish stocks reach and are maintained at healthy levels, it will support increased fishing opportunities for our fishermen.

The policy provides for the development of measures appropriate for each region by the member States working with the stakeholders through the new Advisory Councils to devise and implement measures that work for the types of fisheries in the region and involving fishermen in the decision-making process. The reform also contains a commitment to continue and further strengthen conservation measures in the biologically sensitive areas, including that off the South and West coast of Ireland (new Irish box). This commitment will also protect the livelihoods of coastal communities by ensuring that fish are allowed to grow to maturity, are more plentiful and fished in an environmentally responsible manner.

### **Fish Discards**

141. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which the cessation of the dumping of surplus catch continues to benefit fish conservation measures in this country and throughout the EU; and if he will make a statement on the matter. [26532/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Dumping of 'surplus catch' or 'discarding' as it is more usually referred to is a complex global problem where unwanted catches are returned to the sea as a result of a number of factors including quota restrictions, high grading, minimum landing sizes, and market conditions. Levels of discards in the EU vary depending on the size and nature of the fishery. Ireland has been to the forefront in the drive to reduce and eliminate discards for many years and I was delighted to launch an Irish "discard" atlas in 2011, which is a detailed compendium of discards by the Irish Fleet targeting whitefish on a stock by stock and area by area basis. This was the first publication of its kind and placed Ireland firmly to the fore in the debate on eliminating discards and assisted in advancing the case for a phased elimination of discards as part of the CFP reform package.

Finding practical and implementable solutions to the wasteful practice of discarding fish

was a major component of the negotiations for the reform of Common Fisheries Policy (CFP) which were concluded under the Irish Presidency in 2013. To this end I was pleased that agreement was finally reached whereby a practical and phased discards policy or landing obligation will be introduced, beginning in 2015. The phasing in period means that fishermen will have time to adjust and implement changes that will allow for the avoidance of non target species where there are particular problems with the relevant by-catch (such as that the stock is over-fished and needs to be allowed to rebuild).

In that context, I have established a national Discards Implementation Group, under the Chairmanship of Dr. Noel Cawley, to advise on the issues arising in the effective implementation of the new policy and to recommend practical solutions and arrangements that take into account the situation of the Irish industry. The primary aim of the group is ensure that the Irish fishing industry are fully prepared for, and engaged in, the implementation of the discards ban.

The work of Dr. Cawley's group also contributes directly to the work of the regional group of Member States (Ireland, Belgium, France, UK, Netherlands and Spain) who have the primary responsibility in the development of specific 'Discard Plans' for fisheries in north western waters. The first of these, for pelagic fisheries, will come into effect on 1 January 2015. From the outset of the Common Fisheries Policy revision process, Ireland's overarching goal was to ensure a sustainable, profitable and self reliant industry that protects and enhances the social and economic fabric of rural coastal communities dependent on the seafood sector, while balancing these objectives with the need to safeguard fish stocks for future generations. I strongly believe that the new CFP will achieve that goal.

The new CFP, in particular the phased elimination of discarding will mean real meaningful reform to how EU waters are fished in the future. The agreement is designed to ensure the long term sustainability of fishing in Ireland and throughout EU waters, utilising best scientific advice as a key determinant in setting annual fishing quotas in the future. It will provide the framework for the long term sustainability of fish stocks around our shores, the continued economic viability of our fishing fleet and fish processing while supporting the communities that depend on a vibrant fishing industry. The new CFP will support the rebuilding of fish stocks in European waters and will allow for setting TACs and quotas to reflect catches when a landing obligation is introduced on the basis that for the first and subsequent years, discarding of that stock will no longer be allowed. In the longer term as fish stocks reach and are maintained at healthy levels, it will support increased fishing opportunities for our fishermen.

### **Departmental Staff Remuneration**

142. **Deputy Sean Fleming** asked the Minister for Agriculture, Food and the Marine the cumulative total of unapproved salary top-ups currently being paid under the remit of his Department; and if he will make a statement on the matter. [27077/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I can confirm that no unapproved salary top-up payments are paid to staff in my Department.

### **National Disability Strategy Implementation Plan Issues**

143. **Deputy Simon Harris** asked the Minister for Justice and Equality if she will provide an update on the implementation of the national disability strategy; and if she will make a statement on the matter. [26447/14]

**Minister of State at the Department of Justice and Equality (Deputy Kathleen Lynch):**

In line with the Programme for Government commitment a National Disability Strategy Implementation Plan (NDSIP) was published in July 2013 following significant consultation and consideration between relevant Government Departments and representatives of a broad range of disability organisations. This Plan sets out the practical measures that will be taken to advance the National Disability Strategy over the period 2013 to 2015.

Progress on the Implementation Plan is reviewed by the National Disability Strategy Implementation Group (NDSIG) through thematic meetings which deal with specific issues. Such meetings are attended by all relevant bodies to ensure cross-sectoral input and review. All actions in the Plan relevant to the chosen issue are discussed and the progress made is mapped against commitments in the Plan. Two such thematic meetings were held in quarter 4 of 2013 and focussed on the themes of Irish Sign Language and Housing. The next themed meeting in quarter 3 of 2014 will focus on employment. In addition to the ongoing implementation of the actions being undertaken by the relevant Government Departments two new initiatives are currently being progressed. These are the drafting of a comprehensive employment strategy for people with disabilities and a review of the Implementation Plan with respect to how it addresses the needs of people with autism.

At my request, the National Disability Authority (NDA) and Mr. Christy Lynch (founder member of the Irish Association of Supported Employment) have initiated the drafting of a comprehensive employment strategy. A draft framework for the Strategy was agreed by the Senior Official's Group on Disability on 30 July 2013 and subsequently issued for consultation with all relevant stakeholders in August. Work is ongoing to finalise this Strategy.

I have also requested the NDA to examine how the Implementation Plan reflects the needs of people with autism. The NDA, as part of that examination, engaged in a consultation exercise with autism stakeholders and examined existing service provision across relevant departments for people with disabilities. The outcome of this process is under review by the NDSIG before further consideration of the issue will be under taken by the Cabinet Committee on Social Policy.

### **Closed Circuit Television Systems**

144. **Deputy Damien English** asked the Minister for Justice and Equality the funding available to support the installation of CCTV cameras in two areas (details supplied); and if she will make a statement on the matter. [26374/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** CCTV systems installed for the purposes of crime prevention and as aids to policing in areas to which the general public routinely have access, such as town centres, fall into two distinct categories: Garda CCTV systems and community-based CCTV systems.

Garda CCTV systems are planned and implemented on the basis of an Garda Síochána's identified operational needs and priorities. Accordingly, decisions in relation to the introduction or extension of such systems are a matter for the Garda Commissioner. I am advised by the Garda authorities that the question of extending the current Garda CCTV arrangements is being kept under ongoing review in the context of overall policy considerations and the availability of funding.

The community-based CCTV Scheme was launched in 2005 to provide financial assistance towards the capital costs of establishing a community CCTV system. To date, two major rounds

of the Scheme have been advertised, in 2005/2006 and 2007. There is a community-based CCTV Scheme in operation in Navan. The current position is that all available funding provided under the previous two rounds has been fully allocated and there are currently no plans to further extend the Scheme. However, the matter will continue to be kept under ongoing review in the context of overall policy considerations and the availability of funding.

### **Prisoner Welfare**

145. **Deputy Clare Daly** asked the Minister for Justice and Equality if she will immediately address the conditions for women prisoners in County Limerick, particularly with regard to the excessive hours of lock-up and lack of education and training support. [26379/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Deputy will be aware that the primary role of the Irish Prison Service is the provision of safe and secure custody for prisoners. The Deputy will also be aware that the Prison Service must accept all persons committed by the courts into custody and does not have the option of refusing committals. I am informed by the Irish Prison Service that as of Wednesday 18 June 2014, there was a total of 34 women were in custody in Limerick Prison. A Business Case for the Modernisation of Prison Facilities in Limerick Prison is currently being drafted by the Irish Prison Service. Part of the proposed redevelopment includes the provision of high quality prison accommodation for female prisoners with capacity of approximately 50 individual cells and 8 custodial apartments.

The Irish Prison Service provides to those in custody a wide range of rehabilitative programmes, which have the dual purpose of providing prisoners with purposeful activity while serving their sentences and encouraging them to lead non-offending lives on release. The development of prisoner programmes forms a central part of the Irish Prison Service Three Year Strategic Plan 2012 - 2015. There is a clear commitment in the Strategy to enhance sentence planning through Integrated Sentence Management and the delivery of prison based rehabilitative programmes such as education, work training and resettlement programmes.

On 6 March 2014 the IPS published a Women's Strategy entitled "An Effective Response to Women Who Offend in March 2014. The Women's Strategy sets out how the Irish Prison Service and the Probation Service will work together, as well as with other statutory, community and voluntary sector partners, to provide women-focused interventions to help reduce offending, improve opportunities for reintegration and to improve outcomes more generally. This co-operative approach is a direct result of the Joint Strategy published last year which aims delivers more effective offender management.

I am informed that the IPS has also been expanding the number of accredited vocational courses and opportunities available to prisoners in Work Training in recent years. Enhanced partnership arrangements with accrediting bodies such as City and Guilds and the Guild of Launderers and Cleaners and the centralising of coordination and quality assurance arrangements have enabled the Irish Prison Service to extend the number of available courses and activities with certification. Female offenders in Limerick Prison now have the opportunity to avail of this certified training in the laundry and in industrial cleaning.

Educational services are available at all institutions and are provided in partnership with a range of educational agencies including the VECs, Public Library Services, colleges and the Arts Council. The Department of Education and Skills provides an allocation of 220 whole-time teacher equivalents, which has remained unaltered since 2007. Literacy, numeracy and general basic education provision is the priority and broad programmes of education are made available which generally follow an adult education approach.

## **Legislative Measures**

146. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality if she will address the issues raised in correspondence (details supplied) related to provisions on incitement to hatred in Irish and EU law; and if she will make a statement on the matter. [26422/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** EU Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law requires the Member States to criminalise incitement to hatred, hatred being defined by reference to race, colour, religion, descent, or national or ethnic origin. The Prohibition of Incitement to Hatred Act 1989 defines “hatred” by reference to race, colour, nationality, religion, ethnic or national origins, membership of the travelling community or sexual orientation. Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime is a separate EU instrument. This does not address the criminalisation of incitement to hatred. It includes a requirement for the individual assessment of victims to identify specific protection needs and to determine whether, and to what extent, they would benefit from special measures in the course of criminal proceedings due to their particular vulnerability to secondary or repeat victimisation, intimidation or retaliation. Such assessments include the personal characteristics of the victim. Recital 56 of the directive indicates that personal characteristics, in this context, includes “gender and gender identity or expression”. The Member States are required to bring into force the laws, regulations and administrative provisions necessary to comply with the directive by November, 2015.

## **Law Reform Proposals**

147. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality her plans to review the conveyancing laws regarding the legal requirement to acquire the written permission from those persons who share a lane or road, before a person can sell a site with access onto that lane or road. [26430/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I assume that the Deputy is referring to statutory provisions governing the registration of easements such as rights of way over land as set out in the Land and Conveyancing Law Reform Act 2009 and the Civil Law (Miscellaneous Provisions) Act 2011.

The position is that Part 8 (Chapter 1) of the Land and Conveyancing Law Reform Act 2009 updated the law concerning the acquisition of easements, including rights of way, based on earlier recommendations of the Law Reform Commission. Section 35 of the 2009 Act, which entered into operation on 1 December 2009, contains specific provisions in respect of easements acquired by prescription, i.e. acquired on the basis of long enjoyment of the easement concerned. It originally provided that such an easement would be acquired at law only on registration in the Land Registry or the Registry of Deeds of a court order under that section.

Parts 12 and 13 of the Civil Law (Miscellaneous Provisions) Act 2011 contain amendments to the 2009 Act and the Registration of Title Act 1964 which simplify the procedures for acquiring easements based on prescription. These amendments permit the Property Registration Authority to register such easements without a court order under section 35 of the 2009 Act where the Authority is satisfied that there is an entitlement to it. However, where the Authority is not satisfied that there is such an entitlement, e.g. where there is disagreement as to its existence between the parties concerned, a court order under section 35 of the 2009 will continue to be required. This is similar to the procedure which applies in respect of applications for registra-

tion of title based on adverse possession of the land.

The updated rules applicable to the new arrangements are set out in the Land Registration Rules 2012 (S.I. No. 483 of 2012) and 2013 (S.I. No. 389 of 2013) which are available on the Authority's web site ([www.prai.ie](http://www.prai.ie)).

I have no plans at present to make any further amendments to the law in relation to easements as set out in Part 8 (Chapter 1) of the Land and Conveyancing Law Reform Act 2009 and the Registration of Title Act 1964.

### **Naturalisation Applications**

148. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality her plans to reduce significantly the fee for a certificate of naturalisation. [26433/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Irish Nationality and Citizenship Regulations 2011 set out the prescribed fees to be paid by an applicant for a certificate of naturalisation. An application fee of €175 is payable on application for a certificate of naturalisation and a fee is payable by applicants on the issue of a certificate of naturalisation. The standard certification fee is €950, while a reduced fee of €200 applies in the case of an application made on behalf of a minor or in certain cases where the application is made by a widow, widower or surviving civil partner of an Irish citizen. In the case of refugees and stateless persons the certification fee is nil. The certification fees were last changed in 2008.

The standard fees payable by an applicant are designed to reflect the effort and cost involved in processing applications for a certificate of naturalisation. Every application must be assessed to establish if the statutory requirements are met. 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. I might also add that following the grant of citizenship it is no longer necessary for the person concerned to register their presence in the State with the Garda National Immigration Bureau which requires the payment of a fee of €300 per registration.

As the Deputy will be aware formal citizenship ceremonies have been introduced at no extra cost to applicants. These have been universally well received by participants as the ceremonies provide a sense of dignity and occasion that serves to underscore the importance to both the State and the applicant of the granting of Irish citizenship.

All of the fees payable under the Irish Nationality and Citizenship Act 1956 are kept under ongoing review by my Department.

### **Departmental Correspondence**

149. **Deputy Robert Troy** asked the Minister for Justice and Equality if she has received correspondence from a person (details supplied); and if she has acted and responded to the points raised in the correspondence. [26500/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** My Department has had extensive correspondence with the individual in question, over the last number of years, on a wide range of issues. His further correspondence will be considered and responded to in due course.

## Temporary Travel Documentation

150. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a travel document or other facility might be offered to a person (details supplied) in Dublin 1; and if she will make a statement on the matter. [26534/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department to refer the Deputy to my answer to Parliamentary Question 596 of Tuesday of this week, 17 June 2014. The situation has not changed in the intervening two days.

*“I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that in exceptional cases an application for Irish temporary travel document may be considered in respect of qualifying non Irish nationals who are resident in Ireland. In all such cases, INIS must be satisfied that there is no alternative open to the applicant before an Irish temporary travel document will issue. The person concerned has to show that they have made reasonable and formal efforts to obtain a national passport, that it has been formally and unreasonably refused and that their own consular authorities are unable to offer consular assistance to them whilst resident in the State.*

*It is open to the person in question to submit an application for a temporary travel document accompanied by the relevant supporting documentation to the Travel Document Unit of INIS which is located at 13-14 Burgh Quay, Dublin 2. Full information in this regard and the applicable application form is available at “www.inis.gov.ie”.*

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

## Immigration Status

151. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a person (details supplied) in County Laois qualifies for an upgrade of stamp 2 to stamp 4; and if she will make a statement on the matter. [26535/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that this person entered the State on 01 April 2007 and is registered as a student in the State until 30 September 2014.

All non-EEA students resident in the State are subject to the student immigration rules set out under the “new immigration regime for full time non-EEA students” which was published in September 2010 and has been in effect since 1 January 2011. These rules stipulate that non-EEA nationals may reside in Ireland as students, subject to the provisions of the new regime, for a maximum period of seven years. Three years are permitted at non degree level. The person referred to by the Deputy arrived in the State in 2007 and will have accumulated 7 years as a student by the expiry date of his current permission. As such he does not qualify for Stamp 4 status.

If this person wishes to work in the State he will be required to hold a work permit. The

issuing of work permits is a matter for the Department of Enterprise, Jobs and Innovation. 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 Parliamentary Questions Process.

### **Deportation Orders Re-examination**

152. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality notwithstanding replies to previous questions, in the case of a person (details supplied) in County Monaghan in respect of whom previous deportation orders were revoked in respect of herself and her child and reinstated on the basis that the issues involved were of a procedural nature, if reinstatement of deportation order in such a case has due regard for the decision of the courts; and if she will make a statement on the matter. [26536/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Deputy will be aware, from previous Dáil replies in this matter, that a Deportation Order was made in respect of the child of the person referred to. 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 submitted on behalf of the child 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.

I am satisfied that the applications made by the person concerned for asylum, for Subsidiary Protection and the representations submitted for consideration under Section 3 of the Immigration Act 1999 (as amended), together with all refoulement issues, were given the fullest consideration before his Deportation Order was made.

In respect of the mother of the child concerned, there is an ongoing judicial review and it would not be appropriate for me to comment further on her case.

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 .

### **Immigration Status**

153. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current or expected residency status or long-term residency or entitlement to apply for naturalisation in the case of a person (details supplied) in County Meath; and if she will make a statement on the matter. [26537/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The question of residency status or entitlement to naturalisation does not arise at this time in the case of the person

whose details were supplied.

As the Deputy is aware, if the person has made an application for asylum or subsidiary protection, the position is that it is not the practice to comment on such applications for so long as they remain in the protection process.

### **Deportation Orders Re-examination**

154. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding the determination of residency status or further entitlement or eligibility for leave to remain or naturalisation in the case of a person (details supplied) in County Meath; and if she will make a statement on the matter. [26538/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The person concerned, together with other family members referred to by the deputy, are the subject of Deportation Orders, following a comprehensive and thorough examination of their asylum claims, and a detailed examination of the representations they submitted for consideration under Section 3 of the Immigration Act 1999 (as amended). The effect of the Deportation Orders are that the persons concerned must leave the State and remain thereafter out of the State. Representations were received from the persons' legal representative asking that the Deportation Orders be revoked, in accordance with the provisions of Section 3(11) of the Immigration Act, 1999 (as amended). This application is under consideration at present. When a decision has been made on that application, that decision, and the consequences of that decision, will be conveyed in writing to the person concerned.

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

### **Deportation Orders**

155. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the entitlement to stamp 4 residency status/long term residency/eligibility for consideration for naturalisation in the case of a person (details supplied) in Dublin 3 who has been in continuous employment in this jurisdiction from 2007 to date, has paid their taxes and liabilities during the seven year period until they were instructed to cease employment by the statutory authorities; if their passport which was retained by immigration is likely to be returned to them; and if she will make a statement on the matter. [26539/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is part of a family unit who have all consented to deportation. The precise arrangements are being made for the various family members, including the person concerned, and these are expected to be finalised in the near future.

I am also advised that the person concerned has recently been before the Irish courts, having been charged with offences pursuant to the Criminal Justice (Theft and Fraud Offences) Act 2001. The person concerned was convicted on all charges and has received a suspended

sentence and a financial penalty.

Given that the person concerned has only held a right of residency in the State on student conditions for a 12 month period between November, 2007 and October, 2008, the question of meeting any residency requirements necessary to support an application for Long Term Residency or for a Certificate of Naturalisation does not arise.

Where a valid passport is retained by the State's immigration authorities, it is the practice that this is returned to the relevant party at the point of their departure from the State. It will ultimately be a matter for An Garda Síochána to decide whether the passport in this case can be returned to the person concerned, at the point of their departure from the State, taking into account that it has been tampered with.

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.

### **Residency Permits**

156. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current and/or expected residency status in the case of a person (details supplied) in Dublin 3; and if she will make a statement on the matter. [26540/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is part of a family unit who have all consented to deportation. The precise arrangements are being made for the various family members, including the person concerned, and these are expected to be finalised in the near future.

I am also advised that an adult member of that family unit has recently been before the Irish courts, having been charged with offences pursuant to the Criminal Justice (Theft and Fraud Offences) Act 2001. The person concern was convicted on all charges and has received a suspended sentence and a financial penalty.

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.

### **Residency Permits**

157. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if Stamp 4 will be restored in the case of a person (details supplied) in County Carlow; and if she will make a statement on the matter. [26541/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation & Immigration Service (INIS) of my Department that the applicant was granted

Long-Term Residency permission on 9 September 2010. I understand that the applicant's permission remains valid and has not to date been withdrawn.

I am further advised that information made available to INIS indicates that since the granting of his Long-Term Residency in September 2010, the applicant was not resident in the State for a period in excess of three years and accordingly INIS will shortly be writing to the applicant in this regard.

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.

### **Residency Permits**

158. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality notwithstanding replies to previous parliamentary questions in the case of a person (details supplied) in Dublin 11, who previously had permission to remain here on foot of their marriage to an EU national, who has since departed, whose four children were born here and who has established contacts and commitments in this jurisdiction, if their case might be considered on foot of these grounds; and if she will make a statement on the matter. [26545/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The person concerned was granted permission to remain in the State for a period of five years on 12th January, 2010 on the basis of being the spouse of an EU citizen, who was residing in the State and was exercising their EU Treaty Rights.

The grounds under which the person concerned was granted permission to remain in the State no longer apply, as the EU spouse is no longer residing in this State. As a result, the permission to remain which was granted under the provisions of Directive 2004/38/EC and European Communities (Free Movement of Persons) Regulations 2006 and 2008 has been revoked. The person concerned was notified of this decision by letter dated 6th October, 2011.

In March, 2014, the person concerned sought a right of residency in the State, accompanied by a right to work, based on their parentage of an Irish born minor citizen child, and based also on the principles set out in the Zambrano Judgment. This application is under consideration at present. Once a decision has been made in this application, this decision, and the consequences of the decision, will be conveyed in writing to the person concerned.

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

### **Residency Permits**

159. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if Stamp 4

will be renewed in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [26554/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by officials in the Irish Naturalisation and Immigration Service (INIS) that the application for a permanent residence card, submitted by the person referred to by the Deputy, will be considered in accordance with the provisions of the European Communities (Free Movement of Persons) Regulations 2006 and 2008 and Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States. I am further advised that a decision will issue to the applicant in writing shortly.

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.

### **Ministerial Correspondence**

160. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality notwithstanding his reply to a previous parliamentary question in the case of a person (details supplied) in County Kildare, if the information conveyed in a letter dated 27 May 2014 is authentic; and if she will make a statement on the matter. [26556/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The position remains as stated in the response to your Parliamentary Question No. 651 of 27 May 2014.

Any person who doubts the authenticity of correspondence issued from my Department is advised to contact the relevant office/section of my Department dealing with the matter concerned to seek whatever confirmation or reassurance is deemed necessary.

### **Departmental Staff Remuneration**

161. **Deputy Sean Fleming** asked the Minister for Justice and Equality the cumulative total of unapproved salary top-ups currently being paid under the remit of her Department; and if she will make a statement on the matter. [27087/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** No unapproved salary top ups are being paid in my Department.

### **Health Services Staff**

162. **Deputy Seán Conlan** asked the Minister for Health the reason a person (details supplied) in County Monaghan has been informed that they are not entitled to a supplementary pension; and if he will make a statement on the matter. [26385/14]

**Minister for Health (Deputy James Reilly):** As this is an operational matter, I have referred the question to the HSE for direct reply.

## **Water Fluoridation**

163. **Deputy Clare Daly** asked the Minister for Health in view of the recent medical report in *The Lancet* which found that fluoride was a neurotoxin, if he will immediately move to cease adding it to our water supply. [26448/14]

**Minister of State at the Department of Health (Deputy Alex White):** A number of studies from China, and the systematic review of these by Choi (from the Harvard Medical School) which claim an effect on children's IQ at very high levels of naturally occurring fluoride, were assessed by the Irish Expert Body on Fluorides and Health in 2011. They were found to be of no relevance to Ireland, given our regulated fluoridation levels. The view of the Expert Body is that the overall design of the studies is poor and they do not provide evidence of any effect on children's IQ from either high or low fluoride levels. This view was shared by SCHER (Scientific Committee on Health and Environmental Risks) in its 2011 Review.

The review by Choi is the only paper on fluoride quoted in the report referred to by the Deputy. The report is a review, which contains no new data. The researchers have labelled chemicals as neurotoxicants without indicating how they arrived at the conclusion or whether other agencies agree with them. It should be noted that the Deans of Harvard Medical School and the Harvard School of Dental Medicine continue to support water fluoridation as a safe public health measure for people of all ages.

The Department of Health keeps the policy of water fluoridation under constant review. As part of this ongoing work, a review of evidence on the impact of water fluoridation at its current level on the health of the population and on the environment is being conducted by the Health Research Board on behalf of the Department. This review will be completed by December 2014.

## **National Treatment Purchase Fund Payments**

164. **Deputy Anthony Lawlor** asked the Minister for Health the National Treatment Purchase Fund spend for 2013; this amount as a percentage of the total health spend in 2013; and if he will make a statement on the matter. [26372/14]

**Minister for Health (Deputy James Reilly):** The NTPF spend for 2013 amounted to €8.976m (0.06% of the total health spend) of which €4.822m was incurred on patient care expenditure. The remainder of €4.154m relates to the running costs of NTPF including their pricing role under the Nursing Homes Support Scheme.

The NTPF's future remit is being considered in the context of the wider health reform programme.

## **Hospital Bed Data**

165. **Deputy Billy Kelleher** asked the Minister for Health the number of community hospital beds in Cork city and county that are currently closed; the reason for the closures; when he anticipates the re-opening of these beds; and if he will make a statement on the matter. [26380/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Community Care Provision**

166. **Deputy Billy Kelleher** asked the Minister for Health the reason the community nursing facility at Cedar Lodge, Farralea Road, County Cork, and other beds are unopened; if his attention has been drawn to the potential of these closed beds to improve access to acute hospitals; and if he will make a statement on the matter. [26381/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Hospital Services**

167. **Deputy Billy Kelleher** asked the Minister for Health his views on the suspension of the haemochromatosis genetic testing service at the biochemistry laboratory at Cork University Hospital for the summer months until mid-September; the cost of outsourcing this work to an external laboratory for this period; the overall need for the service in the future in view of the current summer arrangements; and if he will make a statement on the matter. [26382/14]

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

### **Hospital Services**

168. **Deputy Kevin Humphreys** asked the Minister for Health if he will ensure funding is provided to allow bariatric surgery at the centres that provide it; the plans that are under way to clear the waiting lists for this treatment; when he expects to meet the target of a maximum of a one-year waiting list for this surgery; and if he will make a statement on the matter. [26388/14]

169. **Deputy Kevin Humphreys** asked the Minister for Health from a policy perspective if his Department or the Health Service Executive takes account of the medium and long-term savings that accrue to the health service from the short-term costs of bariatric surgery for morbidly obese patients due to the savings that accrue from not having to treat heart disease, diabetes, chronic lung diseases and gangrenous legs, among many conditions, in the medium and long-term that are prevented by this treatment; and if he will make a statement on the matter. [26389/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 168 and 169 together.

In relation to the detailed queries raised by the Deputy, as these are service matters, I have asked the Health Service Executive to respond to him directly.

### **Medical Card Applications**

170. **Deputy Lucinda Creighton** asked the Minister for Health if he will investigate the circumstances regarding a medical card in respect of a person (details supplied) in Dublin 6W; if he will confirm that the medical card will be extended from July 2014; if he will ensure that the medical card will be issued in a timely manner; and if he will make a statement on the matter. [26390/14]

**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 Card Eligibility**

171. **Deputy Seán Conlan** asked the Minister for Health the reason a medical card was cancelled in respect of a person (details supplied) in County Monaghan; and if he will make a statement on the matter. [26394/14]

**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.

### **Long-Term Illness Scheme Coverage**

172. **Deputy Stephen S. Donnelly** asked the Minister for Health if congenital spinal stenosis will be added to the list of long-term illnesses; and if he will make a statement on the matter. [26395/14]

**Minister of State at the Department of Health (Deputy Alex White):** The Long Term Illness (LTI) Scheme was established under Section 59(3) of the Health Act, 1970 (as amended). Regulations were made in 1971, 1973 and 1975 specifying the conditions covered by the LTI Scheme. There are no plans to extend the list of conditions covered under the LTI Scheme.

Under the Drug Payment Scheme, no individual or family pays more than €144 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the HSE can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of GP consultations.

### **Health Services**

173. **Deputy Brian Walsh** asked the Minister for Health the steps that will be taken on foot of a complaint submitted to the Health Service Executive on 10 June 2014 (details supplied); when he expects the HSE to engage with the complainant on this matter; if he will personally seek a report on the investigation in view of the seriousness of the issue; and if he will make a statement on the matter. [26396/14]

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

### **Departmental Legal Costs**

174. **Deputy Billy Kelleher** asked the Minister for Health the number of barristers the Health Service Executive has retained in anticipation of legal action from tobacco companies over the introduction of plain packaging for cigarettes; the length of time for which such barristers have been retained; the amount of money that has been spent on retainer fees; if he would lay out before Dáil Éireann the rationale for retaining barristers; and if he will make a statement on the matter. [26397/14]

**Minister for Health (Deputy James Reilly):** In response to the Deputy's question six counsel have been retained on behalf of the State. These counsel have been retained since October 2013 and no fees have been paid to counsel to date. The rationale for retaining counsel is to advise on the Public Health (Standardised Packaging of Tobacco) Bill 2014, in anticipation of legal proceedings being issued against the State. In those circumstances, these matters are confidential and subject to legal privilege and it would not be appropriate to comment further.

### **Medical Aids and Appliances Provision**

175. **Deputy Michael McGrath** asked the Minister for Health if he will ensure that a vital item of equipment is provided to a child with special needs (details supplied) in County Cork as quickly as possible; and if he will make a statement on the matter. [26402/14]

**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.

### **Hospital Waiting Lists**

176. **Deputy Pearse Doherty** asked the Minister for Health when a hospital appointment will be available in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [26404/14]

**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 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the 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.

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

177. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding therapy services (details supplied); and if he will make a statement on the matter. [26409/14]

178. **Deputy Michael Healy-Rae** asked the Minister for Health when four extra therapists will be hired (details supplied); and if he will make a statement on the matter. [26410/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 177 and 178 together.

The Health Service Executive has recognised the need to increase the level of consistency and standardisation in the way services for children with disabilities are delivered. It is currently engaged in a reconfiguration of existing therapy resources to multidisciplinary geographic based teams for children as part of its National Programme on Progressing Disability Services for Children and Young People (0-18 years).

The aim of the Progressing Disability Services for Children and Young People Programme is to achieve a national, unified approach to delivering disability health services so that there is a clear pathway to services for all children, regardless of where they live, what school they go to or the nature of their disability.

The Programme is organised at national, regional and local level and includes representatives from the health and education sectors, non-statutory service providers and parents. An additional €4 million has been specifically allocated in 2014 to drive implementation of the Programme. This equates to approximately 80 therapy posts.

My Department has asked the HSE to reply directly to the Deputy in respect of the specific local operational issue he has raised.

### Health Services

179. **Deputy Jack Wall** asked the Minister for Health the reason the provision of glasses is not covered in respect of persons (details supplied) in County Kildare; and if he will make a statement on the matter. [26414/14]

**Minister of State at the Department of Health (Deputy Alex White):** All children under 6 are provided with an optical screening service by the HSE. Any refractive errors are treated and spectacles or other appropriate care is provided where necessary. The HSE has been asked to examine the specific query raised by the Deputy and to reply to him as soon as possible.

### Hospital Waiting Lists

180. **Deputy Paul J. Connaughton** asked the Minister for Health when an operation will take place in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [26424/14]

**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 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular queries raised by the Deputy, as these are service matters, I have asked the Health Service Executive to respond to him directly.

### **Orthodontic Service Waiting Lists**

181. **Deputy Marcella Corcoran Kennedy** asked the Minister for Health the reason a person (details supplied) in County Tipperary who qualified for orthodontic treatment and was categorised 4B has now been downgraded to category 4E without explanation; the way this assessment was made; the changes that took place for the downgrading of this treatment; when orthodontic treatment will be provided; the plans that are in place to have treatment provided before the person reaches 18 years; and if he will make a statement on the matter. [26428/14]

**Minister of State at the Department of Health (Deputy Alex White):** The HSE provides orthodontic treatment to patients based on their level of clinical need. An individual's access to orthodontic treatment is determined against a set of clinical guidelines and priority is given to patients with greatest needs. The HSE has been asked to examine the specific query raised by the Deputy and to reply to her as soon as possible.

### **Rare Diseases Strategy Publication**

182. **Deputy Sean Fleming** asked the Minister for Health his proposals to deal with the rare disease strategy; and if he will make a statement on the matter. [26435/14]

**Minister for Health (Deputy James Reilly):** A national plan for Rare Diseases is being finalised and is being prepared for publication.

### **Medical Qualifications**

183. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if medical degrees achieved in Moldova are recognised to allow doctors to practice here; the steps needed to be taken to allow a Moldovan qualified doctor to practice in the State [26439/14]

**Minister for Health (Deputy James Reilly):** Under the provisions of the Medical Practitioners Act 2007, the Medical Council is the regulator for medical practitioners in this State. Under that Act, it is an offence to practice medicine in Ireland if not registered with the Council.

For the purpose of registration, the Medical Council currently recognises basic medical qualifications which are at least the equivalent of a basic medical qualification awarded within the State. In general, the Medical Council recognises basic medical qualifications awarded by schools listed in the current edition of the World Health Organisation ("WHO" or "AVICENNA") Directory of Medical Schools. Currently, two medical schools in Moldova are listed in AVICENNA - the State Medical & Pharmaceutical University "Nicolae Testemitanu" of the Republic of Moldova, and the Free International University of Moldova. Medical practitioners who have qualified in one of these medical schools may apply for registration with the Medical Council.

Applicants for general registration are required to provide documentation which confirms their medical qualifications, identity, and good standing in all jurisdictions in which they have held registration. Comprehensive checklists of documents required for registration are provided in the application forms. Where an applicant's qualifications are not automatically recognized

under EU legislation - as in the case of a medical practitioner qualified in Moldova - they are required to pass or be exempt from the pre-registration exam, the PRES and this requirement will apply to Moldovan qualified medical practitioners applying for general registration.

### **Medical Card Reviews**

184. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if a medical card will be reinstated in respect of a person (details supplied) in Dublin 13 [26442/14]

**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.

*Question No. 185 withdrawn.*

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

186. **Deputy Simon Harris** asked the Minister for Health if he will provide an update on the inspections of residential homes for persons with disabilities and the implementation of the national standards for such residential homes; when inspections commenced; the number that have been carried out to date; and if he will make a statement on the matter. [26445/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As the Deputy is aware, the Programme for Government committed to putting 'National Standards for Residential Services for People with Disabilities' on a statutory footing to ensure that services could be inspected by the Health Information and Quality Authority (HIQA). This commitment was fulfilled when two regulations, one relating to care and support and the second relating to registration issues, were approved and signed by the Minister for Health, with the scheme commencing on 1st November 2013. The introduction of registration and inspection represents a significant advance in terms of delivering consistent and high quality services for people with disabilities in residential services.

I am informed by HIQA that it carried out 149 inspections of designated disability centres or disability units in the period between 1 November 2013 and mid-May 2014.

All residential services for people with disabilities have to be registered with HIQA, and assessed against the Health Act 2007, regulations and national standards. I understand that HIQA is currently compiling information and details of all residential centres for people with disabilities and is also developing a programme of registration activity for these centres to the end of the year.

In April 2014, HIQA completed the first formal registration of a designated centre for persons with disabilities in line with the provisions of the Health Act, 2007.

### **Disabilities Services Funding**

187. **Deputy Simon Harris** asked the Minister for Health the progress that has been made in fulfilling the commitment in the Programme for Government to move some funding in the disability sector towards the area of personal budgets in order that persons with disabilities have greater flexibility in terms of the services they obtain and require and so they are empowered to make decisions appropriate to their own individual life; and if he will make a statement on the matter. [26446/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Department of Health and the Health Service Executive are pursuing the issue of individualised budgeting in the context of implementing the recommendations in the Value for Money (VFM) and Policy Review of Disability Services in Ireland. The move towards individualised budgeting will also mirror the wider changes in the health sector described in *Future Health: A Strategic Framework for Reform of the Health Service 2012 – 2015*, which envisages a migration towards a more person-centred service and a closer alignment between funding and the outcomes.

Individualised budgeting may take many forms, ranging from a method of determining resource allocation to agencies based on assessed client need and actual costs, to a money follows the person model, a brokerage system or a personal budget model administered by the individual service user. Further work is necessary before decisions can be taken on the form or forms which individualised budgeting will take, but the essence of it will be that the individual is given more choice and control over how the money allocated to meet their needs is utilised.

The move towards an individualised budgeting framework raises legal and practical issues, and will require careful consideration and planning. *Future Health* explains that central to the introduction of individualised budgeting will be suitable financial systems; transparent and comprehensive governance arrangements; a National Standard Needs Assessment framework; underpinning legislation and the introduction of a regulatory system for providers to ensure quality and safety for the recipients of social services.

Demonstration projects are already underway to examine the practical aspects of introducing this major change in the disability sector and to establish the costs and benefits. An analysis of the projects will commence towards the end of 2014 to determine their wider applicability, clarify the issues which must be resolved before the projects can be scaled up, and identify the best way forward. The completion of this analysis is a primary recommendation in the VFM Review and is required for all significant public service expenditure proposals.

### **Health Services Staff Remuneration**

188. **Deputy Brendan Griffin** asked the Minister for Health if he will directly intervene to ensure that no top-up payments will be paid to senior executives in voluntary hospitals and health agencies by the Health Service Executive; and if he will make a statement on the matter. [26450/14]

**Minister for Health (Deputy James Reilly):** At my request, the HSE has taken urgent action to ensure Section 38 agencies which have been found to be in breach of health sector pay policy are brought into compliance.

Following consultation between the agencies and the HSE, a substantial number of Section 38 Agencies submitted business cases seeking retention of unapproved allowances.

An Internal HSE Review Panel communicated their decisions in April on the business cases that were made to them by the Section 38 organisations. The vast majority of the business cases were rejected. The process of implementing these recommendations is still under way and has

not yet been completed. On the completion of the compliance process, a final report detailed by Agency will be provided, at which time it is expected that all agencies will have demonstrated full compliance with Government pay policy.

### **Medical Card Reviews**

189. **Deputy Seán Ó Fearghaíl** asked the Minister for Health if a discretionary medical card will be immediately returned to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [26455/14]

**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.

### **Child Care Services Provision**

190. **Deputy Niall Collins** asked the Minister for Health if he will raise with the Health Service Executive management the need for permanent accommodation into the future at Tallaght Hospital, Dublin 24, for the Small World Creche which caters for children of Tallaght Hospital staff; and if he will support the campaign to retain these important services. [26460/14]

**Minister for Health (Deputy James Reilly):** As this is an operational matter, I have referred the question to the HSE for direct reply.

### **Health Services Staff Recruitment**

191. **Deputy Robert Troy** asked the Minister for Health the position regarding a hospital appointment in respect of a person (details supplied) in County Westmeath. [26466/14]

**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 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the 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.

### **Orthodontic Service Waiting Lists**

192. **Deputy Brendan Smith** asked the Minister for Health if his attention has been drawn to the totally inadequate orthodontic service being provided in the Dublin north and east area and the undue delay in having patients treated; the proposals, if any, he has to provide adequate financial resources to the Health Service Executive to ensure that an appropriate staffing com-

plement is available to provide the appropriate level of orthodontic service; and if he will make a statement on the matter. [26467/14]

**Minister of State at the Department of Health (Deputy Alex White):** The Government has decided that the numbers employed across the public service must be reduced in order to meet fiscal and budgetary targets. In order to mitigate the impact on frontline services of the reduction in employment numbers, the priority is to reform how health services are delivered in order to ensure a more productive and cost effective health system. The Haddington Road Agreement provided the health service with over 5 million additional employee hours. These hours are being used to replace staff who have left, to allow for further employment reductions and to reduce spending on agency and overtime. Subject to approval by senior managers, arrangements are in place in the HSE to allow the recruitment of staff where it has been established that there is an urgent service requirement. In addition, the HSE continues to fill a significant number of development posts in line with service priorities identified by Government.

The HSE is aware of the need to address orthodontic waiting times and commissioned an independent national review of orthodontic services to give guidance as to what changes will be desirable. The review has now been completed. The key issue highlighted by the review, which has assessed services nationally, is that the Orthodontic Service should be fully integrated within the Primary Care Service. This is under consideration by the HSE to be implemented as part of the HSE's reform programme. In addition, an initiative to reduce waiting times through the provision of additional services is currently being explored by the HSE. In the Dublin North East area a pilot scheme, which will involve the use of orthodontic therapists, is being introduced. It is expected that these changes will have a positive impact on waiting times.

### Health Services Staff

193. **Deputy Michael Moynihan** asked the Minister for Health the number of persons required for a quorum in respect of a fitness to practice hearing for Health Service Executive staff members; if this number can be altered under direction from him; the procedure involved in such an alteration; his function in such cases; and if he will make a statement on the matter. [26478/14]

**Minister for Health (Deputy James Reilly):** The Health Service Executive does not hold fitness to practise hearings. Fitness to practise hearings are the statutory function of each of the six individual health professional regulators. The following regulators undertake fitness to practise hearings - The Medical Council, The Dental Council, The Pharmaceutical Society of Ireland, The Nursing and Midwifery Board of Ireland and the Opticians Board. The Health & Social Care Professionals Council has not yet commenced operation of its fitness to practise provisions but arrangements are currently being put in place to have it commenced with effect from December, 2014. These regulators regulate professionals in both the public and private sector.

The legislation governing each of these professions outlines the Fitness to Practise process. Some of the governing legislation refers to a quorum. For example, Section 34 of the Pharmacy Act 2007 refers to the quorum for the disciplinary committees. The Medical Practitioners Act 2007 Schedule 2 and the Nurses and Midwives Act 2011 Schedule provide for the quorum of the Council/Board for meetings where the matter of the imposition of a sanction in on the agenda (the quorum is 10 and 9 respectively).

I have no powers in relation to these regulators' statutory function of fitness to practise.

The HSE, as an employer, operates a Disciplinary Procedure for employees of the Health Service Executive. This procedure includes provision for a Disciplinary Hearing. However I have no role or function in the operation of Disciplinary Procedure or any hearings held under it.

### **Health Services Provision**

194. **Deputy Róisín Shortall** asked the Minister for Health in respect of each of the clinical care programmes, if there are implementation plans in place for the programmes; and if not, the target month for their development; the person who is charged with producing an implementation plan in each case; and the person responsible for implementing the plans once they are in place [26488/14]

**Minister for Health (Deputy James Reilly):** The Health Service Executive (HSE) directorate has established over thirty National Clinical Programmes to improve and standardise patient care throughout the organisation. As the Deputy's question relates to service issues regarding each Programme, it has been referred to the HSE for direct reply.

### **Health Strategies**

195. **Deputy Terence Flanagan** asked the Minister for Health the work his Department is doing regarding forward planning to cater for an ageing population; and if he will make a statement on the matter. [26518/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Like many other countries in Europe, Ireland's population is ageing rapidly. At the last Census in 2011, there were approximately 535,000 people aged over 65 in the population, representing an increase of 14.4% since 2006. By 2041 there will be an estimated 1.3 million to 1.4 million people aged over 65 years, representing 20-25% of the total population. The greatest increases are expected in the over-80 years age group, where numbers are expected to increase four-fold from 110,000 in 2006 to about 440,000 in 2041.

The Programme for Government committed to completing and implementing the National Positive Ageing Strategy (NPAS). The Strategy was published and launched in April 2013 outlining Ireland's vision for ageing and older people. The Strategy contains a large number of action areas around older people's participation in society, health and social care provision, financial and physical security, and the need for an evidence-based approach to policy making. Preparations are now in train for the implementation of the National Positive Ageing Strategy and the arrangements for this implementation will be finalised as soon as possible. The needs of our older people are, and will remain, a very high priority for the Government, and the resources that are available will always be applied to provide the best possible mix of supports and services.

Residential care in Ireland is provided through a mix of public, voluntary and private nursing home facilities. Most of the residents receive significant financial support towards the cost of their care under the Nursing Homes Support Scheme. While there will always be a need for long-term residential care, older people have consistently said that they want to be facilitated and supported to stay in their own homes and communities for as long as possible. Accordingly the review of the Nursing Homes Support Scheme which is currently being undertaken is considering how residential and other supports and services should be balanced in the future to support older people in ways that best meet their wishes and that make the best possible use of

available resources. As a first step, in 2014 an additional €23m has been provided to strengthen community and home-based services and to develop more flexible and responsive approaches to care. This is in addition to the budget of €315m already provided for home help and home care package services which are delivered to some 56,000 people at any one time.

With the above said, the Government is acutely aware of the implications for service requirements of the projected demographic trends, and all relevant information will be taken account of in future decisions.

A key priority identified in the HSE's National Service Plan for 2014 is the implementation of a Single Assessment Tool (SAT) for older people. This standardised framework will uniformly assess dependency levels, allow resources to be targeted towards those with the greatest needs and enable supports and services to be designed in the most appropriate way possible. The first phase of implementation of the SAT will commence in 2014 with a minimum of 50% of all new entries to the NHSS, Home Care Package and Home Help Schemes assessed by the SAT in the last quarter of 2014, with full implementation of SAT by the end of 2015.

### **Health Services Expenditure**

**196. Deputy Terence Flanagan** asked the Minister for Health the expected cost of the health service over the next 20 years; and if he will make a statement on the matter. [26519/14]

**Minister for Health (Deputy James Reilly):** It is very difficult to estimate the cost of funding the health service over the next 20 years. However, it is generally accepted internationally that healthcare costs are rising and will continue to do so into the future.

There a number of factors which are driving health costs upwards year on year including an ageing population, an increase in chronic diseases, the development of new cost-intensive medical technologies and a rise in public expectations.

Ireland is not immune from these trends. We are now in the midst of relatively rapid population ageing, and this is a trend which will continue over a number of decades. Over the next few years, the population aged 65 and over will increase by approximately 20,000 per year. By 2021, the population over the age of 65 will have increased by close to 40% since 2011, representing an additional 200,000 people. Chronic diseases and their risk factors are also major drivers of healthcare costs - 80% of health spending relates to chronic conditions – as well as associated economic losses. By 2020 the number of adults with chronic conditions (such as overweight and obesity, diabetes, coronary heart disease, cancer and dementia) will have increased by around 40% with relatively more of the conditions affecting those in the older age groups. An additional factor in driving health costs upwards is the advances in the development of highly cost-intensive medical technologies and treatments.

I believe that managing the impact of these significant financial, resource and demographic pressures on the health system in Ireland in the years ahead, while delivering safe and high quality health and social care services, will only be possible by way of a reformed health system. That is why the Government is committed to ending the present unfair, unequal and inefficient two-tier health system and to introducing a single-tier system, supported by universal health insurance. This reformed system will provide access according to need rather than ability to pay. It will deliver best outcomes for available resources and will treat patients at the lowest level of complexity that is safe, timely, effective and efficient and as close to home as possible.

In addition, I am also keen to shift the emphasis towards health prevention, promotion and improvement in the years ahead. This has already begun through the Healthy Ireland policy

framework which represents a whole-of-Government and cross-sectoral approach to addressing the growing demands on health services due the increase in the incidence of chronic illnesses and an ageing population. Protecting health and putting in place targeted, cross-sectoral and cost-effective prevention programmes and policies will assist in reducing the prospect of unaffordable future health costs which will certainly arise if current health trends are not addressed.

### **Health Services Expenditure**

197. **Deputy Terence Flanagan** asked the Minister for Health the action he is taking to contain costs in the health service, for example, by keeping people out of accident and emergency departments; and if he will make a statement on the matter. [26520/14]

**Minister for Health (Deputy James Reilly):** It is generally accepted internationally that healthcare costs are rising and will continue to do so into the future. It is therefore important to make the most efficient use of resources in healthcare delivery. This requires, inter alia, increasing emphasis on models of care that treat patients at the lowest level of complexity and provide safe quality services at the least possible cost. This is particularly important in the light of increased demand for services arising from population growth, increased levels of chronic disease, increased demand for drugs and new costly medical technologies and treatments.

That is why the Government is committed to ending the present unfair, unequal and inefficient two-tier health system and to introducing a single-tier system, supported by universal health insurance which will provide access according to need rather than ability to pay. The reformed system will deliver best outcomes for available resources and will treat patients at the lowest level of complexity that is safe, timely, effective and efficient and as close to home as possible.

Primary Care is widely recognised as a cost effective way to deliver essential health care services and the implementation of the Primary Care Strategy is a priority for this Government. The Strategy involves a move away from the older hospital centred model to focusing on the delivery of care in the community and home. In a developed primary care system, 90 to 95 per cent of people's day-to-day health and social care needs can be met in the primary care setting, providing 'the right care, in the right place, at the right time', where people have direct access to integrated multidisciplinary teams of GPs, nurses, physiotherapists, occupational therapists and other health care disciplines thus avoiding more expensive acute treatment. Since this Government came into power in March 2011, 37 primary care centres have opened and infrastructure development is underway or at an advanced planning stage at a further 43 locations where delivery is expected over the period 2014 to 2016/early 2017. The HSE also plans to enhance the services of existing Community Intervention Teams during 2014 with an increased emphasis on helping people avoid hospital admission or return home earlier.

The Department of Health and the HSE are also focussed on implementing the Government's reform programme for acute hospitals including establishment of acute hospitals into a small number of groups, each with its own governance and management, to provide an optimum configuration for hospital services for the delivery of high quality, safe patient care in a cost effective manner.

The Special Delivery Unit works intensively with management and staff in acute hospitals to embed process/system improvements at hospital level, to monitor and audit these improvements, to validate waiting lists and to capitalise on additional productivity arising from the Haddington Road Agreement. Hospitals, in conjunction with the HSE National Clinical Programmes, seek to ensure that patients' average length of stay is within the national targets

established by the Clinical Programmes, and monitor such activity regularly.

A key part of this is proactive management of discharge planning, with patients moving to lower acuity beds at other facilities, such as smaller hospitals or nursing homes, for rehabilitation and convalescence if appropriate. Other measures which positively affect cost containment include ongoing improvement in the management of clinical pathways for patients, and optimisation of the use of Medical Assessment Units / Minor Injury Units / Urgent Care Centres, as alternatives to over-reliance on Emergency Departments.

In addition, I am also keen to shift the emphasis towards health prevention, promotion and improvement in the years ahead. This has already begun through the Healthy Ireland policy framework which represents a whole-of-Government and cross-sectoral approach to addressing the growing demands on health services due to the increase in the incidence of chronic illnesses and an ageing population. Protecting health and putting in place targeted, cross-sectoral and cost-effective prevention programmes and policies will assist in reducing the prospect of unaffordable future health costs which will certainly arise if current health trends are not addressed.

### **Health Strategies**

198. **Deputy Terence Flanagan** asked the Minister for Health the strategy he has adopted or is going to adopt to encourage persons to learn more about looking after their own health; and if he will make a statement on the matter. [26521/14]

**Minister for Health (Deputy James Reilly):** Healthy Ireland - the Framework for Improved Health and Wellbeing 2013 – 2025 is the national framework for action to improve the health and wellbeing of the country over the coming generations. Healthy Ireland supports a whole-of-government approach to address the determinants and predictors of health and wellbeing, many of which fall outside the health sector, e.g. housing, transportation, education, workplaces and environment along with an individual's socio-economic status.

Critical to the success of Healthy Ireland is an active, central Government policy driven approach where Healthy Ireland's actions are systematically embedded into the policies and programmes of relevant government departments, local authorities and statutory agencies. It is equally important that there is active engagement at local level, empowering and encouraging individuals to take the steps which they may need to take to protect their own health and wellbeing.

Within the HSE, Health Promotion is an integral part of the prevention and management programme for people with a range of illnesses and chronic disease. The increasing prevalence of lifestyle related and chronic diseases requires a more expanded scope and systemic provision of activities such as therapeutic education, effective communication strategies so as to enable patients to take an active role in chronic disease management or motivational counselling. The website [www.healthpromotion.ie](http://www.healthpromotion.ie) also provides information on a number of topics to assist people in looking after their own health including the misuse of alcohol, quitting smoking, healthy eating, mental health, physical activity, misuse of drugs and sexual health.

### **Medical Card Applications**

199. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a medical card will issue in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [26533/14]

**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 Card Applications

200. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a medical card will issue in the case of a person (details supplied) in County Carlow; and if he will make a statement on the matter. [26542/14]

**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 Card Applications

201. **Deputy Bernard J. Durkan** asked the Minister for Health if and when medical card will issue in the case of a person (details supplied) in County Carlow; and if he will make a statement on the matter. [26543/14]

**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

202. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a procedure in respect of treatment for a hernia will be offered in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [26550/14]

**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 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the 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.

### **Medical Card Applications**

203. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a medical card will issue in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [26552/14]

**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 Card Eligibility**

204. **Deputy Bernard J. Durkan** asked the Minister for Health if a full medical card will be restored in the case of a person (details supplied) in County Kildare who has only been awarded a general practitioner visit card; and if he will make a statement on the matter. [26553/14]

**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 Card Reviews**

205. **Deputy Bernard J. Durkan** asked the Minister for Health the nature and extent of information requested of a person (details supplied) in County Kildare whose medical card is now under review; and if he will make a statement on the matter. [26557/14]

**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 Staff Remuneration**

206. **Deputy Sean Fleming** asked the Minister for Health the cumulative total of unapproved salary top-ups currently being paid under the remit of his Department; and if he will make a statement on the matter. [27085/14]

**Minister for Health (Deputy James Reilly):** As this is an operational matter, I have referred the question to the HSE for direct reply.

### **Road Safety**

207. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if new legislation regarding mobile phones includes penalties for simply holding your phone in your hand while driving; the reason this would be any different to holding a cup or anything else; and if he will make a statement on the matter. [26473/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** It has been illegal to hold a mobile phone since the passage and commencement of the Road Traffic Act 2006. Separately, as the Deputy will be aware, it is an offence under the Road Acts to drive without due care or regard or to drive dangerously. A person who is observed driving dangerously as a result of their cup holding would be liable for prosecution under those provisions.

However while individuals may engage in such activity, it is not a major issue for road safety requiring a specific action. Mobile phone usage is. It is unlikely that a person is going to be holding a mobile phone if they do not intend to use it. Therefore to ensure that there was a clearly understandable and easily enforceable provision in legislation to stop this form of distraction, this particular requirement was introduced. It is unlikely that someone would be making or receiving a call, texting or browsing the internet through their cup.

The new regulations further restrict the use of mobile phones while driving with the emphasis specifically on the prohibition of texting while driving. The regulations close a loophole which may have permitted motorists to send a text message if a phone was held in a cradle within the car and prohibits the sending of an SMS or MMS message, or an email.

I do not intend to bring in a specific offence of cup holding but in the interests of safety, the Deputy is advised not to hold a cup while driving.

### **Regional Road Network**

208. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if he will provide funding for local tertiary and cul-de-sac roads (details supplied); and if he will make a statement on the matter. [26371/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I refer the Deputy to my answer to Dáil Questions 584 & 596 on the 10th June 2014 on the same matter.

### **Vehicle Clamping**

209. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if the contractor who carries out clamping on behalf of Dublin City Council will be regulated by the National Transport Authority under the Vehicle Clamping Bill; and if he will make a statement on the matter. [26376/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Programme for Government contains a commitment to legislate for vehicle clamping. Following approval by Government, I published the Vehicle Clamping Bill 2014 on the 9th June 2014 which I hope to introduce in the Oireachtas in the near future. *Section 101B of the Road Traffic Act 1961* provides for the clamping and/or towing of vehicles illegally parked on the public road by local authorities or their agents. This Vehicle Clamping Bill underlines the current legislation in this regard, and provides for the extension of existing provisions to include compliance with a statutory two-tier appeals process and any regulations made under the Bill applying to the physical administration of clamping activities.

The full legislative details of the Bill, as they apply to both the public and private sphere, together with an accompanying Explanatory Memorandum are available for download from the Oireachtas website under the Oireachtas Business / Bills and Legislation section.

### **Marine Tourism**

210. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport the reason Fáilte Ireland intends to sell a property (details supplied) in County Cork; the steps that will be taken to ensure the premises will be utilised for marine education and training and marine tourism purposes; and if he will make a statement on the matter. [26386/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I have no direct role in relation to the sale or future use of this property as this is a matter for the Board and management of Fáilte Ireland. Accordingly I have referred the question to the agency for direct reply. Please contact my private office if you do not receive a reply within ten working days.

### **Road Projects**

211. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if he will provide maps of the proposed new Ballyvourney to Ovens road; and if he will make a statement on the matter. [26403/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

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

### **Road Projects**

212. **Deputy Mick Wallace** asked the Minister for Transport, Tourism and Sport in relation to the Oilgate to Rosslare roads scheme, if the proposed corridor can be narrowed in order to allow home owners in the area to sell their properties; and if he will make a statement on the matter. [26436/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation

to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

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

### **Sports Capital Programme Applications**

213. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if a decision has been made on an application for a sports capital grant in respect of a club (details supplied) in County Kerry; and if he will make a statement on the matter. [26449/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** I can confirm that an application has been submitted by this club under the 2014 Sports Capital Programme and the Deputy's support is noted. I hope to announce allocations later this year.

### **Tyre Labelling**

214. **Deputy Ciara Conway** asked the Minister for Transport, Tourism and Sport his plans to improve tyre labelling in view of the fact that there is not an independent body assessing each tyre and awarding the rating; his plans to establish such a body; and if he will make a statement on the matter. [26457/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The labelling of tyres to ensure consumers are provided with relevant and comparable information relating to the consumption of energy and other parameters during use is a matter for the Department of Communications, Energy and Natural Resources and my Department has no role in the matter.

### **Sporting Events**

215. **Deputy Heather Humphreys** asked the Minister for Transport, Tourism and Sport his views on the declining popularity of the Irish Open; the steps that will be taken to encourage high-profile golf players to participate in the event; his views on the importance of the Irish Open from a tourism perspective; and if he will make a statement on the matter. [26497/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The European Tour is responsible for the operation of the Irish Open golf tournament and is therefore responsible for the playing field for the event. However, I note that all the top Irish golfers, who are amongst the biggest draws for spectators, are playing at the event this year despite the many other demands on them. Attendance figures have been very good in recent years and indeed the event in Royal Portrush was the first "sold out" tournament in the history of the European Tour.

From a tourism perspective, the Irish Open provides a platform for the promotion of Ireland as a golf destination and Fáilte Ireland have long been a supporter of the event. I have asked the agency to provide you with further detail as to the work they do with the European Tour to promote and support the event. If you do not hear from them within ten working days, please contact my private office.

### **Taxi Regulations**

216. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which a wheelchair accessible grant remains available to PSV licence holders whose business requires transport of persons in wheelchairs; and if he will make a statement on the matter. [26561/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** The regulation of the small public service vehicle (SPSV) industry is a matter for the National Transport Authority (NTA) under the provisions of the Taxi Regulation Act 2013, including issues pertaining to a grant scheme for the purchase of wheelchair accessible vehicles. I have referred your question to the NTA for direct reply. If you do not receive a reply within ten working days please notify my private office.

### **Industrial Disputes**

217. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 135 of 13 May 2014, his views on any outcome of the LRC conciliation process in relation to the fact that residential care staff sleep over and have had their duty hours and payments calculated in a manner which has been suggested is a breach of the EU Working Time Directive. [26470/14]

**Minister for Children and Youth Affairs (Deputy Charles Flanagan):** I am informed by the Child and Family Agency that, despite detailed management proposals to move towards compliance with the European Working Time Directive having been provided by management, significant differences between management and unions remain. The matter has now been referred to the Labour Court.

### **Departmental Staff Remuneration**

218. **Deputy Sean Fleming** asked the Minister for Children and Youth Affairs the cumulative total of unapproved salary top-ups currently being paid under the remit of his Department; and if he will make a statement on the matter. [27079/14]

**Minister for Children and Youth Affairs (Deputy Charles Flanagan):** Government pay policy is clear that remuneration rates for civil and public servants must be appropriately approved and sanctioned in advance of payment. Pay policy is underpinned by administrative and legislative requirements. I can confirm to the Deputy that staff employed in my Department and in public service agencies under the aegis of my Department are paid in line with approved civil and public sector pay scales.

