

The Kilkenny People

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People should be allowed to give or deny consent to sale of their mortgage

A Sinn Féin “No Consent, No Sale” Bill whereby borrowers would have to give their consent to their mortgage being sold by a financial institution was supported by Fianna Fáil Deputy John McGuinness.

When the banks failed, the Government rushed to their support, set out new legislation, declared that it was an emergency, that they were different times which required the type of radical legislation that was implemented at the time, he said. “The banks that the Minister is defending have since got back to that position, with €1.6 billion in profits and do not pay tax, while the vulture funds are encouraged by the Government to buy up distressed mortgages and loans, with no accountability to this House.”

Deputy McGuinness said the position might not be as bad if one was to set out the type of legislation required to save the 80,000 or more mortgages that are in distress. “They are not just mortgages,” he said. “They are families and people we know within our communities who are affected by the banks. They did not set out to take out a massive mortgage and build a massive house. We all know the stories of how they went to the banks and came out with almost double what they had gone in for. They came out with car loans for which they had not gone in. They put their confidence in the banks which, not for the first time, led them astray. Now that they are in distress, they are turning to this House and pleading with us to give them some protection against the vulture funds, but the only response from the Government is to trot out a considerable amount of nonsense and misinformation.”

The vulture funds do not do deals, do not come before this House and are not accountable, he said. “The Minister will say all of the protections travel with loans as they pass to the vulture funds, but they really do not in practice,” he said. “Let us look at the structure involved in Permanent TSB transferring loans to Glenbeigh Securities and then to many other companies, before they finally end up in a trust fund in New York. All of the major houses that make money because of the trauma and desperate situations in which people find themselves are involved with the vulture funds and we do nothing but encourage them. The Central Bank and the European Central Bank are as much to blame. They never talk about the rights of the consumer and never stand over the rights of a whistleblower; rather, they stand full square behind the banks in full support of the terrible damage they do to Irish society and we say nothing.”

Phelan introduces legislation to modernise rates collection system

A Bill to modernise the collection of rates was introduced in the Dáil by Minister of State John Paul Phelan. Commercial rates, he said, make up approximately one third of local government current income every year and are the single largest income source for local authorities, providing income of almost €1.5 billion per annum. This provides between 16% and 53% of total funding for local services at individual local authority level and makes a vital contribution to the delivery of local services.

He said the primary legislation relating to rates is the Poor Relief (Ireland) Act 1838 and only minor changes and adjustments have been made since then.

“One intention is that this legislation will encourage ratepayers to engage with their local authorities and will mean that the annual rates bill is not low on the priority list for payment by individual businesses,” he said. “This approach to rates often forces local authorities to rely on the courts to help collect moneys owed, with the additional resources that requires, not just for local authorities but also for non-compliant ratepayers.”

In the period to 2014, he said the percentage collection levels of rates declined, impacting on the financial position of local authorities and their capacity to deliver services. “Local authorities are fully aware of the difficulties that many businesses faced in recent years and have worked with those businesses to agree flexible and realistic payment plans,” he said.

The focus of the legislation is, in part, to address those who will not engage with the local authorities, he said. “The Bill is not about increasing rates or punishing those who engage with their local authority and endeavour to pay their rates. I intend that enforcement proceedings will not be taken unnecessarily by local authorities and will be reserved for those who refuse to engage with the local authority on determining a payment plan. The current legislative proposals support the payment of rates by removing the requirement for businesses to pay their rates in two moieties and allows for payment plans to be agreed with local authorities to make payments in instalments.”

Need for legislation to control social media

The need to adjust current Irish legislation so as to bring the full force of the law down on people for their blatant lack of humanity, was highlighted by Fianna Fáil Senator Jennifer Murnane O’Connor.

She raised the matter in the Sanad because she said people were appalled recently when they heard of the sharing of a video of a deceased person following a fatal crash on the M50. “That the Garda had to issue a request shows how far we have sunk as a nation,” she said. “We need to have the conversation that is called for on 5 February about what we can do in these cases. We need to debate the Internet and how to protect our children from a world in which nothing is sacred anymore.”

“While we cannot legislate for bad taste, we should be able to legislate against social media companies allowing instant sharing of such imagery before the authorities have even identified the deceased,” she said. “I was shocked by what happened and we need to address the issue. We need to have this conversation on 5 February (Safer Internet Day) and to ensure that this can never happen again.”