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DÁIL ÉIREANN

*Dé Céadaoin, 25 Feabhra 2004.
Wednesday, 25 February 2004.*

Chuaigh an Ceann Comhairle i gceannas ar
10.30 a.m.

*Paidir.
Prayer.*

Leaders' Questions.

Mr. Stagg: I wish to raise a point of order. The Order of Business for the day, which is normally circulated a quarter of an hour before the start of business, has not been circulated.

An Ceann Comhairle: I will take Leaders' Questions now. I will hear the Deputy's point of order later.

Mr. Stagg: Could someone arrange for it to be circulated while Leaders' Questions are being taken?

An Ceann Comhairle: Leaders' Questions are in order now under Standing Orders.

Mr. Kenny: Last weekend's boiler-suit brigade abduction in Belfast provides further proof of the accuracy of Gerry Adams's chilling declaration that the IRA has not gone away. It appears that the victim in this case was about to meet a brutal and horrific end. The Chief Constable of the Police Service of Northern Ireland has said categorically that the abductors were members of the Provisional IRA. I met this morning with the Independent Monitoring Commission and was shocked to hear that Sinn Féin has said it will not co-operate with it in any way.

Does the Taoiseach believe the time has come to stop pandering to the IRA and its political representatives who are clearly intent on continuing to engage in various forms of criminal behaviour? The Taoiseach will meet a Sinn Féin delegation today and the newspapers report that he will make his views known to its members. What are the Taoiseach's views? What action does he propose to take to cut out the nonsense and deal with paramilitary activities which are happening in this State to the detriment of our democracy, business, commerce and way of life?

The Taoiseach: The events of last weekend brought into clear view what the Government has felt for some time about many of these paramilitary attacks. They are horrific. I had an

opportunity over the weekend of talking to the Secretary of State for Northern Ireland and I also met the Chief Constable. I know, from the meetings of the Minister for Foreign Affairs, Deputy Cowen, yesterday and from reports of these issues, that the individual who was abducted received approximately 93 stitches. It is the view of the security forces that, by ramming the vehicle, they saved his life. The security forces believe that he would have been transported across the Border and executed. It is the view of the British Government, the Northern Ireland Office, the Chief Constable and the Secretary of State that the people involved were members of the Provisional IRA and closely associated.

My views, for which Deputy Kenny has asked and which were set out in my speech in the University of Ulster in Coleraine a few days ago, are that it is long past the time when we must reach an end to paramilitarism and the association with it. We will not make progress until we end it entirely and completely. That has been my view for many years and my publicly declared view since I agreed to the process of the acts of completion in the autumn of 2002 with the British Prime Minister, Mr. Tony Blair. We set out to define those in a way we believe is tough on one side but sensible on the other. We did not include everything in paragraph 13. For example, we did not include racketeering because we assumed that kind of activity has gone on for generations and takes a period to end. That does not mean we condone it. We are trying to get to end this activity in a reasonable time and it is imperative that we do so.

In one of this morning's newspapers I saw a view expressed which I had stated last week when I heard about this incident. Until we sign up to the policing arrangements, we will have these attacks. I hate to say what I am about to say, but I may as well do so because I hear it said to me frequently. In some communities it is popular to engage in policing activities because the police cannot do their normal job. Some people even say pressure is put on paramilitaries to engage in policing activities. I do not believe this was the case last Friday, but it has been so in other incidents.

I hope there is no party division in this House on this matter. We have all stated time and again that we must see the end to paramilitarism in its entirety. This is in line with paragraph 13. The sooner this is achieved, the better. Since the Weston Park talks which took place a number of years ago, we have a process to deal with policing arrangements and we must also deal with that. Both Governments and the political system in the South are prepared to do so.

Yesterday, the Government resisted the exclusion policies because we do not think they would work either, but that line cannot be kept forever. We all want to move to another position. However, it is now almost ten years since the first ceasefire and seven years since the second. It is time to bring these activities to an end. Otherwise

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more people will be killed and injured. I am not in lecturing mode. I will outline again today that activities of this nature cannot continue in a normal political situation.

Mr. Deasy: The question is what the Taoiseach will do about it.

An Ceann Comhairle: This is Leaders' Questions. Deputy Deasy is not entitled to undermine his leader.

Mr. Deasy: We get speeches every week from the Minister for Justice, Equality and Law Reform.

An Ceann Comhairle: Deputy Deasy is out of order. It is his leader's question, not his.

The Taoiseach: I assure Deputy Kenny that I will again today make those points and put forward the Government's view strongly.

Mr. Kenny: The Taoiseach and the Government have the full backing of my party in whatever action is deemed necessary to deal with paramilitary activities.

For a political party to say it is on the road to democracy and peace and truth and reconciliation, that a room in Belfast is cleaned out to torture an individual and to murder him and that the chief constable says the perpetrators are members of the Provisional IRA is a statement of great clarity. We have had similar clear statements from the Minister for Justice, Equality and Law Reform that the Sinn Féin party in this jurisdiction is funded by organised crime in some way. Racketeering, punishment beatings and abductions continue to take place. It is the Government's responsibility to deal with information from the Minister for Justice, Equality and Law Reform on organised crime. What action will the Taoiseach take on the evidence provided by the Minister for Justice, Equality and Law Reform in this regard? The Taoiseach will have the full backing of this side of the House in whatever action he deems necessary.

It is high time we stopped hiding behind words. The Taoiseach leads a sovereign Government and has a constitutional duty to act on the evidence provided by the Minister for Justice, Equality and Law Reform. Will the Taoiseach outline what action he proposes to take?

The Taoiseach: Deputy Kenny raised two issues. First, on criminal activities and on people associated with paramilitary organisations, the House can be assured that all information is acted upon. A substantial effort has been made by the Minister for Justice, Equality and Law Reform in the past 12 months with regard to racketeering and evidence of racketeering. That work is ongoing. The Minister now has regular meetings with the security services to deal with these

issues. This has achieved substantial success. People have not been caught in the act, but they have changed their ways. The Deputy will understand that I cannot give information on Garda activity, but the Garda now have greater knowledge of who to close in on.

Second, we are involved with the support of everybody in this House in the peace process in Northern Ireland. It is acknowledged that we will not reach finality in a short period. Yesterday, it was agreed that both Governments would ask the independent monitoring commission to examine these events in the context of the preparation of its first report and to bring the report forward to May 2004. We will continue to work with the independent monitoring commission, the British Government and the parties to try to find a solution to the issues.

Mr. Rabbitte: I want to raise again the recommendation of the DIRT inquiry that the dormant funds lying in financial institutions would be taken over by the State and put at the disposal of people working with social, economic or education disadvantage in the community. The estimate was that there would be in excess of IR£100 million, but when the Government decided to implement the DIRT inquiry recommendation, a sum of €180 million was transferred with anticipated annual top ups of €10 million. When the dead insurance policies are added it is estimated it will rise to €400 million. This money was to be distributed by an independent disbursements board to aid disadvantage. The Government brought forward legislation in 2001 to give effect to the DIRT recommendation. During that time, the then Minister for Finance, Deputy McCreevy, stated:

To get away from the problem of having the Government blamed of having a slush fund, it has been decided to establish a board of trustees. The board will distribute the money, subject to guidelines and without direction from the Government. This will get away from the problems of having Ministers accused of favouring pet projects, having the fund as part of general Estimates processes of Departments or having it as part of policy initiatives of Departments. I think this is the best approach. I thought that if this money, which belongs not to the State but to individuals, should be escheated to the State — subject to safeguards that people who look for it can be given it back — that the best approach was to give the power to distribute it to a disbursements board and not the Minister. I am not in a position to change the Bill at this stage. It was a decision I took and I think it is the safest one in the circumstances.

If the Government decided on 20 June 2001 not to set up a slush fund and not to put it under the control of a Minister, why did it slip out a statement in the dead days before Christmas, giving the Minister for Community, Rural and

Gaeltacht Affairs, Deputy Ó Cúiv, the power to decide where this money will be distributed and what groups will benefit. It is a blatant reversal of the solemn commitment given by the Minister for Finance and it is shameful that the partner in Government should stand over it. It is an old style Fianna Fáil stroke, which is disgraceful.

Mr. J. O’Keeffe: A leopard does not change its spots.

The Taoiseach: The dormant accounts disbursements board’s plan that was published last year will operate and the board, which will still be in existence, will evaluate projects and advise on the priority areas to be considered annually for funding. They will still be involved in the preparation of the disbursement plan and reviewing and evaluating projects. The available resources are quite substantial. The Government does not intend to use this as a slush fund, but it wants the Department set up to deal with community organisation to deal with the Drugs Task Force, RAPID and CLÁR and all other agencies. The departmental officials have a knowledge about the priorities and should be properly involved. The allocation of the funds will be transparent and will be accounted for. The decisions will be made public and the money will be used to help those who are at an economic, education or social disadvantage and those with disabilities.

With the greatest respect to those on the independent board, the Government takes the view that the board would need the involvement of the Department that worked with the agencies concerned. That seems to me a good way to do it. The board will not be disbanded but it seems to me that a group of people who are not dealing on a day to day basis with the various organisation, who have no real knowledge of the strategic plans and are not involved in the activities are not the experts in the matter, with the greatest respect to them.

Ms McManus: Who are independent.

Mr. Rabbitte: If the Minister for Finance, Deputy McCreevy, thought on 20 June 2001 that this was a slush fund and he would not go down that road, and he would not put it under the direction of a Minister, why is that not true today and why has there been a change of mind? Did the Taoiseach hear the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cúiv, say on “Morning Ireland” last week that it was only when the Taoiseach discovered there was so much in the fund that he decided there should be transparency. In order to be transparent, the Minister, Deputy Ó Cúiv, should distribute it. Having listened to his convoluted spins last night on the Irish language motion, nobody will accuse Deputy Ó Cúiv of being transparent. He has already collapsed the RAPID programme, which the Taoiseach played for all it was worth in these

communities before the election, stating it would release €2 billion to disadvantaged communities. The Government wants to take over this money, re-label it and allow the Minister, Deputy Ó Cúiv, to ladle it out. I do not know if he will give Mr. Séan Ó Neachtáin any of it, but other than that, most of his colleagues will be in for a dip into the fund.

The Tánaiste, when she was on this side of the House, came in with a Bill to avoid the lottery being used as a slush fund. The rhetoric that she rose to about the abuse by the then Fianna Fáil Ministers of the lottery seems to have entirely eluded her when this Bill came before Cabinet to amend legislation introduced by a Fianna Fáil Government.

The Taoiseach: It would be an enormous mistake to use this money for a slush fund. That is not what the Government will do

Mr. Howlin: Why the change?

The Taoiseach: I will explain the process in one minute. The Dormant Accounts Disbursement Board is in place and a Department has been charged with responsibility for liaising with community development groups of all kinds which deal with drugs, CLÁR, RAPID and so on. The Department has the expertise at official level and through its agencies to identify the priority plans needed to address social disadvantage. The process will evaluate all of the schemes to ensure maximum transparency and accountability. It will guarantee that the money funds the best projects which have been properly assessed by the Department and the board to best advantage in areas of disadvantage. That is the best approach. I am not in any way critical of the board, but individuals who were not involved in the day-to-day activities of the strategic plans of these organisations are not the best people to make those decisions.

Mr. Rabbitte: That is not what it is. It is not part of the strategic plan.

The Taoiseach: The Government has acted accordingly to ensure that we will make the right decisions.

Mr. Rabbitte: It is the strategic election plan.

Caoimhghín Ó Caoláin: Sinn Féin is not involved in the work of the Independent International Commission on Decommissioning. Furthermore, the matters raised by Deputy Kenny will certainly be addressed in a meeting between Sinn Féin and the Taoiseach later today.

An Ceann Comhairle: Is this your question, Deputy?

Caoimhghín Ó Caoláin: No, it is not my question.

An Ceann Comhairle: I insist the Deputy continue with a question or resume his seat. The Standing Order allows one question on a topical issue.

Caoimhghín Ó Caoláin: I would have said what I had to say, a Cheann Comhairle.

An Ceann Comhairle: I will ask you to resume your seat unless you move on to your question.

Caoimhghín Ó Caoláin: I have a right, given the vilification of my party, not for the first time in this House——

An Ceann Comhairle: Deputy Ó Caoláin, ask one question on a topical issue. Other leaders have been ruled out before. We cannot have a special Standing Order for you.

Caoimhghín Ó Caoláin: I wonder if there are not special arrangements in other situations.

An Ceann Comhairle: Sorry, Deputy——

Caoimhghín Ó Caoláin: My question to the Taoiseach relates to the nursing recruitment fair in the RDS yesterday and the presence there of executives from recruitment agencies for nurses in Britain, the USA and elsewhere. Significant incentives have been offered to Irish-trained nurses and foreign-trained nurses within the Irish hospital system to leave the system and take up positions in hospitals and groups of hospitals in Britain and the USA. When we examine the incentives being offered, we can see very well the difficult choices many involved in nursing must make. This is at a time when we already have a shortage of some 700 nurses within our acute hospital services.

Does the Taoiseach recognise that we have already lost some 500 of the 5,000 overseas recruited nurses from our hospital system due to the incentives being offered overseas and the failure of our service to provide a sufficiently attractive package to anchor their presence? Does the Taoiseach accept that last week's announcement by the Tánaiste of the right of spouses of overseas-trained nurses in our service to secure work permits was too little, too late? Does he accept that short-term contracts of between two and three months are insufficient to attract nurses into the system as they do not offer fixity of service? These contracts are ridiculous given that we expect there will be no new nurses moving from Irish training colleges into the service in 2005. Given all of that, what measures does the Taoiseach propose to introduce to address the crisis in nursing in our hospitals today?

The Taoiseach: While the Deputy may think nursing fairs began this year, they have been taking place to attract our nurses out of the country over the 30 years during which I have had dealings with the health service. In the

intervening years, particularly during the last decade, the change has been that many nurses from abroad have come to Ireland. In one major Dublin hospital, people of 29 different nationalities are represented on the nursing staff alone, not to mention other staff. In the last five years, the number of nursing training places has increased by 70%. It now stands at almost 1,700 per annum. Almost 20,000 new nurses have been registered by An Bord Altranais in the last five years while the number of nurses working in the health service has increased by 25% in the same period. There are now almost 34,000 whole-time equivalent nurses.

A recent survey by the HSEA indicates that the level of nursing vacancies nationally is almost 2%. This shortfall is more than adequately compensated for through overtime and the use of agency nurses. The arrangements for agency nurses are more liberal than at any time previously. A recent Department of Health and Children survey indicates that the level of pay for nurses compares very favourably with that in other EU countries and is far better than in most. When rates of income tax and social security are taken into account, our levels of nursing pay are at the higher end of the scale.

Foreign nurses have the same opportunities for advancement as other nurses working in the health service. All employers have anti-racism policies which apply to staff and patients. I do not consider the Tánaiste's move last week to have come too early or too late. The measure was introduced at the right time. It was a considerable move for us to allow the spouses of non-EEA nurses to work here. The provision does not exist in most other European countries, but it is the right way to ensure we do not have too much turnover in our nursing staff. We must continue to make nursing an attractive profession. It is highly respected. We have succeeded in this regard through our payment rates, conditions and training and education rates over the last few years.

Caoimhghín Ó Caoláin: The Taoiseach's response will be a matter of great concern to many in nursing and to those of us dependent on the hospital services. The Taoiseach does not seem to recognise that we have a real crisis in terms of nursing provision in our acute hospital services. Does the Taoiseach not recognise that apart from the threat to the continuing service of overseas nurses, there is a great need to embark on the recruitment of nurses from within this country? We need to proactively encourage young people to view nursing as an attractive career. Is it not the case that pay and conditions are central to pointing up the attractiveness of this career and profession?

Will the Taoiseach outline the measures he is prepared to support and encourage to meet the serious shortfall in the current year and in terms of future planning? As I have already said, no new nurses will come through the State's system

in 2005. There is a bounden need to create further places for training on the nursing degree courses and through the acute hospital services system itself. There is a crisis and we want to know if the Taoiseach knows about it and what he is prepared to do to address it.

The Taoiseach: The Deputy is not listening.

Caoimhghín Ó Caoláin: It is not I who is not listening.

The Taoiseach: The number of training and university places has increased by 70% and now stands at an all-time high. We have more universities becoming involved in the academic side of nursing, which is to be welcomed and which is supported strongly by the Minister for Health and Children. Beds which were closed have been opened which has increased pressure to recruit staff.

Nursing is a mobile profession. People work in different countries and continents where their degrees are accepted and respected. We are continually trying to improve conditions here. We are continually trying to implement the nursing action plan in all its respects. It is based on a fine report of some years ago and we continue to implement it incrementally year after year. We must keep the number of places up and ensure we have good-quality, well-educated student nurses and postgraduates. We will continue to do that. The number of whole-time equivalent nursing places stands at almost 34,000.

Ceisteanna — Questions.

Departmental Bodies.

1. **Mr. Kenny** asked the Taoiseach when the cross-departmental team on infrastructure and public private partnerships will next meet; the number of meetings of the team planned for 2004; and if he will make a statement on the matter. [1018/04]

2. **Mr. Kenny** asked the Taoiseach if he will report on the December 2003 meeting of the cross-departmental team on infrastructure and public private partnerships; and if he will make a statement on the matter. [1040/04]

3. **Mr. Kenny** asked the Taoiseach when the last meeting of the cross-departmental team on infrastructure and public private partnership was held; when the next meeting will be held; the number of meetings held during 2003; if he will report on the work of the committee; and if he will make a statement on the matter. [1041/04]

4. **Mr. Sargent** asked the Taoiseach when the next meeting of the cross-departmental team on infrastructure and public private partnerships will

be held; the agenda of the meeting; and if he will make a statement on the matter. [1281/04]

5. **Mr. J. Higgins** asked the Taoiseach if he will report on the work of the cross-departmental team on infrastructure and public private partnerships; and if he will make a statement on the matter. [1842/04]

6. **Mr. Rabbitte** asked the Taoiseach if he will report on the work of the cross-departmental team on infrastructure and public private partnerships; when the team last met; when the next meeting is due to be held; and if he will make a statement on the matter. [2897/04]

7. **Caoimhghín Ó Caoláin** asked the Taoiseach when the cross-departmental team on housing, infrastructure and PPPs, which is chaired by a senior official from his Department, last met; its programme of work for 2004; and if he will make a statement on the matter. [4774/04]

The Taoiseach: I propose to take Questions Nos. 1 to 7, inclusive, together.

The national spatial strategy and Gaeltacht and islands infrastructure were the main themes considered by the cross-departmental team on housing, infrastructure and PPPs at its meetings on 10 December and 14 January. The team's work programme for 2004 and a review of progress in 2003 were also on the agenda for the January meeting. The most recent meeting of the team took place on 4 February. The main topics on the agenda were ports infrastructure and social and affordable housing.

On ports, particular attention was given to the options available to Government by way of follow-up to the review and public consultation process on future policy. I understand from the Minister for Communications, Marine and Natural Resources that he hopes to be in a position to finalise proposals for Government consideration in the near future.

Regarding social and affordable housing, the team placed special emphasis on the development by local authorities of action plans in the context of the five-year multi-annual financial envelopes being put in place. In overall infrastructure terms, such envelopes for different forms of capital activity, as announced in the budget, will play a very important role in delivering the remainder of the NDP infrastructure programme and advancing the aims of the national spatial strategy. Additionally, the new EUROSTAT ruling on the accounting treatment of PPPs, issued on 11 February, will provide Departments with much greater certainty in respect of the planning and management of medium and long-term projects and programmes.

Regarding meetings, the cross-departmental team met on 11 occasions last year and it is envisaged that there will be a similar number this year. On the 2004 work programme, the team has identified the main items requiring particular consideration, including the actual subjects to be discussed at each of the meetings until July. The

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education capital programme will be the principal agenda item at the team's next meeting on 3 March. It is envisaged that the three subsequent meetings will deal with project management and cost control issues, waste management, transport infrastructure and regional planning guidelines.

Mr. Kenny: Has the cross-departmental team on infrastructure considered a possible programme of development arising from the changed accountancy method from the EU, in other words, the extra available money to which the Government may have access? What is the position in regard to the production of legislation for the national infrastructure board, projects of major national importance? Did the cross-departmental team consider the range of possibilities that exist, whether for power stations, incinerators, rail lines, motorways or whatever?

The Taoiseach: On the first question, the EUROSTAT rules are to be welcomed. I and other Members of the House have made the point here a number of times that the accountancy procedure that operated was entirely unreasonable and restrictive but it was used for some considerable years. The new guidelines which the EUROSTAT has issued on how PPP projects should impact on future general Government balances ARE welcome. The Minister for Finance has brought forward proposals on the technicalities and procedures so that the system will work for the various interests.

There are many details and rules and regulations, as is always the case with these matters, but if you boil it down what does the decision mean? At the heart of the EUROSTAT decision is that, in assessing whether a public private partnership project affects the general Government deficit in future, whether it should be up front as it was before 11 February, the cost of the PPP contract and its impact on the GGB can be spread over the full period of the contract provided. In normal cases, that would mean that if there is construction risk and either demand or availability risk is transferred to the private sector it could be over the full period. In many cases the project could be spread over seven, ten, 15, 20 or 30 years, and that is the right way to proceed. In that way it does not impact on the GGB to the same extent.

The key issue is that the EUROSTAT makes the determination on whether the private sector is involved in the risk. Therefore, one cannot go out and do a State or a local authority project and have a small element of a public private partnership. The risk has to be carried by the private sector, and this will continue to be the problem. The rules are clear for the accountants who advise many of those in the construction and investment industries. Up to now they had an argument, which I made here a number of times.

On the second question, legislation is being drafted. We had some discussions on the matter. The view, as I stated here previously, was that there should be a narrow interpretation and it should not be a broad Bill that including everything and anything. It should be for major national projects only.

Mr. Kenny: Did the cross-departmental team on infrastructure and public private partnerships consider decentralisation because major infrastructure will be needed if that programme is to become a reality — it seems to be running into difficulties? The provision of new Departments, of power, water and sewerage, access and so on involve major infrastructural developments. Does the team have a view on that matter?

What is the Taoiseach's current assessment of the national spatial strategy and its implementation? I cannot recall having had a worthwhile discussion on this strategy in the House. How does the cross-departmental team view implementation of the national spatial strategy?

The Taoiseach: On Deputy Kenny's first question, there is a separate group under a separate chairmanship, with the Office of Public Works and outside experts working on decentralisation so it is not being dealt with by this committee.

The group takes account of the national spatial strategy. A wide range of measures have been put in place. It would be useful if the House was to have a debate on that matter at some stage because it is two years since its introduction. At national, regional and local level there is a 20-year plan and framework. The Department of the Environment, Heritage and Local Government is leading and overseeing the process of imbedding the policies and moving on the programmes and activities. An interdepartmental steering committee chaired by the Department of the Environment, Heritage and Local Government reports to the infrastructural committee. At regional level, the regional authorities are working in conjunction with their constituent local authorities. I am informed they are making good progress in developing regional planning guidelines to roll out the national spatial strategy in more detail at regional level. I understand that some of the regional planning guidelines have issued and more will be issued this spring.

It is anticipated that the draft regional planning guidelines will have been published for public consultation for all the regions by the end of March and that the intention is to have the guidelines formally adopted in all the regions by the end of May. At local level, planning authorities, in consultation with the relevant public agencies and the public generally, are in the process of putting in place local development frameworks and plans for gateways, hubs and other strategically important towns. There have

been a number of highlights during the past year. The regional planning guidelines are well advanced. A number of local authorities have issued frameworks. There is the Cork area strategic plan and the Galway transportation plan and study. A number of plans have been published and they will be implemented over the next few years.

At all the meetings there are presentations by companies such as the ESB. A €4.4 billion plan is being rolled out over this decade for sewerage and drainage. The various Departments and agencies are working far better than they have ever worked in dealing with these plans.

Mr. Sargent: I listened to the Taoiseach welcoming the EUROSTAT ruling. I would not be so sure it will be welcomed by many taxpayers who will have a 10 or 20 year payback bill for the public private partnerships which may be involved. Will the agenda of the cross-departmental team lead to the type of financial burden on taxpayers which I raised in the House yesterday in the context of the example of the €300 million annual cost of non-compliance with the Kyoto Protocol? Will this also be on the agenda in regard to infrastructure?

I asked the Taoiseach whether he recalled hearing the leading European expert on transport, Tom Sleddens, saying that the Irish roads programme failed every one of the 27 indicators of good transport policy from a European perspective. The Taoiseach was at the meeting in Dublin Castle at which that was said. Has he had a chance to reflect on it, given the tortuous analysis in regard to the metro in contrast to the blithe passing off of capacity increases on the M50 and that type of road? Is there any shift of mindset within the cross-departmental body which recognises we must put sustainability at the centre of infrastructural projects?

The Taoiseach: That is an environmental issue. Whether it is the cross-departmental team or the Lisbon strategy, environment is at the centre.

Mr. Sargent: It is an economic issue.

An Ceann Comhairle: Allow the Taoiseach to answer.

The Taoiseach: Economic, social and environmental issues are at the centre of the Lisbon strategy, which directs so many of the European issues, and feed into the Structural and Cohesion Funds, overall economic planning and the work that any of the agencies carry out. Sustainable development is a key issue. I assure the Deputy that such environmental issues are taken seriously by Government and, more importantly, by the agencies and those dealing with day-to-day issues. There is considerable evidence in this regard, such as how we deal with environmental issues in regard to Dublin Bay,

rivers, water and pollution. While it is for other Ministers to provide the details, there has been a significant progress in this area.

Mr. Sargent: Is the metro going ahead?

An Ceann Comhairle: Deputy Sargent should refrain from interrupting when the Taoiseach is trying to answer his question.

The Taoiseach: In regard to PPPs, the capital programme is still the capital programme. PPPs, as I have said many times, can only be used as an additional method of completing a project more quickly. The private sector can be brought into projects so that it carries the risk, which is spread out over a period. The Deputy is correct that PPPs will not be used to replace the capital programme because that would entail a higher burden on the State which will always borrow far more cheaply and efficiently than other sectors, a point made by the National Treasury Management Agency on many occasions.

However, other projects and countries have taken a different route in this regard. Portugal and Spain are examples of countries which have used PPPs for many projects and got themselves into deep water with the European Union in recent years because of that. While we are not talking about such problems in regard to Ireland, it makes sense to take on public private partnerships where we can, as happened with the Dublin sewerage scheme, especially when the private sector carries the risk. It is then possible to have a design, build and manage system spread over a number of years.

I would be the first to admit that a limited number of projects can be undertaken through PPPs. Nonetheless, PPP works effectively in such projects and is not a burden on taxpayers. If it was to be used for the entire capital programme, I would agree with the Deputy's point, as I have said. However, that is not the case. The issue for Government will be to get the private sector to invest in some of the projects. The interest it was thought there would be seven or eight years ago in such projects has not materialised. Some English companies which entered the Irish market quickly left it. While there have been some successes in roads projects and some other projects, I am referring to the more complex areas in which the private sector has not been very brave.

Mr. J. Higgins: What is the exact role of the cross-departmental team on infrastructure with regard to the Government's promise to take a major initiative with regard to affordable homes? Will the Taoiseach report on the current position of the project in that regard?

I see the Taoiseach has the dust of repentance on his forehead this morning. Apparently, the first act of repentance is acknowledgement of sin. In regard to the housing crisis, is the Taoiseach alarmed that the cost of housing continues to rise

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considerably and that, therefore, his sin over seven years of allowing the greed of the speculator and the——

An Ceann Comhairle: The Deputy is moving away from the substance of the seven questions. His first question is in order but detailed questions should be addressed to the Minister responsible.

Mr. J. Higgins: I was merely making the point that fundamental to the housing crisis, to which the question I addressed relates, is the sin of greed on the part of speculators and landlords. Given the serious crisis which exists, the Taoiseach undertook——

An Ceann Comhairle: The Deputy is well outside the remit of the seven questions.

Mr. J. Higgins: What is the timescale for the major initiative on affordable homes and how it relates to the cross-departmental team on infrastructure?

An Ceann Comhairle: The first question is in order. The others are more appropriate to the Minister for the Environment, Heritage and Local Government.

The Taoiseach: In reply to the first question, the Deputy will be aware that, last July, the Government announced the release of sites in counties Dublin, Meath and Kildare with the potential to deliver 1,100 affordable homes. This was followed by the release of further lands in December in counties Dublin, Cork and Waterford for a further 3,600 homes. Taken with part 5 affordable housing, there is a potential yield from this of approximately 6,100 units of land. The cross-departmental team continues to try to make more sites available.

Regarding the other part of the first question, we are awaiting the All-Party Committee on the Constitution report and the NESC report, both of which will be discussed by the team as soon as they are available. The latest estimate is that the all-party committee report will be published in March and the NESC report in April.

Mr. Rabbitte: As a result of the EUROSTAT ruling, has there been any revamp of the model inside the Department of Finance? The critical point made by the Taoiseach is the correct one regarding the transfer of risk to the private sector, which is immensely important. However, if the risk is transferred to the private sector in the three different areas identified, can we presume that the sector will then try to protect itself in that circumstance? Therefore, how can we quantify the exact imposition on taxpayers?

The Taoiseach made the point that PPPs have been slow to be taken up, and so on. However, if they are to be successful, will the informed Irish taxpayer not want to know the exact cost of this?

Does the Department of Finance intend to publish with some clarity what the particular terms of PPPs will be as a result of the Government's ability to plan ahead with increased certainty and in the knowledge that risk has been transferred to the private sector?

The Taoiseach: I take the Deputy's point. The Department has carried out a good analysis of the new treatment of public private partnership documents. The best I can do is to make that information available. Some of it is in the form of a memorandum but there is an information note which I will seek to make available to Deputy Rabbitte.

There is value in EUROSTAT's position, principally in the clarity we now have. I accept that statistical analysis is not easy and provision must be made for unforeseen events, but at least there is now a clear, readable position for everyone. It is not just readable for us but for those investing in projects as they can understand what they are to do. The risk to the taxpayer is clear, as is the mechanism for spreading that risk over the period involved. I will try to put together the material from these three documents for the Deputy. I asked for some material in question and answer format, which would also be useful, and I will arrange to have that material sent to party leaders.

On the overall question, the general Government balance, GGB, issue was obviously the major difficulty for the Government. The EUROSTAT problem meant English companies coming into Ireland were not getting much clarity from us and they wrote many letters of complaint about the process. Apart from this, the key issue is that many companies want to invest in projects which cannot go wrong. We cannot design a gilt-edged system which is foolproof and risk-free for investors. This is where EUROSTAT is correct. It has now defined the risks. I could put this information on the record, but there are lengthy notes on this issue and I can include them in the document I will circulate.

We must encourage involvement in these projects. There is an abundance of capital in the country for projects, especially in financial institutions. I have made the point at many conferences, including the recent Dublin Chamber of Commerce dinner which Deputy Kenny may recall, that the difficulty is that many institutions are prepared to involve pension funds in construction in Thailand and Vietnam, but there are complexities and problems involved in funding straightforward infrastructural projects in Ireland. I understand that but projects in Ireland should also be examined. Until the EUROSTAT ruling, many institutions said the process was too complex, but that is not the case now. I have met some of those involved and told them they should look at infrastructural projects in Ireland because we have a huge infrastructure deficit in many areas despite the enormous amount of work taking place.

Now there are clear rules for those who wish to become involved in such projects and Members should encourage financial institutions to become involved in those projects. We are already trying to get pension funds to examine these projects. These bodies should become more involved — the system is now a good one — rather than seeking gilt-edged projects in countries about which they know little and about whose regimes they know nothing.

Mr. Rabbitte: I am grateful to the Taoiseach for that. I would appreciate the information he has promised, especially if it is available in question and answer format. Some of us have been questioned on this issue.

A company flush with money, such as National Toll Roads, might undertake the grade separation work required at the Red Cow roundabout because it is clear where the risks lie. While most motorists would be happy for the company to build it, the informed taxpayer would want to know the payback over an agreed period. This is not likely to take off unless there is some clarity in the informed public mind about that but, if work is being done in this area, I welcome it.

My next question may only be tendentiously associated with this matter. Does this mean the pressure for modifications of the Stability and Growth Pact has eased? Is that being examined during the Irish Presidency and are some modifications in certain circumstances likely to be agreed?

The Taoiseach: I will take the second question first. ECOFIN has decided that there will be an examination of the Stability and Growth Pact, not just in this area but in others as well. It appears to be the view that the process will begin in the Irish Presidency but individual countries may want to take some time. I do not think there will be a major change but there may be some flexibility on certain issues involving transparency, such as the European Commission being satisfied that there are no gains on off-balance sheet items.

On the analysis of the risks in the partnerships that will be carried out in member states and acceding countries, EUROSTAT is of the opinion that information about such risks can easily be obtained by statisticians and that the burden of the different risks in general are identifiable in the contracts. EUROSTAT is also of the opinion that the assessment of risks according to the process described would allow for a straightforward classification of the assets either on or off Government balance sheets in most cases.

To take Deputy Rabbitte's example, if National Toll Roads undertook the project to widen the M50 and deal with the Red Cow roundabout, which is a €500 million project, the question would be whether that would be on or off the Government balance sheet. If the company took the risk, which it probably would

in this case, it would obviously look for a return on the toll for an extended period. The amount of money involved would be evaluated over that period and, if a 20 year period were agreed, the general Government balance would reflect one twentieth of the figure each year. This could be classified as an asset on the GGB or not as the case may be.

The system is straightforward enough. The point is that these matters must be identifiable in the contract. Using the National Toll Roads example, taxpayers would know that the Government would include this figure as part of the GGB for the next 20 years and that the toll would be extended for that period. It is now clear whereas in the past it was a convoluted system.

Caoimhghín Ó Caoláin: Does the remit of the cross-departmental team extend to the area of homelessness? If so, has it addressed this issue? Last weekend, at the national conference of Simon, the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Noel Ahern, who has responsibility for housing, indicated that the Government was now proposing a review of homelessness.

An Ceann Comhairle: That does not arise out of these seven questions, as I pointed out to Deputy Joe Higgins.

Caoimhghín Ó Caoláin: Will the cross-departmental team be involved in such a review? Will the Taoiseach ask the cross-departmental team to examine the contradictions whereby on the one hand, Government spokespersons argue that homelessness is being addressed, yet there is a chronic homelessness problem? On the other hand and as we speak, the Joint Committee on Finance and the Public Service is addressing the Finance Bill 2004, a provision of which proposes to extend tax relief to the developers of hotels and holiday homes.

An Ceann Comhairle: The Deputy is going well outside the remit of the questions.

Caoimhghín Ó Caoláin: Is there not a clear contradiction whereby we aid property development, but cannot provide for the homelessness issue and crisis our society faces?

The Taoiseach may be aware that neither the Minister for Finance nor the Department of Finance can quantify the loss to the Exchequer these measures represent. Will the Taoiseach direct the cross-departmental team to address this important matter?

The Taoiseach: A Department and an agency are dealing with that matter. It is not an infrastructural issue as such. However, I stated earlier that the cross-departmental team takes an interest in social and affordable housing units. The homeless strategy of 2000 which deals with

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people who are genuinely homeless and in need, is working extremely well.

Mr. Allen: I welcome the Taoiseach's statement that he hoped we would have a debate on the national spatial strategy since we have not had one thus far. I do not know where it is going at this stage and how it fits in with the decentralisation programme.

Arising from the Taoiseach's response regarding the new EUROSTAT rules, when will a decision be made in regard to the projects which were delayed by the guidelines? For example, the Taoiseach was in Cork recently and stated that he would shortly have a decision on the Cork School of Music. How quickly can we expect to get decisions on projects such as this?

Has any analysis been carried out on the design, build and operate PPP projects to which the Taoiseach referred. I am fearful that the operational element might bring about a creeping privatisation of public service utilities? What are the Taoiseach's views on the analysis of DBOs?

An Ceann Comhairle: Questions Nos. 1 and 3 are in order. The question on the Cork School of Music might be more appropriate to the Minister responsible.

Mr. Allen: No, it would not. I just gave it as an example.

The Taoiseach: All of the projects which were delayed will have to be examined in a new light by the appropriate Departments and that will happen quickly. I cannot be certain of the speed at which that will happen in different Departments.

I have reported on where the national strategy spatial strategy is nationally, regionally and locally and it is working well. Nevertheless, I have no problem with some time being given to a debate on it.

Normally, design, build and operate arrangements are built into PPPs. Some of the designers of these projects do not want to be involved in their management and have an association with a management company. Most companies like to design, construct and get away, although, in other cases, they are prepared to do it. However, there is a management element in regard to the five schools which were undertaken in this manner.

The advantage of it is that we can tie the company involved in the construction of a project to its ongoing maintenance for a certain number of years. Normally, the maintenance reverts back — the company is not involved forever. Therefore, there is no strong argument that in time it could take over the public sector element. Even where companies are involved in management, they only do so for a period before getting out. I know from talking to PPP companies that most are not into management.

They usually bring in an operator to carry out management functions for them because they are developers and investors and do not want to manage.

Mr. Kenny: In the context of affordable housing, has the cross-departmental team considered the provision of park and ride facilities? Is that an issue which it would consider? For instance, the cost of affordable housing in Blanchardstown is an average of €280,000 and yet, 40 miles away, that figure drops by €100,000. However, there are no park and ride facilities in that peripheral range of locations to allow people to use public transport. One of the reasons for that is the cost of acquiring land for that purpose. Would the cross-departmental team consider the advantages of acquiring suitable land by CPOs and allocating appropriate tax schemes for the private sector to provide park and ride facilities? This would be advantageous because people could park their cars and travel into the city centre on public transport and a saving would accrue because cheaper affordable housing would be available further from the city centre. Would the cross-departmental consider this proposal in the context of good planning for the future development of the greater Dublin region?

The Taoiseach: The cross-departmental team is mainly involved in major infrastructural projects and not in the area to which the Deputy refers. I am a strong supporter of park and ride facilities. A few years ago it was suggested that we introduce tax incentives to try to encourage investors. The first year, the view of accountants and tax experts was that we introduced too restrictive a scheme and the second year, the Minister for Finance had to change the measure comprehensively to make it more attractive. The last time I asked about this, just one party in Cork had displayed any interest in the project, which is unfortunate. We should try to encourage people to invest in such projects because people invest their money in other non gilt-edged and high-risk projects. I am not that familiar with the scheme but I know it is straightforward and attractive, yet just one party in the State took an interest. Nevertheless, the Government is supportive of park and ride schemes.

Deputy Kenny is correct in his observation. I was in Tullamore with Deputy Enright recently opening a new science park beside which three bedroom semi-detached houses with a good garden — from a Dublin perspective — were priced at €180,000. In my constituency, the smallest houses are €290,000 and the two are not that far away any more. Unfortunately, there has been no take up from the private sector in regard to park and ride facilities. Perhaps today's debate might stimulate it.

Mr. J. Higgins: That is because the Government has let the speculators run riot for seven years.

Mr. Sargent: The State could intervene in this matter without waiting for investors.

Do the changes in the EUROSTAT rules mean that a decision can be taken to go ahead with the metro without the worries which might have made it more unpalatable and when will that decision be taken?

Has the €8 billion, which was guaranteed to the National Roads Authority over the next five years been taken into account, given the ESRI's concerns about the massive scale of the motorway programme? The ESRI has pointed out that only 30% of what is being spent on roads is being spent on public transport. Will that be re-examined in light of the EUROSTAT ruling so the dominant position of the roads programme will be tilted in favour of public transport?

The Taoiseach: The Deputy has asked a few questions. On the question of sorting out the park and ride facilities, the State has provided the incentive but it will not run car parks. I hope that is not what the Deputy is suggesting. On the metro, the Minister for Transport is engaged with the RPA in examining the various plans. There have been a number of changes and reappraisals based on the Madrid model and that examination is under way.

Mr. Sargent: When?

The Taoiseach: The Deputy should put down a question to the Minister for Transport. Discussions are ongoing. It is an enormous project which is being carried out over a number of years.

Mr. Sargent: What about the M50?

An Ceann Comhairle: Sorry, Deputy, this cannot continue.

The Taoiseach: That took a long time also. People were talking about that since I was born. On the NRA, the Minister has made his allocations for this year. It is now built into the multi-annual programme and what will happen over the next five years is being considered.

Mr. Stagg: I raised a matter earlier.

An Ceann Comhairle: That is correct. I said I would call the Deputy after Leaders' Questions.

Mr. Stagg: I want to clarify that there was a fault in my office, not in the Whip's office. There was an electronic fault in the fax machine and the hard copy got lost.

Order Of Business.

The Taoiseach: The Order of Business today shall be No. *a1*, Civil Registration Bill 2003 — Amendments from the Seanad; No. 20, Private Security Services Bill 2001 — Order for Report, Report and Final Stages, to adjourn at 1.30 p.m.

if not previously concluded; and No. 3, Social Welfare (Miscellaneous Provisions) Bill 2004 — Order for Second Stage and Second Stage.

It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 8.30 p.m. tonight and business shall be interrupted not later than 10 p.m. Private Members' Business shall be No. 38, motion re Irish language, resumed, to conclude at 8.30 p.m.

An Ceann Comhairle: Is the proposal for the late sitting agreed? Agreed.

Mr. Kenny: I am pleased the Government Whip has continued the process of not guillotining legislation, for which she is to be commended. On the Government's announcement yesterday to proceed with electronic voting, I ask the Taoiseach about the legislation proposed. Will the Government consider consulting the Leaders of the Opposition parties about appointments to the independent panel, if it is to have any measure of independence and trust? Second, if the panel were to recommend, on the basis of its assessment of the proposal—

An Ceann Comhairle: The Deputy is out of order. He is going well beyond what is appropriate on the Order of Business.

Mr. Kenny: I will finish in 15 seconds.

An Ceann Comhairle: I suggest that the Deputy submit a question on the matter.

Mr. Hogan: The Taoiseach might like to answer the question.

An Ceann Comhairle: We cannot have an Order of Business where people ask questions about everything.

Mr. Kenny: The Taoiseach can make a recommendation, based on his best assessment, that the matter should be deferred. Will the Government accept the recommendations of the panel whatever they may be?

An Ceann Comhairle: That issue may be raised when the Bill comes before the House or it can be raised by way of a question to the Taoiseach. It is not appropriate to the Order of Business which just deals with when legislation comes before the House. I call Deputy Rabbitte.

Mr. Allen: The first question is reasonable.

An Ceann Comhairle: It is a reasonable question, which is why I suggest it should be submitted in a structured way. I call Deputy Rabbitte.

Mr. Kenny: I am asking the Taoiseach—

(Interruptions).

Mr. Durkan: The Taoiseach wants to answer.

An Ceann Comhairle: We cannot have a debate on the matter. Leaders' Questions was introduced in this House to facilitate Members who have questions such as the Deputy's. I call Deputy Rabbitte.

Mr. Kenny: On a point of order, is it in order that the Taoiseach be consulted by Opposition parties?

An Ceann Comhairle: Of course it is in order as long as it is done at the right time and in the right place.

Mr. Kenny: Why am I being ruled out of order then?

(Interruptions).

An Ceann Comhairle: I call Deputy Rabbitte.

Mr. Allen: A Cheann Comhairle, you have not allowed my leader——

An Ceann Comhairle: The Deputy must not interrupt his leader.

Mr. Durkan: The Taoiseach wants to answer.

Mr. Kenny: Why am I being ruled out of order?

An Ceann Comhairle: I am ruling the Deputy out of order because the matter is not appropriate on the Order of Business.

Mr. Kenny: It is.

(Interruptions).

Mr. Allen: On a point of order, legislation is promised regarding electronic voting which will incorporate the appointment of an independent electoral commission.

An Ceann Comhairle: That is not a point of order. I call Deputy Rabbitte.

Mr. Allen: A Cheann Comhairle, you have not heard my point of order.

An Ceann Comhairle: It is not a point of order. A point of order deals with Standing Orders and how they are implemented. I call Deputy Rabbitte.

Mr. Allen: Please listen to my point of order. The Minister for the Environment, Heritage and Local Government will be announcing the appointees to the commission before the legislation is introduced.

An Ceann Comhairle: That is not a point of order, Deputy. I call Deputy Rabbitte.

(Interruptions).

Mr. Durkan: On a point of order——

An Ceann Comhairle: Sorry, Deputy, we cannot go on in this fashion.

Mr. Durkan: I do not intend to go on. I am trying to make a point. The point raised by Deputy Kenny is a valid question pertaining to——

An Ceann Comhairle: The Chair has ruled on the matter. I ask the Deputy to resume his seat.

Mr. Durkan: The Chair may be wrong.

An Ceann Comhairle: The Chair is not wrong in this instance. I ask the Deputy to resume his seat.

Mr. Durkan: The Chair may be wrong when the Taoiseach wants to answer.

An Ceann Comhairle: I ask the Deputy to resume his seat. If there is an orchestrated——

Mr. Durkan: I ask for your assistance, a Cheann Comhairle, to make one last point. If this is how you intend to run the business, you are essentially ruling the Opposition out of order.

An Ceann Comhairle: No, Deputy——

Mr. Durkan: You are impeding us in our job as an Opposition.

An Ceann Comhairle: Sorry, Deputy——

(Interruptions).

An Ceann Comhairle: The Chair is obliged to implement Standing Orders. The Deputy is a party Whip and if he wishes to change the Standing Order, the Chair will be only too delighted to implement the new Standing Order. I call Deputy Rabbitte.

(Interruptions).

Mr. Durkan: The Taoiseach wants to answer the question and you, a Cheann Comhairle, are refusing to allow him to do so.

Mr. Allen: On a point of order——

An Ceann Comhairle: If it is not a point of order, the Chair will have to take action.

Mr. Allen: It is a point of order. How can a commission appointed by the Government be independent?

An Ceann Comhairle: It is not a point of order. The Deputy must resume his seat.

Mr. Allen: How can it be independent?

An Ceann Comhairle: The Deputy must resume his seat or leave the House.

(Interruptions).

An Ceann Comhairle: The Deputy must resume his seat. I call Deputy Rabbitte.

Mr. Rabbitte: Will the Taoiseach say when the Bill to facilitate the implementation of electronic voting will be before the House? If it is the case that the Government is supporting the Labour Party motion introduced last night and endorsed by Fine Gael, I thank the Taoiseach.

An Ceann Comhairle: Sorry, Deputy, that does not arise at this stage.

Mr. Rabbitte: I am trying to establish this because the record is difficult to follow. It shows that the Minister, Deputy Ó Cuív, proposed the Sinn Féin amendment but, unfortunately, it does not record the Minister. I was here and I had great difficulty following him anyway. I am trying to find out whether the Government is supporting the motion to have Irish enshrined as an official language of the European Union? If so, will the Taoiseach say when he intends to initiate that procedure with the Commission?

The Taoiseach: On the first question, the legislation is being given priority. Obviously we want to introduce the Bill as quickly as possible. I do not have the date, but it will be dealt with as quickly as possible. It is a very short Bill, the heads of which are being prepared this week in the Department of the Environment, Heritage and Local Government. I hope it will be with the Attorney General before the end of the week.

On the second question, there is no Government amendment to tonight's motion.

Mr. Rabbitte: Does that mean the Government is supporting the motion endorsed by the three parties? Why is it so coy? We spent all night last night trying to find out from the Minister, Deputy Ó Cuív, where he stood and at the end of 30 minutes we did not know.

An Ceann Comhairle: We cannot have a debate on the issue now. Perhaps on Private Members' Business tonight——

Mr. Rabbitte: The Minister of State, Deputy Tim O'Malley, came in and said that he thought they were voting against the motion.

An Ceann Comhairle: I call Deputy Sargent.

Mr. Rabbitte: We are entitled to know whether there will be a division.

An Ceann Comhairle: That matter would normally come up on Private Members' Business. It is not a matter for the Order of Business.

Mr. Rabbitte: I accept——

An Ceann Comhairle: I allowed the Deputy's question. The Taoiseach answered it and I have now called Deputy Sargent. We cannot have a debate on the issue because time has been allocated for debate later tonight.

Mr. Rabbitte: I do not want a debate. I merely want to ask the Taoiseach if he and his Government is supporting the motion.

An Ceann Comhairle: That question has been asked. I call Deputy Sargent.

(Interruptions).

Mr. Sargent: Tá cuma ar an scéal nach mbeidh vóta ar an gceist anocht. Is cúis áthais í sin agus, le cúnamh Dé, beidh an Rialtas ag gníomhú dá réir. May I ask about promised legislation? During Taoiseach's questions we discussed a number of issues related to the cross-departmental body on infrastructure. I hope the buildings control Bill will ensure that building regulations can become more energy efficient. More than 60,000 units were built last year without the energy efficiency required.

An Ceann Comhairle: We cannot have a statement on that matter now.

Mr. Sargent: I want to highlight the urgency of the Bill and the action needed.

An Ceann Comhairle: The Deputy has made his point.

The Taoiseach: There are 55 heads to the buildings controls Bill and they have been approved. The Bill has been passed for drafting and it is hoped it will be ready in the summer depending on other priorities.

Mr. Gilmore: I heard the Taoiseach say the Minister for the Environment, Heritage and Local Government is giving priority to the promised Bill on electronic voting. Am I to understand from that, that the Minister is giving priority to that Bill over the drafting of Report Stage amendments to the Residential Tenancies Bill to give rights to private sector tenants? The Bill was published last May and it has only now completed Committee Stage, some three years after the Commission on the Private Rented Sector reported. Do I understand the Taoiseach correctly that the Minister's priority currently is to draft legislation on electronic voting rather than address the four year wait for legislation to provide for the rights of tenants?

An Ceann Comhairle: It is not promised legislation.

The Taoiseach: The Residential Tenancies Bill has been ordered for Report Stage. I understand

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the Bill is to be taken in the House some time in March.

Mr. Gilmore: Arising from that, if that Bill is to be taken some time in March, can the Taoiseach indicate if the Bill on electronic voting will be taken before or after that Bill?

The Taoiseach: The Bill is not published yet so I cannot indicate that.

Mr. Gilmore: What is the answer?

An Ceann Comhairle: The Deputy got an answer to his question.

Mr. Durkan: The Ceann Comhairle might be able to help me out on this occasion. I tabled a question to the Minister for the Environment, Heritage and Local Government apropos of electronic voting and other matters asking about contracts or procurements funded by his Department to which I got a reply which states that it would take a disproportionate amount of time to compile this information——

An Ceann Comhairle: Has the Deputy a question appropriate to legislation?

Mr. Durkan: This question is appropriate to legislation.

An Ceann Comhairle: It is not and neither is it appropriate to the Order of Business.

Mr. Durkan: The reply goes on to state that it would necessitate examination of material over a seven year period.

An Ceann Comhairle: That is not appropriate to the Order of Business.

Mr. Durkan: How can I get an answer to that question? The Ceann Comhairle might be able to help me out to stop my blood pressure going up.

An Ceann Comhairle: If the Deputy wishes to contact the office of the Ceann Comhairle, I will be glad to assist him——

Mr. Durkan: Has the Minister taken a vow of silence or is he sulking?

An Ceann Comhairle: ——but as of now I cannot under the provisions of Standing Orders.

Mr. Durkan: Why does the Minister not want to answer the question? Is a simple one.

An Ceann Comhairle: I call Deputy Lynch.

Mr. Durkan: I am sure that with a little encouragement from the Ceann Comhairle, the Minister might be prevailed upon to answer that question.

An Ceann Comhairle: The Chair is obliged to implement Standing Orders.

Ms Lynch: The Minister for Social, Community and Family Affairs announced this morning that she will introduce regulations regarding the accession countries, which mark the latest expansion of the EU. Will she include in those regulations——

An Ceann Comhairle: The content of the regulations are not appropriate to the Order of Business. I suggest the Deputy submits a question directly to the Minister. Are regulations promised?

The Taoiseach: There are amendments to the Bill.

Ms Lynch: If the regulations are to be introduced as an amendment to the Bill, will the Taoiseach encourage the Minister to amend the Bill in regard to rent allowance——

An Ceann Comhairle: That does not arise on the Order of Business and the Deputy knows that. I call Deputy Michael Higgins. If Deputy Lynch does not resume her seat and allow her colleague Deputy Michael Higgins to speak, I will move on to the next business.

Ms Lynch: ——to take the people off the streets whom she has forced on to the streets? Will she ensure that what the Tánaiste wanted will not be part of the legislation——

An Ceann Comhairle: I will have to move on to item 10.

Ms Lynch: ——whereby people who cannot afford private rented accommodation will have to stay at home with their parents?

An Ceann Comhairle: I am moving on to the next business. I call Deputy Michael Higgins.

Mr. M. Higgins: With regard to the amendments to the Social Welfare (Miscellaneous Provisions) Bill, to which the Taoiseach has referred, will a parallel amendment be made to the legislation governing the European Convention on Human Rights, which would appear to be necessary, if what the Minister for Social Welfare announced this morning is to have legal effect?

The Taoiseach: I do not think so, but the amendments will be brought forward in the next few days.

Mr. J. Higgins: On secondary legislation, a major problem has arisen with the rapid growth of new communities around the suburbs of Dublin where thousands of eligible voters who are not on the initial Register of Electors——

An Ceann Comhairle: Has the Deputy a question appropriate to the Order of Business?

Mr. J. Higgins: I have to explain very briefly the issue; it is an important one.

Mr. M. Higgins: It is important.

An Ceann Comhairle: What promised legislation is the secondary legislation?

Mr. J. Higgins: It relates to secondary legislation. To get on the supplemental Register of Electors before the local and European elections, thousands of people would be required to make a pilgrimage to the Garda station to get their applications stamped, which is not a requirement to get on the first phase of the register. That requirement is a major barrier to thousands of people registering on the electoral register.

An Ceann Comhairle: I am moving on. I call Deputy Costello.

Mr. J. Higgins: I am asking a perfectly valid question.

An Ceann Comhairle: About what promised secondary legislation is the Deputy asking?

Mr. J. Higgins: I am asking the Taoiseach if he will examine the secondary legislation to change that requirement.

An Ceann Comhairle: That is not appropriate to the Order of Business; only promised secondary legislation is appropriate. I call Deputy Costello.

Mr. J. Higgins: In view of the Taoiseach's programme for Government, an objective of which is to increase electoral participation, will he look into this and bring forward legislation?

An Ceann Comhairle: I suggest the Deputy submits a question to the appropriate Minister.

Mr. J. Higgins: The Taoiseach is responsible for the overall——

An Ceann Comhairle: If the Deputy wishes to submit a question it will be directed to the appropriate Minister. I call Deputy Costello.

Mr. J. Higgins: Will the Ceann Comhairle allow the Taoiseach to make a brief response?

An Ceann Comhairle: No, because if I do, I will have to allow every Deputy in the House to ask about any matter that is not promised legislation.

Mr. J. Higgins: Is legislation promised in that regard?

An Ceann Comhairle: Is legislation promised?

The Taoiseach: Legislation is not promised.

An Ceann Comhairle: Legislation is not promised. I call Deputy Costello.

Mr. Costello: I refer to the proposed programme of Bills that will be published this session. I note the Minister for Justice, Equality and Law Reform has five new Bills to be published — that is in addition to his 30 plus Bills listed on the paper.

Mr. McDowell: We are not debating them now.

An Ceann Comhairle: I ask the Minister to allow Deputy Costello to make his point.

Mr. Costello: We will shortly discuss Report Stage of a 2001 Bill from the Minister for Justice, Equality and Law Reform, which is two and a half years old.

An Ceann Comhairle: Has the Deputy a question appropriate to the Order of Business?

Mr. Costello: Can the Taoiseach indicate when the corpus of justice legislation will be addressed?

The Taoiseach: There are always a number of the justice Bills before the House. I agree with my constituency colleague that if we spent more time here discussing legislation, we would not have all these outstanding Bills.

Mr. Rabbitte: The Minister and his colleagues appear to have forgotten completely what they were like when they were on this side of the House.

An Ceann Comhairle: I ask the Deputy to allow his colleague, Deputy Seán Ryan to ask a question appropriate to the Order of Business.

Mr. Gilmore: They will return to this side of House very soon.

An Ceann Comhairle: Deputy Seán Ryan should not be deflected by the interruptions.

(Interruptions).

Mr. S. Ryan: I wish to ask the Taoiseach two pertinent questions. I am speaking on behalf of blind people and those who are visually impaired.

Mr. Costello: The Deputy is talking to the right people.

Mr. S. Ryan: In the context of electronic voting and the preparation of——

An Ceann Comhairle: If the Deputy's question is on electronic voting——

Mr. S. Ryan: It is in regard to the proposed legislation on electronic voting.

An Ceann Comhairle: We cannot discuss the content of that legislation.

Mr. S. Ryan: I am well aware of that. In the preparation of the heads of that Bill, will the Taoiseach arrange for a speech package to be provided to incorporate the needs of people with disabilities?

An Ceann Comhairle: That will arise when we deal with the legislation. Has the Deputy a second question?

(Interruptions).

Mr. Rabbitte: We will see. I support the PDs. We will see.

An Ceann Comhairle: Deputy Rabbitte should not interrupt his colleague, Deputy Seán Ryan.

Mr. Rabbitte: The little man from Waterford will back off yet.

Mr. S. Ryan: Has the Taoiseach any plans in the context of new health and safety legislation—

Mr. Calley: Are you going to make an application?

Mr. S. Ryan: If Deputy Calley was more interested in the needs of the elderly, he would not be laughing at this question.

Mr. Calley: It has been a long haul. The Deputy is making a good job of it.

Mr. S. Ryan: In the context of the new health and safety—

An Ceann Comhairle: I ask the Minister of State, Deputy Calley to allow Deputy Seán Ryan to continue without interruption.

Mr. S. Ryan: This is the longest question I have ever posed on the Order of Business.

Mr. M. Smith: We are becoming elderly listening to the Deputy.

Mr. S. Ryan: Under the new health and safety legislation, are there any proposals to introduce legislation for corporate manslaughter?

Mr. M. Smith: Who did the Deputy have in mind?

The Taoiseach: A health and safety Bill is to be published this session.

An Ceann Comhairle: I call Deputy McManus.

Mr. S. Ryan: I was wondering why the Minister was making a joke of this. This is an important issue.

Mr. M. Smith: I was not the only one laughing at the Deputy.

An Ceann Comhairle: Deputy Seán Ryan should resume his seat. The Minister should allow Deputy Ryan to resume his seat.

Ms McManus: The Government intends to get rid of democratic accountability in our health boards by way of legislation.

An Ceann Comhairle: Has the Deputy a question on legislation?

Ms McManus: I have. I have two questions.

An Ceann Comhairle: The Deputy is not allowed preface a question.

Ms McManus: I am.

An Ceann Comhairle: She is not allowed to preface it with what she might say in a Second Stage speech or leading up to that Stage.

Mr. Stagg: The Ceann Comhairle should not interrupt the question. This is an inappropriate interruption from the Chair.

An Ceann Comhairle: The Chair never interrupts. The Chair intervenes, when necessary.

Ms McManus: There is much time-wasting, but it is not coming from me.

Mr. Stagg: It is coming from the Chair.

An Ceann Comhairle: It is coming from the Deputy's party.

Ms McManus: When will legislation, entitled the health (amendment) Bill, to abolish democratic accountability in our health boards come before the House? When I table a parliamentary question seeking to know the impact on my local hospital, which is a health board hospital, of the Hanly report changes and I receive a rubbish reply which has nothing to do with the question, what can the Ceann Comhairle do, as the guardian of my rights and those of other Members of this House, to protect my right to the information I am entitled to have on behalf of my constituents?

An Ceann Comhairle: The Chair, since the establishment of the State, has no control over the reply to questions.

The Taoiseach: The heads of the health (amendment) Bill were approved prior to Christmas and the Bill will be published and taken in the House during the current session.

Fur Farming (Prohibition) Bill 2004: First Stage.

Mr. Boyle: I move:

That leave be granted to introduce a Bill entitled an Act to prohibit the keeping of animals solely or primarily for slaughter for the value of their fur.

An Ceann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Ms Hanafin): No.

Question put and agreed to.

An Ceann Comhairle: Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

Mr. Boyle: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Civil Registration Bill 2003: From the Seanad.

The Dáil went into Committee to consider amendments from the Seanad.

An Ceann Comhairle: I draw the attention of Members to an error in the amendment list. The heading above amendment No. 3 should read "Section 62" and not "Section 63". I call the Minister for Defence on amendment No. 1.

Mr. Durkan: On a point of order, it is normally good practice in the House to inform the Opposition when the relevant Minister is not present. All of us who have had experience on the other side of the House are familiar with that practice and, out of courtesy to the House, it would be no harm to indicate when a Minister is standing in.

An Ceann Comhairle: The Deputy has made his point.

Minister for Defence (Mr. M. Smith): I did not indicate that because I expect the Minister for Social and Family Affairs, Deputy Coughlan, to be here at any moment.

Mr. Allen: It might be as well to adjourn for five minutes.

An Ceann Comhairle: We have already commenced discussion on the amendment.

Mr. Durkan: It is not good practice. It is not good for the Minister who is of military bearing.

Mr. M. Smith: I am happy to agree with whatever the House requires. I will now hand over to the Minister for Social and Family

Affairs, Deputy Coughlan. Some filibustering has been going on among the Opposition.

An Ceann Comhairle: I understand that the amendments were circulated to the Deputies yesterday evening and that they were in their pigeonholes.

Mr. Durkan: No. There may be a court martial yet.

Minister for Social and Family Affairs (Mary Coughlan): I apologise. We were at the launch of a thematic report on family affairs and I am not as fit as I should be.

Mr. Penrose: We could not get to the meeting.

Mary Coughlan: I am sorry the Deputy could not be there, but I am sure that, as Chairman, he will examine the report in due course.

Mr. Boyle: On a point of order, the amendments we received are the Seanad Report Stage amendments from the Senators. They are not the amendments the Minister is now tabling. We have not received those amendments yet.

Mary Coughlan: They are arriving now.

Mr. Durkan: More than a little confusion has reigned.

Mary Coughlan: There are four amendments.

An Ceann Comhairle: Are they all Seanad amendments?

Mary Coughlan: Yes. We will have some more copies made.

An Ceann Comhairle: There are four amendments from the Seanad before the House.

Mary Coughlan: Yes. They are not from the Dáil.

Mr. Boyle: We have just received them now. They were not in the first document we were given this morning. There are no Government amendments among these.

Mary Coughlan: These are amendments to which I agreed in the Seanad.

Seanad amendment No. 1:

Section 51: In page 43, between lines 36 and 37, the following subsection inserted:

"(9) A declaration specified in *paragraph (a) of subsection (4)* may be made at any time before the declaration under *paragraph (b)* of that subsection is made, not being a time earlier than 2 days before the day on which the latter declaration is made."

Mary Coughlan: The purpose of this amendment is to allow a couple to make a declaration of no impediment before the witnesses to the marriage prior to the day of the marriage ceremony. This will accommodate the liturgies of different religious bodies while ensuring that the substantive requirements for marriages are met. I am satisfied this amendment addresses the concerns raised in the Seanad on this matter. It relates to the issues raised by the Church of Ireland, in particular.

Mr. Neville: We are happy to accommodate this amendment. We understand difficulties arose in regard to the ceremonies of the Church of Ireland. This amendment ensures the objectives of the Bill are achieved without impacting on the religious ceremonies of the Church of Ireland and we are pleased to support it.

Mr. Penrose: We gave careful consideration to this and to a significant number of matters. This matter arose in the Seanad. It is a lacuna and the Minister has brought forward an amendment to deal with it and to accommodate the concerns of the Church of Ireland in regard to its liturgies.

I mention a matter brought to my attention recently. There was a provision in the draft Civil Registration Bill to allow people from a voluntary body with an ethical basis, such as Humanists, and people from minor religions to preside over marriages. This provision appears to have been excised from the Bill and the Humanists were not aware of the change. Perhaps the Minister might give an explanation because we tried to ensure the Bill was as broad as possible. I thought that was the thrust of the Minister's contribution on Second Stage and on Committee Stage when she tried to accommodate a number of eloquent presentations from the spokespersons.

This matter is a little outside the context of this amendment and I appreciate the latitude allowed by the Ceann Comhairle. Perhaps the Minister will explain the removal of this provision, but we support the Seanad amendment.

Mr. Boyle: I support the amendment. The Bill obviously had a more tortuous path in the Seanad than was anticipated. Maybe that is slightly to the detriment of this House because its Report Stage was truncated and there were sections on which we wanted to talk. I remind the Minister about a commitment she made on Committee Stage on which I have yet to receive any further information. It related to adoption certificates and the short birth certificate for adopted people. There was a commitment that a Government representative would come forward with future Government plans in this area.

Mr. Crowe: We have no objection to the amendments which we see as merely tidying up the Bill. It is a positive step by the Government. If people are cynical about politics, today's debate highlights the fact that the pairing system

seems to have broken down in the other House and the Opposition, which is supposed to oppose a Bill, agrees to pairings with a Government party. It is clear the pairing system broke down and we have had to have this half hour debate added. I do not see any problem with these amendments. We have outlined our difficulties with the Bill already.

Mary Coughlan: This debate has nothing to do with what happened in the Seanad. This amendment arose following discussions and consultation. A number of members of the Church of Ireland contacted myself and Members of this and the Upper House indicating their concerns. On the basis of those contacts, we worked closely together to ensure we addressed those concerns in line with the ethos of the legislation.

We had a great deal of discussion with all the groups, including the Humanists. They were not covered by the initial draft but we spoke to them and indicated that because of their methodologies, they were not able to reflect the legislation. I regret very much that we could not come to an agreement. They accepted that they were not in a position to facilitate us. We have addressed many of the concerns of the groups with which we discussed the issues. We have had a tremendous discussion on and evaluation of this legislation. We had an extensive Committee Stage during which we had protracted and line by line discussions on the Bill. The same was the case in the Upper House.

On the issue raised by Deputy Boyle, I spoke and wrote formally to the Minister of State, Deputy Brian Lenihan, on this issue. I have also written to the Minister for Justice, Equality and Law Reform on the issue of guardianship. As soon as I get a response, I will forward it to the Deputy.

Seanad amendment agreed to.

Seanad amendment No. 2:

Section 56: In page 46, subsection (1)(b), line 17, "cancellation" deleted and "refusal" substituted.

Mary Coughlan: The purpose of this amendment is to correct a drafting error in the subsection to allow for persons or bodies to appeal against the refusal of An tArd-Chláraitheoir to register a person nominated by a body in the register of solemnisers.

Mr. Neville: It is a technical amendment we are happy to accept.

Mr. Penrose: We also accept the amendment. It is a technical drafting amendment which allows for further avenues of appeals. I held up Committee Stage for a considerable period on the right of appeal. I am not somebody who wants to

engage in the promulgation of litigation but there should be a right of appeal to the High Court other than on a point of law — in other words, relating to facts — where the tArd-Chláraitheoir might make a finding of fact that a person did not fall within what is defined as a “solemniser”. I thought we accommodated that right and that it would not be precluded. I did not think it could be too handily within the constitutional context, but I will say no more at this stage.

Mr. Boyle: The Green Party is not opposed this amendment. The word “refusal” is much softer than the word “cancellation”. If it adds to the Bill, so much the better. We might need to revisit the word “solemniser” which could be subject to spoonerisms. In future legislation, we might look at a more suitable title.

Mary Coughlan: Section 60 will deal with the issues Deputy Penrose raised. I thank Members for their support for the amendment.

Seanad amendment agreed to.

Seanad amendment No. 3:

Section 62: In page 52, line 40, before “the applicant”, “if” inserted.

Mary Coughlan: The purpose of this amendment is to provide clarity in understanding the provisions of the section.

Mr. Neville: We have no problem with this amendment.

Seanad amendment agreed to.

Seanad amendment No. 4:

FIRST SCHEDULE: In page 66, Part 5, between lines 4 and 5, the following inserted:

“Forename(s) and birth surname of father of deceased.

Forename(s) and birth surname of mother of deceased.”.

Mary Coughlan: The purpose of this amendment is to include the forenames and birth surnames of the father and mother of the deceased in the register of deaths. It recognises the importance of information in the register to genealogists and to family researchers both at home and abroad. I am also conscious that the State should not place any additional burden on the family or next of kin at a time of bereavement and this information will only be collected where available.

Mr. Neville: We looked at this on Committee and Report Stages. The Irish Genealogical

Research Society was anxious that this information should be available to future generations of researchers, including those looking for their roots, as they say in the United States of America. This will be important information for future root digging. We sought this provision and we support it.

Mr. Penrose: This important amendment facilitates the accumulation and aggregation of information at the earliest point. It also facilitates those involved in the Irish Genealogical Research Society and others. We sought this amendment to permit the insertion of the information to allow such research to continue.

The Minister may also wish to address briefly the register of guardianship issue. Prior to 1987, unmarried fathers could not be appointed as guardians of their children unless they married the child’s mother and adopted the child. Section 12 of the Children Act gave the courts power to appoint unmarried fathers as guardians of their children. The position was further improved in 1997 by section 2 of the Children Act, which provided for an unmarried father to be appointed as guardian of his child or children with the mother’s agreement, if both signed a statutory declaration to that effect in the presence of a commissioner for oaths. That was a welcome improvement which obviated the need for the father and mother to go to court, where both were in agreement.

My point, however, is that these declarations of appointment are not recorded by the registrar general or any other official body. The only record of the appointment is a signed statutory declaration or a court order. The Minister has provided for re-registration whereby a birth originally registered without paternity details is re-registered arising from post-registration events, for example, marriages. Due to the fact that we now register nullities, divorce and all other life events, a guardianship register should be established, particularly regarding joint guardianship by agreement.

The Bill missed an opportunity by not allowing for the establishment of a system for registering joint guardianship agreements, as per SI 5/1998. The Minister has indicated that some work is being undertaken on that matter, particularly by the Department of Justice, Equality and Law Reform.

Mary Coughlan: Yes.

Mr. Penrose: Perhaps the Minister could take this opportunity to update the House concerning any further progress or developments that have taken place in the interim. Members on both sides of the House have made impassioned pleas to the Minister in this regard, which I think have not fallen on deaf ears. We anticipated that she would convey the desire of the House to have such a register put in place, particularly as it relates to an important life event.

[Mr. Penrose.]

It is an important event for unmarried couples to sign a statutory declaration, in the presence of a commissioner for oaths, agreeing to joint guardianship of their child, so it would be important to register it. This measure should be progressed with great haste, if possible. I know the Minister, Deputy Coughlan, will have passed on our comments to the Minister for Justice, Equality and Law Reform because she did not feel that this Bill was the appropriate place in which to insert the measure. I read with interest in a weekend newspaper that the proposal was being brought forward, although it was not mentioned that the Opposition had originated and strongly advocated the idea on Second, Committee and Report Stages. Perhaps the Minister can now update the House as to the progress that is being made in this regard.

Mr. Boyle: I share Deputy Penrose's concern that the Minister should take this opportunity, before the Bill passes all Stages, to update the House on the guardianship issue. The final amendment is the most significant of the four, in that it adds to what we have already agreed. I am not sure if we agreed to put the place and date of birth, or if that information is already included.

Mary Coughlan: Yes, we did.

Mr. Boyle: This additional information, including the first names and surnames of the father and mother of the deceased, will help genealogical research by having a source document, without constantly having to make cross-references to other documents. It should be of great assistance, not only to those involved in genealogical research but also to members of the general public wishing to find out more about their own family backgrounds. In that regard, the amendment should have the strongest support of the House.

Mary Coughlan: I thank Members for their support. The discussions we have had in both Houses of the Oireachtas have enabled me to provide the best legislation possible. I gave the House an undertaking with regard to the issue raised by Deputy Penrose, and wrote formally to the Minister for Justice, Equality and Law Reform. I also gave that undertaking in the Upper House. I believe that consideration will be taken of that matter in the family law Bill, which the Minister, Deputy McDowell, is proposing to bring before the House. I will also speak to him personally about the issue on the basis of the concerns that have been raised by all Members who contributed to the debate, including some Government backbenchers.

Seanad amendment agreed to.

Seanad amendments reported.

Private Security Services Bill 2001: Order for Report Stage.

Minister of State at the Department of Justice, Equality and Law Reform (Mr. O'Dea): I move: "That Report Stage be taken now."

Question put and agreed to.

Private Security Services Bill 2001: Report Stage.

Mr. Costello: I move amendment No. 1:

In page 5, between lines 28 and 29, to insert the following:

"(3) Within one month after the passing of this Act, the Minister shall lay before each House of the Oireachtas a statement as to the intended timetable for implementation of the Act by means of orders under subsection (2)."

The amendment seeks that within one month of the passing of this Act — and we have certainly waited long enough for that to happen — the Minister shall lay before each House of the Oireachtas a statement as to the intended timetable for implementation of the Act by means of orders under subsection (2).

The amendment is pertinent, given the length of time it has taken us to get to this stage. There is no excuse for the fact that the Bill has taken so long. I was looking through some of the material we received about it from the Security Federation of Ireland many moons ago, on 5 December 2002. The SFI stated: "The security industry has come a long way since it first made representations to the Department of Justice seeking licensing of the industry in 1974." The security industry sought to have the industry licensed 30 years ago. This legislation has been waiting well over two and a half years to be processed.

In moving this amendment, I wish to ensure that there is no further delay and that we will not be waiting for orders to be implemented by the Minister. We should receive a timetable within one month after the passage of the Act as to when all the orders will be implemented.

Under the Intoxicating Liquor Acts 1997 and 2003 provision was made for an order to introduce labelling of all units of alcohol purchased in off-licences. The order was not executed under the 1997 Act nor has it been executed under the 2003 Act. There is not much sense in making provision for ministerial orders if the Minister will not act on them.

It is appropriate that a provision is included in all legislation to set a time limit within which the Minister would exercise the powers given to him or her by ministerial order. It is high time this legislation was implemented.

Aengus Ó Snodaigh: I support the amendment. It is a pity that, while time and again a raft of technical amendments are tabled by the Minister on Committee and Report Stages, we have a

short time to deal with them. We only have an hour to get to grips with the Minister's proposals. We will not reach more than 20 amendments but 87 have been tabled. That is not a satisfactory way to legislate. The substantial amendments should have been tabled by the Minister well in advance of Report Stage so that we would have the opportunity at least to discuss them and to table amendments to them.

It is reasonable to expect the Minister to lay before the House within a month of the passage of the legislation a timetable for implementation. He could outline a reasonable timetable and could foresee all potential problems. There is an urgent need for the legislation to regulate this significant industry properly. That must be introduced quickly and we should not have to wait for its implementation for four or five years, or even longer, which is the case with other legislation.

Minister of State at the Department of Justice, Equality and Law Reform (Mr. O'Dea): Deputy Costello mentioned a recommendation made in 1974. The Labour Party was in office that year and remained in office for a further three years. The party also spent time in office in the interim.

Mr. Costello: Not as long as Fianna Fáil.

Mr. O'Dea: Given that the party did not see fit to do anything about this issue, we have decided to address it. I share the Deputy's concerns regarding the time it has taken to process this legislation but a brief perusal of the Committee Stage debate indicates the extent to which it was dragged out, although not by the Deputy and his party. Members repeated points that had been made *ad nauseam*—

Mr. Deasy: Why does the Minister of State not get on with it?

Mr. O'Dea: —and, in some cases, contributed just for the sake of it.

Mr. Deasy: We only have an hour.

Mr. O'Dea: The Deputy is incorrect, as usual. I refer to the so-called second party in the State, which deliberately dragged the debate out, not Deputy Ó Snodaigh's party, Deputy Costello's party or the Green Party.

Mr. Deasy: Get on with it.

Mr. O'Dea: It is enough for the Deputy to act the idiot outside the House rather than acting it inside as well. He is known as such.

Mr. Deasy: The Minister of State will never become a Minister if he continues to act like this.

Mr. O'Dea: John Wayne should keep quiet.

Mr. Deasy: Where is the real Minister?

Mr. O'Dea: Perhaps he will get his girlfriend to interview him again on RTE3.

Acting Chairman (Dr. Cowley): Please allow the Minister of State to continue without interruption.

Mr. O'Dea: In response to Deputy Ó Snodaigh, the debate will adjourn at 1.30 p.m. but it is not due to conclude then. The vast majority of the Minister's amendments are technical, drafting amendments and most of the other amendments have been tabled in response to legitimate points raised on Committee Stage, mainly by non-Fine Gael representatives.

Deputy Costello's amendment is concerned with the establishment of the private security authority and the implementation of the other provisions in the legislation. I share his concern but inserting a provision similar to that proposed by the Deputy would not be useful or helpful. Regarding the establishment of the authority, the Minister indicated his intention to appoint a shadow board in advance of the enactment of the legislation. He will do so at an appropriate time. However, I do not wish to take the Seanad for granted and I will await the outcome of the Second Stage debate in that House before proceeding so that it can be indicated when the legislation will finally be enacted.

It will be necessary to introduce the licensing system on a phased basis. I envisage, for example, that the licensing requirement would apply initially to security guards and door supervisors before being rolled out to other categories. This would also help to ensure a balanced work programme for the new authority. I do not, however, wish to pre-empt the deliberations of the chairman and members of the new authority. The Bill provides for the establishment of an authority that will be representative of various interests and it will also have a view on how best to proceed. I will take due account of these views when drawing up the commencement orders referred to in the amendment.

The licensing of those employed in the industry will also present a challenge. It will require good planning and flexibility on the part of the authority. Sufficient time will have to be allowed to enable individuals and companies to meet training and other standards set by the authority. I am confident, as is the Government, that the new authority will have the necessary expertise and knowledge and the goodwill of the entire private security industry to manage the transitional process and to operate a licensing system based on high standards and quality service.

Licensing will have to be introduced on a phased basis. I do not wish to pre-empt the authority's views, as it must implement the system on a phased basis. Certain categories of workers will be high on the priority list while other categories will be further down the list. For example, the standards that will be expected of

[Mr. O'Dea.]

installers of security equipment must be worked out so that they can obtain licences.

However, I share the concerns that have been expressed about the time it has taken to bring the legislation to this Stage, given the context in which it has been introduced. We are determined to ensure it will be implemented as quickly as possible.

Mr. Costello: The Minister of State has not allayed our fears. I agree with him regarding the establishment of a shadow board on a phased basis and the examination of the licensing process by the authority, as different sectors will require different standards and criteria. I have no problem with that at all. However, my amendment provides that within one month the Minister "shall lay before the Houses of the Oireachtas a statement as to the intended timetable for implementation." The Bill was published in January 2001, almost three years and one month ago, which must be a record. There was plenty of time to examine the establishment of a framework.

Mr. Deasy: It is all Fine Gael's fault.

Mr. Costello: A Fine Gael Member introduced a Private Members' Bill, as a result of which the Minister decided to introduce this legislation. The private security industry has been seeking such legislation for 30 years. It is the fault of successive Governments that this has taken so long.

As Deputy Ó Snodaigh indicated, the Minister has introduced a raft of amendments, many of which are substantial. Last September, when we debated this Bill on Committee Stage, the Minister virtually introduced a new Bill. This is the third new version of this Bill and the Minister has made similar changes to every Bill he has introduced to the Oireachtas. This is not the way to create legislation. The Minister does not think out legislation in advance and the legislation which was drafted by his predecessor is now so out of date that it needs substantial changes. The whole thing is a mess.

Since Committee Stage of this Bill was completed six months ago there has been ample time to tell the industry that a commencement process would take place, that training and education criteria would be established, that the authority would be set up and would deal with the different sectors in a different fashion and that there would be phased implementation of the licensing process. Given that this has not been done I am worried that it may be left on the long finger, even when the legislation has been enacted.

This is not a technical amendment. It deals with a substantive issue. We must have some indication of when the legislation will be implemented. The Minister's track record is not satisfactory in this respect.

Although the Minister of State may not accept the wording of this amendment, he has hinted that he may take a fresh look at the Bill before it goes to the Seanad. There must be a statement of intent regarding the implementation of this legislation. The private security industry employs more than the Garda and the Army combined. Ireland is the only country in the European Union and the OECD which does not have legislation regulating its private security services. Legislation is being discussed which will establish an inspectorate to regulate the behaviour of gardai. Meanwhile the private security industry, which daily faces the public in sensitive situations, is not regulated, has no determined standards and it is left up to the industry to regulate itself, in so far as it does so. The industry is wide open to rogue activity and we show no sense of urgency in regulating it.

That is the purpose of this amendment. If the Minister of State does not accept the wording of my amendment he should draft an amendment which will set parameters for the implementation of the legislation.

Mr. O'Dea: I do not believe this Bill sets a record. I recall a companies (amendment) Bill which took approximately five years to be enacted. The Bill to amalgamate Foynes and Limerick harbours also took a long time.

I take Deputy Costello's point. In the interim period since Second Stage was debated, we have had time for discussions with the private security industry. However, it is the authority which will be responsible for the implementation of the legislation. I am conscious of the time the Bill is taking but I do not think including a provision such as Deputy Costello proposes in primary legislation is an appropriate response. Nevertheless, before the Bill comes to the Seanad I will discuss the idea of a statement of intent with the Minister for Justice, Equality and Law Reform. The legislation is immediately necessary.

Mr. Costello: I must be satisfied with some crumbs from the Minister of State. I will withdraw the amendment if he is undertaking that an outline of the Minister's intent to implement the legislation within a specified period of time will be put in writing, even if it is not included in the legislation.

Mr. O'Dea: I will talk to the Minister about that to see if we can give a broad indication of when the various parts of the legislation will be implemented.

Amendment, by leave, withdrawn.

Mr. O'Dea: I move amendment No. 2:

In page 6, between lines 4 and 5, to insert the following:

"‘corresponding authority’ has the meaning given to it by *section 41*;"

This is a drafting amendment which inserts a reference to the term “corresponding authority” into section 2.

Mr. Costello: This amendment refers to section 41, which states that a corresponding authority means an authority in a member state of the European Communities which has functions that substantially correspond to those of the Private Security Authority and is designated by the Private Security Authority as such an authority.

Is there a European Union governing body for the private security industry? In discussions with representatives of the industry, reference was made by some security firms to a body which oversees standards. How does one determine what a corresponding body is in one of the new member states, for example? There is the Confederation of European Security Services, to which the Irish representative body, the Security Federation of Ireland, is affiliated. By what criteria will it be determined that a corresponding authority substantially corresponds to the Private Security Authority? We can hardly send members of the authority around Europe to check what bodies operate in other countries. There must be a centralised structure to determine whether or not a particular body is a corresponding authority.

We do not know to what extent the new member states regulate their industries in the way we are attempting to regulate. I do not think a check has been done on that. It would be interesting to know if these states have regulatory legislation for their private security services and the nature of that regulation. The private security industry already employs a large number of non-nationals, who seem to have a proclivity for the industry. I would like to hear the Minister of State's comments on my remarks before we accept his amendment.

Mr. O'Dea: It is my understanding that there is some co-operation across the European Union at industry level. There is, so far, no co-operation at authority level. There have been moves by the Commission to promote co-operation at authority level. This will make much clearer what does or does not constitute a corresponding authority in another country. I am informed that there will be a meeting to progress that issue later this year.

While I accept Deputy Costello's point, I am confident that the Irish authority will not designate an authority in another country as a corresponding authority unless it is satisfied about the standards it expects and the way it operates.

Amendment agreed to.

Acting Chairman: Amendment No. 3 in the name of Deputy Costello arises out of Committee Stage proceedings. Amendments Nos. 4, 5 and 6 are related. It is proposed to take amendments Nos. 3 to 6, inclusive, together.

Mr. Costello: I move amendment No. 3:

In page 6, line 5, after “corporate” to insert “or unincorporated body”.

I tabled this amendment on Committee Stage. The purpose of the amendment is to clarify the matter of what might be termed an “unincorporated” entity, for example a husband and wife may own a company that is not incorporated in any legal form. I presume an incorporated body refers to a company that has been through the legal process of incorporation for the purposes of trading. The Bill refers to a body corporate, but many of those trading have not become incorporated, sole traders, individuals trading who may not fall into the strict legal category of a body corporate. I would like to have clarified that somebody operating as sole traders would be referred to in the same fashion as those who are legally incorporated. I did not get much satisfaction when I raised this on Committee Stage so I tabled it again.

Mr. O'Dea: Deputy Costello seeks to insert a reference to an “unincorporated body” in the section dealing with the definition of “director”. The definition has been included here because of the references in sections 21 and 22 to applications for licences by companies. If a company is applying for a licence, the authority will have to be satisfied about certain matters pertaining to the directors of those companies. Where the applicant is a body corporate, the character and competence of the directors is a relevant factor to be taken into account by the authority when deciding whether to grant a licence or a renewal. The definition is intended to assist the authority in processing applications from corporate bodies. There are three types of applicants envisaged, an individual, a partnership or a corporate body as defined under company legislation. If the applicant is a corporate body, the authority must be satisfied regarding certain matters about the directors. This seeks to define director of a corporate body for the purposes of that provision. I cannot envisage a situation where there are directors of an unincorporated body. It is either an individual, a partnership or a corporate entity.

Mr. Costello: In the interpretation section, I draw the Minister's attention to paragraph (b) which refers to any person who effectively directs or has a material influence over the business of the body corporate.

Mr. O'Dea: That includes shadow directors.

Mr. Costello: That would apply to a director of a body that was not incorporated, the people who would run the business. Whether the business entity is incorporated in law, it would still have a director, who “effectively directs or has a material influence over the business”. It was the absence

[Mr. Costello.]
of a reference to an unincorporated body in the interpretation section that I sought to correct.

Mr. O'Dea: In company law, a director may include a person who is not on the register as a director of a company, somebody who influences the running of a company's business, known as a shadow director. The definition is broad enough to incorporate those individuals. However, I cannot envisage a situation where somebody could be described, for the purposes of this legislation, as a "director" of an unincorporated body. It is either a company, a partnership or an individual — I draw Deputy Costello's attention to amendment No. 40 in the name of the Minister, which seeks to insert a new section 25 to tighten up the situation, in case there is room for doubt. We will discuss this amendment when we come to it, but in passing it states that if an application is made by a person carrying on business under a name that is not that of the beneficial owner of the business, that application will be refused unless a copy of a certification of registration is produced under the Registration of Business Names Act 1963. The name of the business corresponds with the person who is applying for the licence. Unless there is some specific example that Deputy Costello has in mind, I do not think there is a need for it.

Mr. Costello: : Amendment No. 40 refers only to incorporated companies which need certain documents when seeking a licence. It states that the Authority shall refuse to grant an application for a licence or for renewal of a licence "unless the application is accompanied by a certificate of the incorporation of the company.." However, if the company is unincorporated and has no company status in that sense, and one is a director of that company, is the Minister stating that paragraph (b) of amendment No. 40 covers it? That paragraph states: "by or on behalf of a person carrying on business under a name that is not that of the beneficial owner of the business". The person is the beneficial owner of the business. For example, where a husband and wife set up a security company they do not incorporate it as they do not have to do so as sole traders. My question is where in the Bill is the unincorporated company referred to? Is the Minister satisfied it is covered? This amendment refers to a person carrying on a business under a name that is not that of the beneficial owner, but that is not what I am referring to.

Mr. O'Dea: A husband and wife would be two individuals and they would be individual applicants. If a husband and wife——

Mr. Costello: Not necessarily a husband and wife, even a single person could be a sole trader.

Mr. O'Dea: A single person would be an individual and there are provisions in the Bill for applications for licences by individuals.

Mr. Costello: I have not seen what provisions cover it.

Mr. O'Dea: Sections 21 and 22.

Mr. Costello: The reference to the director is only to one of a body corporate. What about the director of a body which is not a body corporate but who carries out the same functions? A director is any person who directs or has a material influence over the business. Why is that provision not extended to include unincorporated bodies as well as bodies corporate? In terms of taking action against offenders, unincorporated bodies will give rise to most trouble with people operating without a trading company in being. To take action for breach of licence or standards where there is no reference to the director of such a body will be much more difficult in law. I imagine that, if any rogue company is found to be in existence after the passing of this law, it will have that type of structure. If a person has gone to the trouble of registering a company, he or she will be easily accessible. The authority would have much greater powers to investigate any person who would be out of line if the provision were made.

Mr. O'Dea: There is no such thing in law as the director of an unincorporated body. The body is either incorporated or it is not. The alternative is to create a partnership. The legislation envisages three categories of applicant which are an individual, a partnership or a company. Perhaps Deputy Costello is worried about circumstances in which an applicant for a security licence is not the person who is really in charge and there is a shadowy figure in the background directing the operation. Is the Deputy concerned that such a person should be made amenable?

Mr. Costello: That is one possibility. The structure and penalties must apply whether a unit is incorporated or unincorporated. Whichever entity is trading must be fully subject to any penalties or requirements of the legislation. It appears the definition of "director" ties the legislation down as it refers only to the specific trading structure of a body corporate. We are talking about the interpretation. There are other trading structures to which I refer the Minister of State to encourage him to broaden the net. If problems arise, all trading structures should fall within the remit of the legislation to allow the authority to take action.

Mr. O'Dea: I am satisfied that they do. There is no such thing as the director of a sole tradership.

Mr. Costello: Why not?

Mr. O'Dea: A sole trader applies for a licence.

Mr. Costello: I am referring to "director" in the context of the legislation. The Minister of State has given a specific meaning to "director" which is not a legal meaning in terms of trading. I can read the definition to the House.

Acting Chairman: I remind the Deputy of the rules of the House. We are on Report Stage, not Committee Stage.

Mr. Costello: I will finish on this point. The Minister of State's definition of "director" is any person occupying the position of director by whatever name called. It is any person who directs or has a material influence over the business of the body. That definition should be broadened to include unincorporated bodies to cover the gamut of structures which will be put in place.

Mr. O'Dea: The definition comes from company law. There can only be a director of a company. To my knowledge, there is no such thing as a director of a sole tradership or any non-corporate body. If one takes the position that someone might apply for a licence where the controlling person is somebody else operating in the background, the possibility is addressed at least partially in amendment No. 40. We will discuss the amendment when we come to it. In attempting to provide for all these possibilities, who should decide that an applicant is not the person who is in charge of a business even though it is being carried on in his or her name? Who can decide whether a person is or is not the controlling mind in an operation?

I am concerned that there should be no lacuna or loophole in the legislation and, to satisfy Deputy Costello, we will discuss the matter with the security industry between Report Stage and the referral of the Bill to the Seanad.

Mr. Costello: I accept that.

Amendment, by leave, withdrawn.

Amendments Nos. 4 to 6, inclusive, not moved.

Acting Chairman: Amendments Nos. 7 and 8 are related and may be discussed together, by agreement.

Mr. Deasy: I move amendment No. 7:

In page 6, line 18, after "remuneration" to insert "or reward".

This matter was raised on Committee Stage and the Minister of State has come some way towards meeting our concerns. Initially, we were concerned that the word "remuneration" was too narrow and we proposed the amendment in the interests of certainty. The literal interpretation of "remuneration" would seem to be limited to a financial payment. We considered it important to

ensure that the definition would encompass persons in receipt of payment in other forms. The provision has been broadened by the inclusion of benefits-in-kind, which is fair enough. Why has the provision not been broadened to include food and refreshment?

Mr. O'Dea: Amendment No. 8 arises from a point made by Deputy Deasy on Committee Stage, the substance of which we have accepted. The definitions of "door supervisor", "security guard", etc. provide that such a person must hold a licence to perform a private security service for remuneration. This reference to "remuneration" was included to exclude from the licensing requirement persons doing voluntary work at local shows or festivals. It was suggested on Committee Stage that using the term "for remuneration" might inadvertently open the way for employers to reward part-time door supervisors through benefits-in-kind such as holiday vouchers, televisions, etc. That was a fair point.

Amendment No. 8 contains a definition of "remuneration" which includes such benefits-in-kind but, as Deputy Deasy says, excludes meals and refreshments which would normally be provided for volunteer workers at local or charitable events or pilgrimages. Apart from that, the substance of Deputy Deasy's point is covered by the amendment.

Mr. Deasy: What the Minister of State says makes sense. The only concern I have is that he is providing a loophole in a broader sense. I agree with everything he says, but the exclusion could apply to persons other than volunteers. Therefore, the Minister of State should re-examine the matter.

Mr. O'Dea: As I said to Deputy Costello earlier, I am anxious that no gaps should remain in the legislation. I will re-examine the provision to discover whether it can be tightened further. I would not like to see any holes being opened.

Amendment, by leave, withdrawn.

Mr. O'Dea: I move amendment No. 8:

In page 7, between lines 20 and 21, to insert the following:

" 'remuneration' includes a benefit in kind but does not include any meal or refreshment provided in connection with the performance of a service;".

Amendment agreed to.

Acting Chairman: Amendments Nos. 9, 10 and 52 are related and may be discussed together by agreement.

Mr. O'Dea: I move amendment No. 9:

[Mr. O'Dea.]

In page 7, line 43, after "provided" to insert "by a private security employer or".

The amendments under discussion are drafting amendments which involve matters brought to our attention on Committee Stage. They are connected with the definition of "security service". The amendment to section 36 is a consequential amendment.

Amendment agreed to.

Mr. O'Dea: I move amendment No. 10:

In page 8, to delete line 6.

Amendment agreed to.

Mr. Deasy: I move amendment No. 11:

In page 8, between lines 11 and 12, to insert the following

"(j) vendor of security equipment or safes."

Given that the word "supplier" is used in the definition, "vendor" should be included for clarification. One could interpret them as two different things.

Mr. O'Dea: I agree with the thinking behind the amendment but the advice I have is that the position at present is that a vendor of security equipment is already covered by the term "supplier or installer" of security equipment, while a vendor of safes is covered by the term "supplier or installer of safes". They are two of the categories in the subsection. The term "vendor" is too narrow because the term "supplier" covers vendors of lease equipment who hire it out for short periods.

Mr. Deasy: I will not labour the point. An installer could be entirely different from vendor. I ask the Minister of State to have another look at it. It should be tighter.

Amendment, by leave, withdrawn.

Mr. Deasy: I move amendment No. 12:

In page 8, line 21, after "sections" to insert "23,".

We are afraid that unwittingly this will apply the Act to the Garda or members of the Defence Force. The only reason for the amendment was to ensure that the Garda and members of the Defence Force could not be included as security staff or personnel.

Mr. O'Dea: While I have a great deal of sympathy for those amendments I am reluctant to accept them at this point. The position regarding the involvement of members of the Garda and the Defence Force in providing security services for off duty is as follows: in

relation to the Garda any such off duty activity is already prohibited. The Garda Síochána discipline regulations define "prohibited spare time activity" as including, *inter alia*, any activity which is prohibited by the Commissioner as inappropriate for members to engage in. Acting as directors or secretaries of security firms or being engaged in any way in security work, as a spare time activity, is so prohibited.

Section 16 of the recently published Garda Síochána Bill makes provision for statutory codes of conduct. On balance, it would be more appropriate to deal with the off duty conduct of the Garda in the context of such codes, rather than in this Bill. As regards the Defence Forces, the position is that the Defence Force regulations provide that involvement in off duty employment may be terminated or limited where such employment is likely to prove detrimental or prejudicial to the best interests of the service.

Mr. Deasy: We felt the matter needed clarification. Those regulations to which the Minister of State has referred have been ignored for years, and he knows it. Therefore, it would not be any harm to clarify that in the legislation.

Mr. Costello: If the Minister of State is saying that the Garda Síochána Bill contains similar requirements in respect of off duty gardaí and that already it is part of the regulations in operation for the Garda Síochána, surely there is no problem in putting it into this Bill so that the private security business will know how it is supposed to operate, rather than looking at other legislation to find out what restrictions there might be on the Garda Síochána. It would seem imminently reasonable that, at least, the Garda Síochána would not be an exempted class as under section 3. I understand the same argument was made in regard to the Defence Forces. If it is clear that off duty activity of this nature is prohibited why not include it in the Bill? Given that the Minister has already said it is prohibited in the new legislation, let us include it in this Bill for the private security industry to see it at first hand.

Mr. O'Dea: Perhaps Deputy Costello misunderstood what I said. I said there is provision in section 16 of the new Garda Síochána Bill for the Minister for Justice, Equality and Law Reform to draw up a new code of conduct for the Garda which will deal with these matters. The reason it is being done that way rather than in primary legislation is that it is considered more appropriate to do it that way. I understand what Deputy Deasy has said, that these regulations are honoured more in the breach than in the observance. That is the reality of which those of us who are familiar with daily life here are only too well aware. Under the new code of conduct which will be drawn up under section 16 of the Garda Síochána Bill, particular attention will be paid to this subject.

Aengus Ó Snodaigh: There is no reference in section 16 of the Garda Síochána Bill to the point made by the Minister of State. It refers to a code of conduct and practice but it does not specifically mention what we are dealing with today. That is the reason it should be included in this Bill. Given that this Bill has taken four years to reach the stage of enactment, the Garda could be involved for four years.

Mr. O'Dea: I can confirm here that the new code of ethics to be drawn up for the Garda will have a specific emphasis on off duty activities. The Deputy is correct in saying it is not specifically mentioned in the section but there will be a specific focus on it.

Mr. Deasy: That is the undertaking the Minister of State is giving.

Mr. O'Dea: Yes.

Mr. Deasy: Can he relate that to the Garda Commissioner as it pertains to this Bill and the new authority.

Mr. O'Dea: Yes.

Mr. Deasy: I thank the Minister of State.

Amendment, by leave, withdrawn.

Mr. O'Dea: I move amendment No. 13:

In page 8, line 25, to delete "police force" and substitute "harbour police".

This is merely a drafting amendment to bring the wording into line with the term used in the Harbours Act 1996.

Mr. Costello: What was the purpose of the exemption in the first place other than in other legislation?

Mr. O'Dea: These officers are already designated under the Harbours Act. Therefore, there is no need to refer to them in this Bill.

Amendment agreed to.

Mr. O'Dea: I move amendment No. 14:

In page 8, line 38, after "all" to insert "of".

This is a minor drafting amendment.

Amendment agreed to.

Mr. O'Dea: I move amendment No. 15:

In page 9, line 3, to delete "thereat" and substitute "there".

This amendment is in response to a point raised by Deputy Paul McGrath on Committee Stage. It is merely a drafting amendment and arises from a suggestion made by Deputy McGrath which we have taken on board.

Mr. Deasy: I thank the Minister. The Minister has changed.

Mr. O'Dea: If the amendments add to the legislation I will accept them.

Amendment agreed to.

Mr. O'Dea: I move amendment No. 16:

In page 9, line 20, to delete "shall stand" and substitute "stands".

Once again, we are indebted to Deputy Paul McGrath for a suggestion made on Committee Stage. The amendment introduces more elegant draftsmanship and I am very grateful to the Deputy. We make this amendment at his suggestion.

Mr. Costello: That is not what the Minister of State said the last time.

Mr. O'Dea: Generosity is my middle name.

Amendment agreed to.

Acting Chairman: Amendments Nos. 18 and 19 are related and amendments Nos. 17 to 19, inclusive. These amendments may be taken together, by agreement. Is that agreed? Agreed.

Aengus Ó Snodaigh: I move amendment No. 17:

In page 10, to delete lines 1 and 2 and substitute the following:

"(a) 2 persons who are practising barristers or practising solicitors, of not less than 5 years' standing, at least one of whom has a specialisation in human rights law,".

The amendments will ensure that the authority the Minister will put in place is reflective and capable of carrying out the work we require, through the inclusion on the authority of certain barristers, employees' representatives recommended by the trade unions and at least one representative of the public through whom the concerns of the community can be expressed.

Considering the security industry as a whole, it is not unreasonable to ensure that such categories of people are included on the board as representative of society. The legislation currently allows for the board to contain two representatives of the security industry, that is, the employers and the Commissioner of the Garda Síochána. By adopting these amendments, we would ensure the authority is representative and able to carry out its duties. We would also ensure that the legislation, which has taken so long to come to fruition, is implemented quickly and fairly so the authority is able to address every problem it comes across. It would not be unreasonable for the Minister of State to accept the amendments.

Mr. Costello: The amendments are valuable and eminently reasonable. We covered some of this ground on Committee Stage. We discussed the fact that there was a general impression that the 11 member authority could be improved upon, and that one of the areas for improvement was that of human rights. We have seen the degree to which activities in regard to the private security industry end up in the courts at present, such as fatalities, serious injuries, assaults, etc. Therefore, it would be appropriate that we would have cognisance of that at an early stage and that the board contained representatives with human rights experience. The inclusion of barristers or solicitors should not be prevented.

The selection of representatives of employees dealt with by the next amendment should be left to the trade unions rather than the Minister. SIPTU representatives indicated to Members that they were working very closely with the main security firms and that a considerable proportion of the industry was being unionised. While I am not sure the Minister of State has figures regarding the current extent of that, once regulations and legislation are in place, the industry will be more open to unionisation.

It would certainly seem appropriate that the trade unions represented in the security industry should have some say in suggesting a selected nominee to the Minister for appointment to the board, and the Minister gave some indication that he would look positively on such a suggestion. It should be written into the legislation and there should not be a fear that the level of unionisation is not high enough to do so.

Amendment No. 19 deals with community interests. Obviously, the security industry operates face-to-face with the community because the services take place, by and large, in a community context. It would certainly be desirable that a person with a community interest be involved with the authority to represent that view. I fully support the amendments and do not see why the Minister of State could not accept them.

Mr. O'Dea: If membership of an authority of this kind is to be finite, there must be a cut-off point at some stage. I am sure that anybody considering this or any other authority set up to regulate any industry, or for any purpose, could make useful suggestions to replace one category of authority member with another, or add categories or otherwise.

Section 7 provides for the establishment of the authority and the more I consider it, the more I am convinced the authority is very broadly based. A balance must be struck between efficiency and representativeness. I have, therefore, tried to accommodate relevant interests without sacrificing effectiveness. Provision has been made in Schedule 1 for the establishment of advisory committees and it may be possible to accommodate certain interests on such committees, depending on the subject matter. I

will, of course, give careful consideration to any proposals from the authority to establish such advisory committees.

I have some sympathy for the point made by Deputies Ó Snodaigh and Costello that two representatives of employees should be nominated by trade unions. In that regard, however, it is important to note that not all the private security industry is unionised as yet and that SIPTU has already put forward a name — my information is that this person will be very favourably considered. My disposition is to leave this as it is. The authority is fairly large and I would not like it to be larger. It is also pretty broadly based. As I said, there will be back-up advisory groups on which interest groups which have not been accommodated on the authority can be accommodated.

Aengus Ó Snodaigh: While the Minister of State says the authority is large, it is one of the smaller bodies, which is to be welcomed. The amendments, if accepted, would only add an extra two people to the other nine on the authority. One would be an additional barrister and one the representative of community interests. The other amendment seeks an alteration so that the trade unions, or a person nominated by them, would represent the views of employees. This would at least give employees influence over their representatives and provide a mechanism through which they could be represented on the board.

Debate adjourned.

Ceisteanna — Questions (resumed).

Priority Questions.

Abbey Theatre.

95. **Mr. Deenihan** asked the Minister for Arts, Sport and Tourism the position regarding the acquisition of additional space to refurbish and extend the Abbey Theatre; and if he will make a statement on the matter. [6171/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): As I informed the Deputy in response to a similar question on 18 December last, the Government, on 29 January 2003, authorised me to invite expressions of interest by way of public invitation from the private sector in participating, on the basis of a PPP, in the capital redevelopment of the Abbey Theatre in and/or around the vicinity of the site of the existing theatre.

My Department, with the Department of Finance and the Office of Public Works, has been working to implement that decision. To be compatible with the functions, profile, and status of a national theatre and to address the acknowledged defects with the existing theatre a

redeveloped premises requires: to be a signature development, representative of a national theatre in the 21st century; to be in an appropriate civic setting and form part of the overall urban regeneration represented by the O'Connell Street integrated area plan and north-east inner city plan; three significant enlarged auditoria — Abbey, Peacock and a third multi-purpose space; a dedicated education and outreach facility; a publicly accessible archive; a restaurant-bar; improved public areas; disabled access for audiences and artists; and best practice theatre production facilities.

For the Abbey and Peacock to function efficiently, effectively and without compromise, their basic functioning must not depend on movement of goods and people by mechanical lift. In essence this means that the stages of both the Abbey and Peacock must be positioned at ground level. In addition, both theatres must have easy access, also at the same level, to the scenery store and the prop store. It is agreed between the management of the Abbey and the OPW that there is a requirement for a ground floor footprint that is considerably larger than now exists. Therefore, for the theatre to stay in its existing location it will be necessary to acquire properties adjacent to the existing premises.

Indications are that such acquisition will prove very costly and problematic in timescale. My Department and the OPW are carefully examining all the issues now arising and I hope to report to Government in the very near future.

Mr. Deenihan: Is the Minister implying that it will be very difficult to stay on the present site if we are to refurbish the existing Abbey Theatre? In a recent interview in *The Irish Times* the Abbey's artistic director expressed similar sentiments, stating that it would take four times the existing footprint to provide a new theatre. In view of the possibility that it may be very difficult to acquire the necessary space on the present site, is the Minister actively looking at other sites in the city? For example, the Carlton cinema has been mentioned and that site would be part of the regeneration of the centre of Dublin. The Custom House is now unoccupied. Could that be considered? Will the Minister go back to the original site at Grand Canal Quay? That was the original choice of the board in 2001 but for political reasons it was thwarted. Are the Minister and his Department looking at additional sites, apart from those already mentioned, to provide a proper theatre for the new millennium? This is the centenary of the Abbey, which is surely the time to go forward with a new, state-of-the-art theatre.

Mr. O'Donoghue: There is no doubt that for many people the Abbey has a cultural and historic resonance which for obvious reasons would not be replicated in another site. We have not yet actively engaged in looking at alternative sites because the OPW is currently looking at the

options for the properties which would be required for a larger footprint at the present location.

I am coming to the conclusion that because of problems of cost and acquisition it may not now be possible for us to proceed with the construction of the new Abbey Theatre at its present location. That has not been ruled out but it is beginning to look more difficult. Obviously once a decision is made on this I will go to the Government for a recommendation. At that point we would look at alternatives.

Mr. Deenihan: I appeal to the Minister to avoid a repetition of the national stadium saga. It was not the Minister's fault that the saga went on for four or five years. However, it is important that there is no recurrence of this procrastination in the case of the Abbey. Does he agree that the Abbey is as much a state of mind and ideas and a geographical footprint? Moving it to another location will not damage the future of theatre in the country. I am not one of those people who are hung up on the present site if it cannot be expanded or if the floor space for a proper theatre cannot be provided. When will the Minister make the decision to move away from the existing proposal? When will he decide to examine other sites?

Mr. O'Donoghue: The ghost of Lady Gregory is not likely to be seen at a new location, if that is what Deputy Deenihan is suggesting, but it is necessary for us to finalise opinions on the existing location and on the possibility of acquiring additional properties there to enlarge the footprint. I do not intend to bring recommendations to the Government until we have come to a decision on that. We should reach a conclusion relatively soon but I remind the Deputy I have been in this position for only 18 months. We have a stadium. The conference centre——

An Leas-Cheann Comhairle: We are moving on.

Mr. O'Donoghue: Now we are getting culture.

Mr. Deenihan: The Minister implied he is going to move. He has more or less announced that today.

Sports Capital Programme.

96. **Mr. Wall** asked the Minister for Arts, Sport and Tourism if, when assessing applications made to the sports capital programme, his attention has been drawn to the need to support, in particular, the disadvantaged areas targeted under the RAPID programme to foster local development; and if he will make a statement on the matter. [6168/04]

Mr. O'Donoghue: The national lottery-funded sports capital programme, which is administered by my Department, is run on an annual basis and

[Mr. O'Donoghue.]

allocates funding towards the provision of sporting and recreational facilities to sporting and voluntary and community organisations at local, regional and national level throughout the country.

Applications received under the programme are evaluated in accordance with detailed criteria which are laid out in the guidelines, terms and conditions of the programme and which, when combined, are designed to meet as far as possible the four main objectives of the programme.

These objectives are as follows: to develop an integrated and planned approach to the development of sport and recreational facilities; to assist voluntary and community organisations with the development of appropriate facilities in appropriate locations that will maximise use in terms of participation in sport and recreation; to encourage the multi-purpose use of facilities at national, regional and community level by clubs, community organisations and national governing bodies of sport; and to prioritise the needs of disadvantaged areas in the provision of facilities.

In the past three years alone, €97 million has been allocated under the sports capital programme to more than 1,000 projects in respect of the provision of facilities in areas categorised as disadvantaged. Nevertheless, my Department continues to evaluate how best to provide for the needs of disadvantaged areas in terms of providing sporting and recreational facilities and increasing participation under the programme.

For the 2003 programme, at the initiative of my Department and in consultation with the Department of Community, Rural and Gaeltacht Affairs and Area Development Management, ADM, which is the agency with responsibility for the administration of RAPID, it was decided that only those areas that have been designated by Government for special support through the schemes administered by Department of Community, Rural and Gaeltacht Affairs, namely, RAPID 1, RAPID 2, local drugs task force areas and CLÁR, should be treated as disadvantaged areas. As part of the designation, it was also agreed to give a higher assessment rating to those projects from RAPID areas that had been endorsed by their local RAPID area implementation team.

Additional information not given on the floor of the House.

This designation of disadvantaged areas has been continued for the 2004 sports capital programme.

The positive approach taken by my Department in supporting applications received from disadvantaged areas has been favourably commented upon by ADM. In addition, ADM organised a special information presentation by my officials for the RAPID area implementation

teams in December last, prior to the application deadline for the 2004 sports capital programme.

On 28 January last, I met my colleague, the Minister for Community Rural and Gaeltacht Affairs, to discuss in detail how our Departments might best work together to continue to identify and prioritise projects from disadvantaged areas. I reassure the Deputy that projects which meet the basic qualifying conditions and which are located in RAPID areas will again be prioritised under this year's programme as they were in 2003.

Mr. Wall: I welcome the Minister's reply. I would be one of the first to state that the sports capital grant system has been of major benefit to sports club across the country. However, because of the shortfall in the RAPID programme, there is a necessity to ensure that, in the next round of grants which comes on stream in the next month or two, RAPID or disadvantaged areas are treated as special cases. In many of these cases the voluntary sector is not in a position to orchestrate applications properly and, in such instances, if it is feasible, the Department should pay special attention to them.

The forthcoming audit of sports facilities, which the Minister has sought, will demonstrate that sporting facilities in many disadvantaged areas are not on a par with those in other towns and villages. The RAPID programme has not been funded to the extent it should. Therefore, it is important that these areas are treated with special attention in the forthcoming round of grants.

Mr. O'Donoghue: I assure the Deputy that the areas concerned will continue to receive close attention from officials in the Department when assessing applications. As the Deputy is aware, the applications are assessed against certain criteria, one of which is the designated status of the area concerned. Any objective observer would agree that the RAPID areas have been treated with a great deal of sympathy over the period of life of the sports capital programme. Furthermore, it is necessary to continue to build such facilities in disadvantaged areas because of the tremendous benefits in terms of social behaviour. In those circumstances, I assure Deputy Wall that RAPID areas will continue to receive the most sympathetic consideration of the Department. In addition, if a place is within one of the areas concerned, the local funding required is reduced from 30% of the total cost to 20%.

Hare Coursing.

97. **Mr. Gregory** asked the Minister for Arts, Sport and Tourism if the Irish Council Against Blood Sports has been in correspondence with his Department regarding its concerns at the ongoing cruelty involved in live hare coursing, including video evidence of the success of drag coursing abroad; if he has fully considered all the issues

raised given his reply to Question No. 246 of 18 February 2004; and if he will make a statement on the need for legislative change. [6210/04]

Mr. O'Donoghue: As I explained in my reply to the earlier parliamentary question referred to by the Deputy, under section 26 of the Greyhound Industry Act 1958, the Irish Coursing Club, ICC, is recognised as the controlling authority for the breeding and coursing of greyhounds, subject to the provisions of the Act, the constitution of the club and the general control and direction of Bord na gCon.

The Irish Council Against Blood Sports has written to my Department about drag coursing and the availability of a video showing drag coursing events abroad. As the Deputy will be aware, the question of introducing drag coursing to Ireland has already been raised with the ICC by the monitoring committee which comprises officials of my Department, the Department of Agriculture and Food, Bord na gCon and the National Parks and Wildlife Service.

The ICC informed the committee that it does not propose to change to drag coursing and that the muzzling of greyhounds and the continued veterinary inspections by both the coursing clubs and the Department of Agriculture and Food have significantly reduced the incidence of injuries to hares. In light of these initiatives, I do not propose to introduce changes in legislation to introduce drag coursing in Ireland.

Mr. Gregory: I am more interested in the Minister's views and his policy on this issue than those of the Irish Coursing Club, about which I am well aware. Does the Minister agree that the introduction, even on a pilot phase, of drag coursing, which uses a lure rather than a live animal, would be a step forward and a more humane alternative to the current practice of traumatising timid wild animals — hares — and subjecting them to the cruel and terrorising practice of greyhounds being set upon them? What is the Minister's view on the introduction of drag coursing and would he see it as a more humane alternative? Does he agree that a tiny minority of die-hard coursing people are resisting change and a more humane practice? As the Minister well knows, these are the same people who resisted the introduction of muzzling, which practice had to be forced on them.

I dislike posing this question under the heading of "sport" because I do not regard the terrorising or infliction of cruelty on animals as sport. Is it not part of our appalling record in animal welfare that we allow the practice of enclosed hare coursing as well as the use of packs of hounds to hunt domesticated tame deer, as practised by the Ward Union Hunt? Moreover, other activities have been exposed recently which would not be tolerated in other EU countries, such as puppy farming and the new development of fur farming in which Arctic foxes are farmed for their fur and subjected to horrific deaths.

Does the Minister agree that, due to the activities of a small minority, we unfortunately have a dismal and appalling record in animal welfare and does he further agree that the continuation of such a medieval, archaic and anachronistic activity as hare coursing is part of that culture of cruelty? What are the Minister's views on these issues because they are important and, if the Government does not deal with them, action will be forced on us by the European Community.

Mr. O'Donoghue: Deputy Gregory should under no illusion about the fact that coursing is a popular sport among a considerable number of people.

Mr. F. McGrath: They are a small minority of the population.

Mr. O'Donoghue: Since the introduction of the muzzling of greyhounds, the incidence of injuries to hares has been greatly reduced and has been accompanied by monitoring and inspections carried out by veterinary officers and wildlife experts. In those circumstances, the Irish Coursing Club's assurances on the high standards enforced at coursing meetings should be accepted. The muzzling of greyhounds was necessary and has dramatically improved the situation and the sport is well-ordered and run.

Mr. Gregory: As the Minister did not answer my first question, I will repeat it. Will the Minister agree that the introduction of drag coursing would be a more humane alternative to the current practice of live hare coursing? Will he agree that hares continue to be injured, killed and brutalised by muzzled greyhounds and traumatised by being taken out of the wild in the first instance? It is a practice which is increasingly unacceptable in the modern world.

Mr. O'Donoghue: I have been informed by the ICC that in its opinion greyhounds would not follow the lure in these circumstances.

Mr. Gregory: Has the Minister an opinion?

Mr. O'Donoghue: That is the view of the coursing club and the people who control the sport, which I must take into account.

Mr. Gregory: It is done in Australia and all over the world.

Ministerial Appointments.

98. **Mr. Deenihan** asked the Minister for Arts, Sport and Tourism the reason the chairman of Bord na gCon has resigned. [6314/04]

Mr. O'Donoghue: The Deputy will be aware that under section 8 of the Greyhound Industry Act, 1958, the chairman of the board may at any time resign his office by letter addressed to the Minister and the resignation shall take effect as

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and from the date of the receipt of the letter by the Minister. A letter of resignation from his position as Chairman of Bord na gCon was received in my Department last Friday, 20 February, from Mr. Taggart. No reasons for his resignation were given in his letter but I understand there had been a somewhat contentious meeting of the board earlier in the week.

At the outset I want to place on record my own and the Government's appreciation of the energy and vision of Mr. Taggart who has always had my full confidence and support. His drive, passion and foresight at the helm of Bord na gCon since his appointment as chairman in 1995 has created a vibrant greyhound industry as evidenced by the year on year increases in attendances and betting and the countrywide network of modern facilities which are attracting growing numbers of people to greyhound meetings throughout the country.

Following subsequent contacts involving representatives of the greyhound industry, Mr. Taggart and myself, Mr. Taggart intimated that his services are again available to work for the further development of the greyhound industry and I welcome this development.

Mr. Deenihan: I welcome the announcement by the Minister that the chairman, Pascal Taggart, has changed his mind. Nevertheless, I would ask him to be more forthcoming as to why he resigned in the first instance. I will add my view, given that the Minister is not prepared to tell the House and the public what happened.

Is the Minister aware that two members appointed by the Government totally frustrated the workings of the board, leading to Mr. Taggart's resignation? One member took the bizarre action of taking a court injunction against his own board and his own directors, which subsequently failed. The other member, in sympathy with him, sought to have his legal costs paid and totally obstructed and frustrated the board meeting last Wednesday, forcing Mr. Taggart and another director to offer their resignations. What action will the Minister take to ensure incidents such as these will not recur? Will he allow these people to remain on the board or will he take some other action?

The Minister has a major gender balance problem on the board. There is just one woman on the board, even though there were three in my time. I have no hesitation saying that I was the person who identified Mr. Taggart as the proper chairman for Bord na nGon because of his genuine interest in racing and his business acumen, and he has proved me right. I am sure everyone will accept that he was an inspired choice at the time. I remind the Minister that his record is demonstrated by figures. Bookmaker betting has increased from €22 million to €91 million, totaliser betting from €6.7 million to €50 million and attendance figures have increased from 580,000 to 1.3 million. The figures speak for

themselves. What will the Minister do to ensure there will not be a recurrence at the next meeting of what happened last Wednesday and what has happened in the case of one director for the past two years?

Mr. O'Donoghue: The Deputy will be aware that it is not the function of the Minister, nor can he give details about what did or did not happen at a board meeting. On learning of Mr. Taggart's resignation, I subsequently made contact with the greyhound industry and I am pleased to say that these consultations resulted in Mr. Taggart accepting the appointment as chairperson of the board. I am well aware of the contribution Mr. Taggart has made to the greyhound industry in Ireland and I am particularly pleased that he has agreed to take up his position.

As Deputy Deenihan knows, I am not in a position legally to remove people from the board that easily. I noted newspaper comments by the Deputy to the effect that he was being hounded out of office. I had no intention of becoming involved in hounding anyone out of office. I want the man to stay where he is as I greatly respect his performance as chairperson of the board.

Mr. Deenihan: The Minister may or may not be aware that Mr. Taggart took no directors fees or travel expenses since being appointed, and he has worked 25 hours a week. Last week a letter was sent to the Minister by the greyhound fraternity, from trainers, owners, bookmakers and other stakeholders, after more than 300 people attended a meeting in Portlaoise. These people are not happy with Mr. Taggart changing his mind and becoming chairman. They want a board to represent their interests. The Minister has a responsibility to ensure that Bord na gCon works effectively and efficiently and that the directors on the board, who are answerable to him, work with the same purpose and for the good of the racing industry. If he cannot give that assurance, he cannot have responsibility for the greyhound industry.

Mr. O'Donoghue: I had consultations with representatives of the industry and there was a frank exchange of views. It will benefit the industry if Mr. Taggart continues as chairperson. I regret that the meeting was so contentious and became so fractious. However, as Deputy Deenihan will be aware, I was neither at the meeting nor did I seek to motivate anyone going to it. My entire interest is, and was long before I went into politics, the good of the industry. I had a very good relationship with Mr. Taggart long before I became Minister with responsibility for the industry. As Deputy Deenihan outlined, he has done a great deal for the industry and I want him to continue to do so. If I had any hand, act or part in what did or did not go on at the meeting, I do not think I would have met people in the industry in regard to its future and the future of Mr. Taggart.

I am pleased he has decided to resume his position as chairperson and I look forward to a far greater degree of constructive debate within the board in the future.

Mr. Deenihan: Will the Minister contact the directors?

Mr. O'Donoghue: I cannot make people say anything. However, I can make known my views, which I have done.

National Stadium.

99. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the reason he recommended Lansdowne Road as the location for the new national stadium as opposed to the site at Abbotstown; and if he will make a statement on the matter. [6169/04]

Mr. O'Donoghue: Proposals for meeting the stadium needs of our rugby and soccer teams have been the subject of discussion in the House over a long period. I indicated that it was my intention to bring proposals to Government to deal with the matter. Accordingly, last month I brought two options to Government to deal with the current deficit in modern stadium facilities in Dublin. These were the development of a stadium at Abbotstown or the redevelopment of Lansdowne Road stadium. The Government decided to approve the proposal to support a joint Football Association of Ireland-Irish Rugby Football Union project to redevelop Lansdowne Road as a 50,000 all-seated state-of-the-art stadium.

In this context the Government approved the provision of funding of €191 million towards the project, which is estimated to cost €292 million, with the balance being provided by the two sporting organisations.

Mr. Wall: What mechanism will be used to draw down State funding in this regard? Will it be the same mechanism used in regard to investment in Croke Park? Will the IRFU drive the project or will the Minister's Department have an input into the project team? What part will the FAI play in the project? Will it be like in the past whereby the IRFU will be the landlords and the FAI will be strictly tenants in the national stadium? Will control of the stadium be within the remit of the IRFU?

Mr. O'Donoghue: My understanding is that all of that needs to be discussed. In due course we will see what emerges from it. As of
3 o'clock now the fee simple is held by the IRFU. It is possible that a management team will run the new stadium from which the various sporting organisations will rent it for their respective events. With regard to the question of the funding, the IRFU and the FAI have committed themselves to putting up in excess of €100 million, which will be put up

through the advance sale of tickets to corporations and the business community generally.

Construction of the stadium will be overseen by a monitoring committee, which I will establish under the direction of Mr. Furlong, Secretary General of the Department of Arts, Sports and Tourism. He has agreed to direct this implementation team, which will be charged with ensuring the timely construction of the stadium. It is hoped the stadium will be constructed by 2008 and that the pre-planning and planning issues can be got over as quickly as possible. Obviously, if there are objections this will possibly give rise to difficulties but I hope there will not be objections. I remain confident that the stadium will be up and running by 2008. We badly need this stadium. Irish sport was the winner. The stadium will prove to be a useful facility for all the sporting organisations involved and people will be extremely comfortable with it.

Mr. Wall: I welcome the decision. The new stadium will be of major benefit.

As an aside to the position regarding the stadium, I wish to ask a question I have asked previously on a number of occasions, in response to which the Minister will probably say he has no control over the matter. A sports conscious man like Mr. McManus was willing to give to the Exchequer IR£50 million to develop a national stadium. Does the Minister intend to talk to Mr. McManus about his offer, or is it within his remit to do so? Is it feasible for him to make representations for such money to be invested in some sporting organisations that need funding? Alternatively, could such money be used to fund RAPID programmes, or is the matter only within the remit of Mr. McManus at this stage?

Mr. O'Donoghue: When Mr. McManus put forward IR£50 million for the construction of a national stadium, it was given on the basis that the Government would construct a publicly funded stadium with a capacity of 80,000 at Abbotstown, but that patently will not now be built. The Government decided that the stadium will proceed at Lansdowne Road. Budgetary considerations and economic conditions meant we were not in a position to proceed with the Abbotstown proposal. In those circumstances the task I had was to see if there was a viable alternative that would be acceptable. I am happy to say we have such an alternative and that the stadium project can now proceed.

With regard to Mr. McManus's money, I do not believe it is available for Lansdowne Road. It would be quite unfair to ask him now to switch over to a concept to which, in truth, he had not subscribed in the first instance. We are constructing a new sporting campus at Abbotstown. That point may have been lost in the euphoria of the moment when we announced details of the stadium. The campus will be of considerable benefit. We intend to ensure that, as

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resources allow, we will have a necklace of centres where we can ensure sporting excellence and greater participation at Abbotstown. The National Aquatic Centre, which was built on budget and on time, is an example of what can be achieved there. I envisage proceeding with the campus and planning for it.

The Campus Stadium Ireland Board was convened. I explained what I and the Government wanted. I asked its members to prioritise the building of the campus, set out the facilities they believe are required and in the order in which they are required in order that I would be enabled to go to the Minister for Finance during the Estimates discussions in the autumn with a view to obtaining funding to progress the campus. It is important to point out that an important part of the Government decision was that the campus would proceed.

An Ceann Comhairle: That concludes priority questions. We now come to deal with Other Questions. I remind Members that supplementary questions and answers are confined to one minute.

Other Questions.

Tourism Industry.

100. **Mr. English** asked the Minister for Arts, Sport and Tourism the timescale for the first report of the high level implementation group established to drive forward and monitor the report (details supplied) of the Tourism Policy Review Group; and if he will make a statement on the matter. [6155/04]

134. **Mr. Stagg** asked the Minister for Arts, Sport and Tourism if he will report on his address to the Tourism Action Plan 2003-2005 Implementation Group, at its inaugural meeting of 5 February 2004; the precise role and remit of the implementation group; the number of times it will meet; and if he will make a statement on the matter. [6134/04]

Mr. O'Donoghue: I propose to take Questions Nos. 100 and 134 together.

On 14 January last, I announced the membership of a high level group to oversee the implementation of the initial two-year Action Plan for Irish Tourism, recommended by the Tourism Policy Review Group in its report, *New Horizons for Irish Tourism — An Agenda for Action*. Mr. John Travers, who chaired the Tourism Policy Review Group, will chair the implementation group. The other members are Philip Furlong, Secretary General of my Department, Jim Murphy, managing director, Prem Group, Michael O'Donoghue, managing director, O'Donoghue-Ring Hotels, Eileen O'Mara Walsh, O'Mara Travel, Raymond J.

Rooney, businessman, and Paul Tansey, economist.

In line with the recommendation in the report, the high level group will advise me on the implementation on the Tourism Action Plan 2003-2005, publish reports on its work, results and deliberations at six-monthly intervals, and sit for a period up to the end of 2005. Under its terms of reference, the group will capitalise on the current impetus for change and modernisation within the public and private sectors, to ensure that the action plan is seen as an integrated set of actions. It will work in partnership with the tourism industry, the key State agencies, Fáilte Ireland and Tourism Ireland, and relevant Departments highlighting, in particular, constraints to progress, and make recommendations on how best they might be addressed, and by whom.

The implementation group, which has agreed to meet monthly, held its inaugural meeting on 5 February last. In addressing the group, I expressed my appreciation of its willingness to advise and assist me in what I regard as one of the key objectives in terms of my tourism portfolio. I highlighted the co-ordinated and partnership approach that underpins the terms of reference, and mentioned my belief that, in the years ahead, the tourism agenda will be influenced heavily by developments in the wider economy and by the potential for concerted action on the part of the tourism industry itself. I said that I believed the group would be in a strong position to influence the wider agenda in support of future sustainable tourism development. The first report of the implementation group will cover the period to end July 2004 and I would expect to receive it before the end of August.

Mr. Deenihan: I welcome the Minister's response. I have absolute confidence in the chairman of the implementation group, Mr. John Travers, and the other members of it to carry out their work effectively and efficiently.

This is a practical report and I hope it will not gather dust as previous reports on tourism have. The Minister did his best to ensure it will not. The report has some 77 recommendations. How does the Minister propose that the implementation group will advance the proposals in regard to infrastructure? I refer in particular to the N69, the N86 and the Ring of Kerry road? The Minister travels the Ring of Kerry road on a weekly basis and he will be aware it is in bad condition. Given the strong recommendation in regard to infrastructure in the report, how does the Minister propose to ensure there will be further investment in these main tourist arteries, which are national secondary roads, when road funding is being directed at our national primary road system?

Mr. O'Donoghue: It is true that funding is being directed at our national primary road system and unquestionably there have been considerable improvements in recent years. I

accept it is true that national secondary routes require attention. I have strongly lobbied for the inclusion of the Ring of Kerry route and the Dingle-Tralee route in the national development plan and they are included as specific tourist routes which should require funding. The hope is that between now and 2006 they will receive further funding. They have received funding in the past, some of it substantial.

Regarding the implementation of the more than 70 recommendations in the report, the implementation group has been asked to implement these in the manner outlined in the report. The report is unique in that it not only sets out the key objectives but also the methods for their achievement. I expect the group to follow the report guidelines on implementation.

Mr. Wall: Will the implementation group work solely through the Minister's Department? Regarding roads, is it within the group's right to approach the NRA or a specific local authority when following certain recommendations, or must it work only through the Department for Arts, Sport and Tourism, with the infrastructure created in that way? Is the group an independent body which can make representations to ensure that the more than 70 recommendations are implemented? Is that within its remit?

Mr. O'Donoghue: It would be helpful if I set out the terms of reference of the group. The group will advise the Minister on the implementation of the tourism action plan 2003-2005, publish a report on its work, results and deliberations at six-monthly intervals, and sit a for period up to the end of 2005. It will capitalise on the current impetus for change and modernisation in the public and private sectors to ensure that the action plan is seen as an integrated set of actions requiring a co-ordinated impartial approach across Departments, agencies and industry towards implementation. The report will discuss with lead actors their operational plans for, and commitment to, the implementations of actions falling within their remit, including effectiveness indicators against which performance will be measured. It will: highlight any constraints to progress and recommend how they might be addressed, and by whom; recommend any changes that should be made to the action plan in light of experience as it is rolled out; and contribute to the evaluation of the tourism strategy in autumn 2005, or earlier if the tourism environment proves to be more volatile than anticipated. This step will be a milestone in the ongoing review process which will be an inherent element of the development process for the industry in the future.

Mr. Deenihan: Another key recommendation involves access rights to land. The Minister may be aware of a recent court case where a farmer was imprisoned because of a problem he had with people walking on his land. Does the Minister

envisage the implementation group proposing new legislation to clarify access rights for visitors to the countryside, and is that a priority? Going on information I have received, the problem is going to become more widespread right across the country.

Mr. O'Donoghue: Access to land, and walking across land, is of immense importance because of the number of people who participate in that exercise in the country, including people from abroad who come here for that purpose. The issue comes under the remit of the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, to the extent that it impinges on rural life. I understand that he has set up a group to look at means by which the problem of access to land for walkers can be resolved, and I hope its efforts are successful.

Sports Facilities Audit.

101. **Mr. Gogarty** asked the Minister for Arts, Sport and Tourism if a national audit of local sports facilities commenced in mid-2003 as outlined in his Department's mission statement; the envisaged timeframe for completion of this audit; and if he will make a statement on the matter. [6107/04]

108. **Mr. Boyle** asked the Minister for Arts, Sport and Tourism the impact the national audit of local sports facilities will have in facilitating the provision of sport and recreation facilities on a nationwide basis as per the mission statement of his Department; and if he will make a statement on the matter. [6109/04]

115. **Mr. Sargent** asked the Minister for Arts, Sport and Tourism the progress being made in the national audit of local sports facilities as outlined in his Department's mission statement, including the timeframe for completion of this audit and the expected impact this audit will have on the provision of sport and recreation facilities nation-wide; and if he will make a statement on the matter. [6117/04]

Mr. O'Donoghue: I propose to take Questions Nos. 101, 108 and 115 together.

The commitment as outlined in the programme for Government, to complete a national audit of local sports facilities, is being undertaken as part of the development of a long-term strategic plan for the provision of sports facilities. The first step towards developing such a strategy, a review of the existing sports capital programme under the Department's expenditure review programme, is currently being finalised. The outcome of this review will help identify the level of facilities that have been put in place in recent years with the assistance of national lottery funding, and produce recommendations on priorities for future funding.

Following this, I intend to establish an interagency steering group to begin work immediately on developing a long-term strategic

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plan for the provision of sports facilities. One of the first tasks for this group will be to oversee the commencement of the audit of sports facilities. Given the volume of facilities that may potentially be included in such an audit, covering the entire country, it is important that a robust methodology is used to record, classify and assess the facilities to be included.

In light of the enormity of the task, it could take a number of years to complete a comprehensive audit of all sports facilities. However, it may be possible to conduct the work in stages, to ensure that some useful results are available in the short term for input into the proposed strategic plan for the provision of sports facilities due for completion within the next year.

Once completed, the audit will enable policy makers to map the location of the various sports facilities throughout the country, leading to a more effective targeting of new or additional facilities which will complement rather than duplicate what is already available. In this way, a more efficient use of financial resources can be achieved, and a fostering of greater co-operation between complementary facility providers can be encouraged.

Mr. Gogarty: Is it not true that the Minister would be better off throwing in the towel right now and saying, "*Mea culpa.*" This is not going to happen within the lifetime of the Government? I remember talking to the Minister last year about the nationwide audit of local sports facilities, which is crucial, not just in terms of providing more much-needed facilities, but also in terms of working with schools which are losing out because their physical education in the sports ground has been taken away. A much more interactive approach is needed. Is the Minister aware that in his own strategy statement he said that one of the priorities is to facilitate the provision of sport and recreation facilities nationwide, to include the efficient and effective delivery of the sports capital programme, and the interagency group? Did the Minister say in the strategy statement that he wants to see a national audit of local sports facilities completed, and that this audit would begin by mid-2003? Since that is not within a cat's whisker of beginning by June 2004, will the Minister acknowledge that this strategy is up in the air, is a failure, and that this is one of the key issues in the programme for Government which will not have carried out within the lifetime of the Government?

Mr. O'Donoghue: The strategy is not a failure. It has been decided that as a first step, before the commencement of the audit, an assessment of what has been achieved under the Department's sports capital programme should be carried out. That is perfectly logical. This was done in the context of an expenditure review of the programme which seeks to assess the benefits that the investment to date has yielded, and to

identify any difficulties or inefficiencies associated with the operation of the programme. The review was to have been completed during 2003 to facilitate the start of the audit during that year, but has taken longer than expected due to the scale of the programme and the time required to analyse the volume of information collected. The report on this review is expected in the near future.

One must realise that there has been major expenditure under the sports capital programme since 1998. Almost €270 million has been allocated to more than 3,000 projects across the country. It is not a simple task. The audit in Northern Ireland took over two years. Once the assessment is complete, we will move to the next stage.

Mr. Deenihan: Can the Minister say what will be included in the national audit? It will obviously include more than what sports facilities are available. Will it deal with the use of a facility by local schools, for example, with access for the disabled, and the practice of gender balance in a facility, that is, provision for male and female sports? Will the audit be more than an account of the facilities that are there? Will it include usage and access for various groups? I am sure the audit will do more than merely count the facilities available.

Mr. O'Donoghue: As I said, €270 million has to date been allocated to 3,500 projects throughout the country under the sports capital programme, and this is only since 1998. It is, therefore, apparent that a considerable amount of work has been done. I anticipate that the audit would represent a comprehensive body of work which will enable policymakers to map the location of the various sports facilities throughout the country, whether they are provided through voluntary sports organisations, are funded privately or have benefited through public funding.

It is fair to say that a better fix on the location of existing sports facilities will lead to more effective and more accurately targeted funding of new facilities and a more efficient use of financial resources. This will apply across all Departments involved in the provision of sports facilities. It will be comprehensive and I anticipate it will deal with issues such as the disabled, gender and so on to which Deputy Deenihan referred.

Information Technology Strategy.

102. **Mr. Cuffe** asked the Minister for Arts, Sport and Tourism if plans to develop and manage information technology to support the delivery of his Department's mission and objectives, as outlined in its mission statement, including a review of IT strategies of former Departments and the new departmental IT strategy for 2003-06, will be affected by his Department's and agencies' relocation to

Killarney; and if he will make a statement on the matter. [6110/04]

125. **Mr. Eamon Ryan** asked the Minister for Arts, Sport and Tourism the original cost projects for plans to develop and manage information technology to support the delivery of his Department's mission and objectives, as outlined in its mission statement, including a review of IT strategies of former Departments and the new departmental IT strategy for 2003; the projected monetary and percentage increase envisaged as a result of the decentralisation programme; and if he will make a statement on the matter. [6115/04]

Mr. O'Donoghue: I propose to take Questions Nos. 102 and 125 together.

The decision to relocate the Department of Arts, Sport and Tourism in Killarney will not affect the plans to develop and manage information technology in support of delivering the Department's objectives. The relocation will mean that the application and use of information technology will become central to the efficient delivery of services and communications.

The first statement of strategy 2003-05 of the Department of Arts, Sport and Tourism provided for a review of the two information technology strategies of the former Departments of Arts, Heritage, Gaeltacht and the Islands and Tourism Sport and Recreation, and for the development of a new IT strategy for the period 2003 to 2006. This review has been carried out and a new IT strategy has been agreed.

The new strategy identifies a number of new projects to support delivery of objectives set out in the Department's mission statement. These comprise a specially made and developed management information system comprising a sophisticated financial accounting database system, the estimated cost of which to 2008 is €1.1 million; a new human resource management system comprising an enhanced database system developed on PeopleSoft-HRMS software — the PeopleSoft product was selected by the Department of Finance for development as the human resource management system for the Civil Service — the estimated cost of which is €172,000; and the installation of a new suite of security products for the Department's local area network to enhance the Department's ability to protect itself from potentially damaging scenarios associated with the world wide web. The main elements of the improved security resource comprise a superior anti-virus product with filtering capability and a firewall system capable of meeting the security requirements of the Government's data virtual private network link completed at the end of 2003, the cost of which was €23,000.

Additionally, the IT strategy provides for the ongoing replacement of network hardware and software as dictated by normal end-of-life scenarios, and an annual budget allocation of €150,000 is available to meet this need. If the

Department is decentralised to a building in Killarney equipped with a modern networking architecture, it should be possible to relocate all the existing software and some of the hardware and systems to the new location. It is not anticipated that significant additional costs will accrue to the projects that can be attributed to decentralisation. Some additional hardware and connectivity costs may arise but it is too early to quantify these.

Mr. Gogarty: Has the Minister received any extra funding for connectivity costs? What estimates have been done for video-conferencing facilities, for example? I know the Minister will not plaster the beautiful Kerry landscape with "Welcome to O'Donoghue country" posters but, given the huge furore over the decentralisation programme, he will acknowledge that it might be difficult to get staff to move to Kerry, regardless of how beautiful it is, if they have been working in Dublin and are used to it.

Has the Minister considered the impact of IT training on people who will move from other Departments to his one? Will there be an additional cost for the training of staff? Is the local loop unbundled sufficiently in the Kerry region to cater for broadband communications? Given that tourism is a face to face, hands-on type of business, does the Minister acknowledge video-conferencing is essential and that we need proper access facilities and proper training from an IT perspective?

The strategy statement said the IT strategy would be in place by April 2003. Was it in place by then? Will the mid-term review of the IT strategy due to be completed by the end of 2004 be completed by then? What are the financial implications, if any, of the relocation and the IT extras which will need to be tidied up by the end of the year?

Mr. O'Donoghue: The new IT strategy to be developed for the Department was to have been developed for the period 2003 to 2006. I understand the review has been carried out and that the IT strategy has been agreed. There is no question or doubt but that video-conferencing is desirable. It will be useful in the decentralisation of Departments to the various locations.

I have no doubt about the capacity of Killarney, from a communications perspective, to ensure a successful home for the Department of Arts, Sport and Tourism. It will add greatly to the town and to the county. It is appropriate that a Department of this nature should locate in Ireland's tourism capital. It is something to which many people look forward.

I do not anticipate any IT difficulties. I agree it is desirable that staff are trained in new methodologies and I understand this is ongoing. I am as confident as I possibly can be that all will go smoothly.

Community Games.

103. **Mr. Eamon Ryan** asked the Minister for Arts, Sport and Tourism if he will report on the outcome of his meeting with the community games organisation in 2003 and the assistance his Department will be providing to ensure that the community games will have a permanent home for the national annual games; and if he will make a statement on the matter. [6114/04]

190. **Mr. O'Connor** asked the Minister for Arts, Sport and Tourism if he will report on the contacts he has had with the community games movement regarding this country; if organisations need to identify a new home for the annual national games held for many years in Mosney holiday centre; and if he will make a statement on the matter. [6316/04]

Mr. O'Donoghue: I propose to take Questions Nos. 103 and 190 together.

I had a number of meetings during 2003 with representatives of the community games organisation at which I advised them of my desire to ensure that they had some certainty regarding a venue for their national events. The most recent of these meetings was held on 19 November 2003.

At my request officials of my Department met the reception and integration agency which, as the Deputy will be aware, has arrangements in place for the use of the Mosney centre. Arising from this latter meeting, officials of my Department visited Mosney on 13 February 2004 to meet the reception and integration agency and representatives of the community games organisation.

During what was a positive meeting, all sides confirmed their willingness to help ensure that the facilities in Mosney continue to be available to host the games. The community games representatives expressed their satisfaction with the range and quality of the facilities and services available at Mosney and their suitability for their national events. They also confirmed that there is no other venue in Ireland with the scale and variety of facilities required for their national events as currently structured and that any question of providing a special, dedicated venue on the scale required, which would be used only a few times a year, would be unrealistic.

I am pleased to say that the reception and integration agency confirmed at the meeting that, for as long as it is using Mosney, the community games can avail of the facilities there, and certainly up to and including 2005. The agency hopes it will be in a position to agree to a continuation of the use of the Mosney facilities beyond 2005, in which case the future of the community games at Mosney will be secured for some time to come. This arrangement was welcomed by the community games representatives at the meeting.

Mr. Gogarty: I thank the Minister for his efforts in this regard. The community games has a long-standing tradition in Ireland and has

helped to develop and produce some of our finest athletes and encourage people to participate in sport. The Minister will acknowledge that Mosney is synonymous with the community games and that any efforts on his part to ensure that continues are welcome. Are there any long-term plans to set up a task force to ensure Mosney can be used beyond 2005? What, if any, financial requirements would be made of the Minister's Department to ensure that happens?

Mr. O'Donoghue: The needs of the community games, in terms of its national finals, are unique in sport. It deals with a large number of children and young people who need facilities for a multiplicity of sports, disciplines and events as well as extensive residential accommodation, catering and so on over a few weekends, preferably all on the one site.

They admit that the idea of a specially dedicated facility for community games, which would require extensive and costly facilities and which would only be used a few times a year, is totally unrealistic. That presents us with a difficulty in proceeding. We have to ascertain if it will be possible to obtain Mosney after 2005. The reception and integration agency has been very kind in this respect and I acknowledge the generosity of its director, Mr. Waters, in ensuring that the games can proceed at Mosney into the foreseeable future. The reception and integration agency has stated that for as long as it is in Mosney, there will not be a difficulty for the community games.

As regards an event as unique as this one, all we can do is look ahead, in so far as we possibly can, with a view to ensuring that the games will not die. We have succeeded in doing this and I am confident that in the future we will be in a position to accommodate the community games again in one fashion or another. I thank Deputy Gogarty for his kind words. I am very committed to the games and I will try to do everything humanly possible to ensure their continuance at one venue or another.

Mr. Wall: From the contacts I have had with them, I know that the organisers of the community games appreciate the efforts the Minister has made to ensure their continued use of Mosney. He gave that commitment to the House on previous occasions when the issue arose. The history of the community games has been one of major benefit to the country. In future, the Abbotstown facility could meet the criteria laid down for the community games, apart from the residential aspect. Could the development of Abbotstown resolve the problems being encountered by the community games in the long term? In his statement, the Minister said he was happy with Mosney but there are question marks over its residential capacity and the games' organisers are concerned about that. Is it feasible for Abbotstown to host

the community games if the residential aspect could be facilitated?

Mr. O'Donoghue: I certainly foresee Abbotstown playing a major role in the development of Irish sport in future. It will be an extremely useful facility from the perspective of the community games. The residential aspect is the problem, given the difficulties in housing the thousands of children participating in such an event. That is why Mosney is so useful because the residences are already there and have been used for years.

It is difficult to predict what will happen in future concerning the community games. We are assured of having them until 2005 and the reception and integration agency will be in Mosney beyond that date so there is no immediate threat to the games. We should look to the future, however, to see how we can ensure the continuance of the games. In this respect, we will continue our involvement with the community games organisers. I feel sure that when this year's games are over, the organisers will continue their dialogue with us regarding next year's games. We will try to ensure their continuance from year to year.

Mr. Deenihan: During the Minister's discussions with the community games organisation, was there any mention of a more regional approach to the games in future? Adopting a more inter-provincial approach in advance of the national championships may be a way of getting over the accommodation problem.

Mr. O'Donoghue: We did not enter into such a discussion but it is clear that the community games organisers want to continue the existing format. The involvement of so many children from various backgrounds in a communal setting reflects the community aspects of the games. The objective of the games is to foster a love of sport among young people, as well as promoting community involvement. As Deputies have said, the big problem is providing temporary accommodation for that number of children during the games. We have resolved the difficulty up to now but we will have to revisit the issue.

As regards Deputy Deenihan's question, to the best of my memory, the games organisers did not mention anything about running the championships on a more provincial basis. They still favour the current format.

Tourism Industry.

104. **Mr. R. Bruton** asked the Minister for Arts, Sport and Tourism his views on the effect that the weakening dollar will have on the number of US tourists coming here in 2004; the measures he intends to put in place to make Ireland a more price attractive destination for US tourists; and if he will make a statement on the matter.
[6156/04]

Mr. O'Donoghue: In 2003, Ireland performed strongly in the US market against stiff international competition. While final figures are not yet available from the Central Statistics Office, Tourism Ireland estimates a 6% increase in US visitor numbers to the Republic of Ireland last year despite the impact of the war, increased threats of terrorism and SARS. This compares to a 1% increase in the number of Americans visiting Europe generally and a decrease of 8% experienced by our near neighbours in the United Kingdom.

Building on the positive performance last year, the early indications are that interest in visiting Ireland remains strong among US consumers in 2004. The target for 2004 is for a 6.8% growth in visitor numbers from the US. In that context, Ireland's competitive position appears to be holding up well even against the continued depreciation of the dollar against the euro. However, as the main holiday booking season is a number of weeks away, it is too early to make definite judgments on any adverse currency impact.

The euro is more than 25% stronger now than it was at the start of 2003. This problem is not unique to Ireland but to all eurozone countries and to sterling. It is particularly important, however, that prices on the ground in Ireland are kept in line with those in other eurozone destinations. To bring home the message that Ireland continues to offer value for money, Tourism Ireland is engaging in a major co-operative marketing campaign this year with tour operators and carriers in this vital market, which will promote a range of specially priced offers for travel to Ireland. These offers are also featured on a special offers website, www.shamrock.org, which is being extensively promoted to the American public in key US cities.

As I have said in previous replies on the broader issue of competitiveness, I very much welcome the fact that the key message from the tourism policy review group is that restoring competitiveness is the major challenge facing the tourism sector and that the industry must offer better value to its customers if it is to maximise the opportunities for future growth.

Competitiveness must be a function of the overall Irish tourism experience for customers relative to other competing locations, beginning with their initial inquiries about visiting Ireland through to their travelling here, where they go when they arrive, where they stay, who they meet, what they do, what they see and their perceptions about price and quality.

Mr. Deenihan: Despite the growth, last year we were still over 100,000 short of the peak numbers in 2000. Therefore, we still have some way to go to get back to that level. The indications I am getting from the market show that while it was looking well, there are now some doubts overhanging it. The Minister should ensure that we will remain as price-competitive as possible

[Mr. Deenihan.] to attract more American tourists. For example, green fees can easily be influenced, with air fares and accommodation costs, including bed and breakfast establishments, guest houses and hotels. Restaurants and other services must remain price-competitive also. The strengthening euro will make Ireland less competitive, although I realise that the same problem exists across the eurozone. The Minister is aware that we have high staff rates and are on top of the European price league. He should take steps to ensure that, wherever possible, green fees in 2004 are kept at the same level as they were last year. Other prices must be kept under control also. If the figures do not prove to be as good as last year, does the Minister have contingency plans for the American market to attract more tourists? The Taoiseach, the Minister and other Ministers will visit America on St. Patrick's Day. What plans are in place to promote Ireland on St. Patrick's Day given that it represents an ideal opportunity?

Mr. O'Donoghue: We have been in contact with Ministers travelling abroad to give them information packs on the countries they are visiting and speaking notes and so on to promote Ireland. The Taoiseach correctly identified St. Patrick's Day as a window of opportunity for Ireland. He is of the view that visits by Ministers to various parts of the world and America, in particular, can be extremely beneficial in terms of ensuring Ireland's profile is raised. It is also a time when Ireland can be sold for other purposes and, therefore, such opportunities are grasped, which is wise.

We have also been in consultation with Ministers regarding the possibility of them becoming involved in tourism promotion at other times of the year when they travel abroad in connection with their portfolios, except when they are on EU business. The Taoiseach is also anxious that this should happen. The tourism industry performed strongly in America last year considering that the number of Americans who travelled abroad reduced by 8%. However, the number of Americans who visited Ireland increased by 6% while the increase in the number who visited Europe generally only increased by 1%. Ireland's success was not mirrored elsewhere in Europe. We are looking forward to a better year this year with a growth target of 6.8%. All the indications are this is achievable.

The Deputy referred to competitiveness and costs. Certain developments in recent months should result in tangible benefits for the sector and make a difference to competitiveness and value for money. For example, a minimal increase in the budget in indirect taxation and excise duties on products that are part and parcel of the tourism experience, will help. The Fáilte Ireland initiative in co-operation with the industry to address the high cost of insurance premiums in the sector and the implementation of the Government's insurance reform package will

help, as will the reduction in the cost of accommodation reported by the CSO earlier this month. There has been a significant reduction in annual inflation. It stood at 1.8% in January, which is a major reduction from 3.5% in July 2003 when the review group was finalising its report, and it is much more in line with the EU average rate.

I am pleased with the reports regarding the US market so far. With regard to contingency plans, a strong marketing campaign has been under way in the US since late last year for this season. The campaign will yield results. The carrying capacity of airlines from the US remains a worry. If there was a greater number of gateway cities, which Aer Lingus or other airlines could utilise, the numbers visiting Ireland would increase beyond our projected growth. That is an issue for another day.

Mr. Deenihan: If the dollar continues to experience problems against the euro, can the Minister do anything to make it more attractive for American tourists to visit Ireland? Their holiday will cost them 25% more this year than in 2002.

Mr. O'Donoghue: The strength of the euro against the dollar is not conducive to helping the situation. However, other countries are experiencing this difficulty. Nonetheless, since the Iraq war, there is a pent up desire among many Americans to travel. This will more than offset the disadvantage that all countries within the eurozone are experiencing as a result of the low value of the dollar against the euro. A strong marketing campaign is under way in the US and this year we will be close if we do not exceed our record year in that market. I am confident we will be there or thereabouts.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy McHugh — the urgent need to approve the submission from the Western Health Board of the planning brief for Tuam hospital; (2) Deputy Lynch — the need for the Minister to review the restrictions on rent allowance which came into operation at the beginning of this month in view of the hardship created for vulnerable people and the serious concerns expressed by community welfare officers; (3) Deputy Upton — the need to support a person (details supplied) in obtaining urgently needed treatment for anorexia and bulimia; (4) Deputy Morgan — the necessity for the Minister to address the unacceptable situation whereby the town of Drogheda does not have a full postal service because An Post management has

initiated unofficial industrial action; the necessity to appoint an industrial relations expert to put a system in place to ensure postal workers are paid their hard earned wages and the necessity for the Minister to investigate how An Post management allowed a situation to develop where residents and businesses in Drogheda must travel to Slane, County Meath, and Balbriggan, County Dublin, to post their mail; (5) Deputy Healy — the urgent need for the Minister to approve funding for the opening of the newly completed facilities for the transfer of surgical services at South Tipperary General Hospital, Clonmel; (6) Deputy Stanton — the recent findings that only 26% of services for people with disabilities met standards set by National Disability Authority and the Department; and (7) Deputy Broughan — the urgent need to end serious car crime and associated anti-social behaviour on the north side of Dublin.

The matters raised by Deputies McHugh, Upton, Stanton and Broughan have been selected for discussion.

Social Welfare (Miscellaneous Provisions) Bill 2004: Order for Second Stage.

Bill entitled an Act to amend and extend the Social Welfare Acts, to amend and extend the Pensions Act 1990 for, amongst other purposes, the purpose of giving effect (in so far as they relate to occupational pensions) to Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation and to amend the Health Contributions Act 1979 and the National Training Fund Act 2000.

Minister for Social and Family Affairs (Mary Coughlan): I move: "That Second Stage be taken now."

Question put and agreed to.

Social Welfare (Miscellaneous Provisions) Bill 2004: Second Stage.

Minister for Social and Family Affairs (Mary Coughlan): I move: "That the Bill be now read a Second Time."

I am pleased to bring the Bill before the House. As has been the case in previous years, the Bill is the second of two Bills to complete the implementation of the €630 million social welfare package of budget 2004, which brings the projected level of social welfare expenditure in 2004 to more than €11.26 billion — a 7% increase on the 2003 allocation.

A separate Bill was enacted in December last to give effect to the increases in weekly social welfare payments from the beginning of January.

This Bill implements a number of key improvements in social welfare schemes, including increases in child benefit, improvements in the carer's respite care grant, increases in death benefit pension payable to recipients aged 80 years and over and improvements in the payment after death arrangements, in addition to a range of other measures.

I am proud that the legislation is another step in the Government's continuing commitment to fostering an inclusive society. Tangible evidence of delivering on this commitment includes a massive increase in spending on social welfare to more than €11.26 billion in 2004, almost double that available in 1997; substantial increases in child benefit, resulting in the rates of payment being more than three times that payable in 1997; increases in social welfare pensions with old age contributory pensioners receiving €167.30 per week compared to the equivalent of €99 in 1997; and an average increase, over and above the CPI, across all social welfare schemes of 3.43%, since 1997.

The Bill also provides for amendments to the Pensions Act 1990. In particular, I am providing for an amendment to Part VII of that Act which deals with equal treatment between men and women in occupational pension schemes. The amendments to this section are intended to meet this State's obligation to implement community initiatives provided for under Council Directives 2000/43/EC and 2000/78/EC adopted under Article 13 of the EC treaty, in so far as they relate to occupational pensions. The Equality Bill, due to come before this House shortly, provides for the transposition of the directives with regard to other employment matters.

Council Directive 2000/43/EC, the race directive, sets out the framework for combating discrimination on the grounds of racial or ethnic origin in both employment and non-employment areas. Council Directive 2000/78/EC sets out the framework for combating discrimination associated with employment and occupation on the grounds of religion or belief, disability, age and sexual orientation.

In addition to these six grounds, and in line with a commitment in the social partnership agreement, Sustaining Progress, it is also proposed to extend Part VII of the Pensions Act to include the marital and family status and the Traveller community grounds. Taken together with the provisions of the Employment Equality Act 1998 and the Equal Status Act 2000 which prohibit discrimination in these areas in employment and access to goods and services, the amendment to Part VII ensures a coherent and consistent approach to equality across our legislation.

I now wish to outline the provisions contained in this Bill. As Members will already have considered it in detail, I will focus on a number of key provisions.

[Mary Coughlan.]

Child benefit is a universal payment made directly to families and, as such, it is the most efficient and effective way in which the Government can channel support to children. The rate for the first two children is being increased by €6.00 per month, and for the third and subsequent child by €8.00 per month. These increases, provided under section 3 of the Bill, will bring the monthly rates to €131.60 and €165.30, respectively. From April next, a family with three children will receive €428.50 compared to €408.50 at present — an increase of €20 per month.

These increases will mean that, since 2000, child benefit rates will have risen by €77.64 per month for each of the first two children and by €94.20 per month for the third and subsequent child. This measure continues the strategy of reforming income support for children by making child income support more neutral in the context of parental employment and reducing employment disincentives. An estimated 524,000 families with over 1 million children will benefit from these increases in 2004.

The Government, over successive budgets, has introduced measures to develop the services and supports which provide practical assistance to this country's carers. An Agreed Programme for Government included commitments to expand the income limits used to determine entitlement to carer's allowance and to increase the value of the carer's respite care grant. Measures aimed at addressing these commitments were announced in budget 2004 and, accordingly, the amount of income disregarded in the means test will be increased to €250 in the case of a single person and to €500 in the case of a couple. These improvements will be provided for in regulations which I intend to publish in April. In addition, in section 4 of the Bill, the Government is continuing to honour its commitment to supporting the valuable work undertaken by carers by increasing the annual respite care grant by €100 from €735 to €835, with carers looking after more than one person receiving a grant of €1,670 — an increase of €200. These increases take effect from June next. This measure, which is highly valued by carers, will benefit some 24,300 carers and will cost an additional €2.48 million per annum.

The six weeks' payment after death arrangements were designed to cushion and support the financial transition for the surviving spouse or partner following the death of a recipient of certain social welfare benefits. At present, payment of the existing rate of benefit or allowance to the spouse or partner of the deceased continues for the period of six weeks immediately following the death. While these arrangements are applicable to the majority of social welfare schemes, there are a small number of exceptions and in these circumstances the surviving spouse or partner may not be in a position to benefit from the scheme. I am pleased

to say that, as the final part of my ongoing efforts to reform this scheme, all such anomalies will be removed from the governing legislation. Accordingly, section 5 of the Bill provides that the six weeks' payment after death will be extended to those benefits and allowances which would heretofore have been excluded from this payment arrangement. This provision will come into effect in June 2004 and completes the restructuring of the scheme, initiated in 2000.

The Bill, in section 6, provides for an increase in the death benefit pension for recipients aged 80 years and over, to €173.70 per week. This increase harmonises the rates of death benefit pension, widow's contributory pension and widower's contributory pension for pensioners aged over 80 years, with effect from May 2004.

Section 7 of the Bill provides for an increase in the minimum amount of unemployment assistance payable where the claimant's means are derived from parental income. The payment is increased by €8.20 per week, bringing the minimum amount payable from €31.80 to €40.00, provided that the claimant establishes an underlying entitlement to unemployment assistance. This measure will come into operation in April 2004.

My colleague, the Minister for Justice, Equality and Law Reform established a working group to review and make recommendations on improving maternity protection legislation. On foot of the group's deliberations, the Maternity Protection (Amendment) Bill, 2003 was published, and it provides, *inter alia*, for a range of improvements in the maternity leave arrangements. It is my intention that these improvements should be reflected in the social welfare code. Accordingly, this Bill provides for a number of amendments to the maternity benefit scheme, which is operated by my Department, consequent on the amendments to the maternity leave arrangements. The proposed new leave arrangements entail a reduction from four weeks to two weeks in the minimum period of maternity leave which must be availed of prior to the expected date of birth of the child. As the maternity benefit payments are scheduled to coincide with the maternity leave timeframe, section 8 of this Bill provides that a similarly amended arrangement will apply to maternity benefit payments. This section also provides the power to make regulations to permit the interruption of the normally continuous period of payment of maternity benefit where an infant is hospitalised. I propose that these measures will be brought into force by commencement order, timed to coincide with the implementation of the amendments to maternity leave arrangements.

The maximum duration of adoptive leave is linked to the maximum duration of maternity leave, exclusive of the period prior to the birth of the child. Arising from the proposal to reduce the minimum period of maternity leave required to be taken prior to the expected date of birth from the current four weeks to two weeks, the

maximum duration of adoptive leave will be increased by to weeks, thereby rising from 14 weeks to 16 weeks. Section 9 of this Bill provides the legislative basis for the consequential increase in the duration of adoptive benefit, the income support payment made by my Department to qualifying adoptive parents. This amendment will also be brought into force by way of commencement order, timed to coincide with the implementation of the amendments in the adoptive leave arrangements.

Entitlement to short-term, insurance-based social welfare schemes such as unemployment or disability benefit is determined on the basis of social insurance contributions paid during the course of the contribution year. Prior to the alignment of the income tax and calendar years with effect from January 2002, the contribution year did not necessarily coincide with the calendar year. As a result, special arrangements were put in place to secure the continuity of entitlement to short-term benefits following the alignment of the tax and calendar years. Section 10 of this Bill provides for the continued application of these arrangements for the purposes of the social insurance schemes.

In An Agreed Programme for Government we promised to modernise public services to make them more relevant to the citizen. We gave a commitment to improve access to public services by providing them electronically. Progressing the use of the personal public service number as a public service identifier is a key element of our e-Government strategy. In that context, section 11 of the Bill provides for four new agencies to be added to the list of specified bodies which are authorised by legislation to use the PPS number in the course of their customer business transactions. The new agencies are the Companies Registration Office, Enterprise Ireland, the Private Residential Tenancies Board and Coillte Teoranta.

The Pensions Act 1990 requires employers who do not provide a pension scheme or retirement benefits for employees to facilitate access to at least one standard personal retirement savings account for such employees. Section 12 of the Bill provides that, where a social welfare inspector is conducting an investigation in relation to PRSI, the inspector shall also investigate compliance with the requirement to facilitate employee access to a PRSA, in accordance with the requirements of section 121(1)(a) of the Pensions Act 1990. The inspector will, where necessary, report issues involving non-compliance to the Pensions Board.

Budget 2003 proposed that PRSI should be applied to benefits-in-kind granted to employees with effect from 1 January 2004. This provision is important in enhancing the overall equity as well as improving the coherence between the PAYE and PRSI systems. Section 13 of the Bill provides for technical amendments to the definitions of PRSI contained in social welfare legislation.

Sections 14 and 15 of the Bill provide for the charging of PRSI in cases where an employer has reached an agreed settlement with the Revenue Commissioners on benefits-in-kind which are irregular in nature and minor in monetary terms. Contributions paid in accordance with this provision will not be reckonable for the purposes of establishing entitlement to benefits under the social welfare code, as they will, in general, reflect an underpayment of PRSI for which a contribution has already been recorded.

Section 16 provides for a minor technical amendment consequent on the changes of definition of PRSI contained in section 13 which I have already outlined

Sections 17 and 18 mirror the provisions regarding the assessment of cases where an employer has reached an agreed settlement with the Revenue Commissioners on benefits-in-kind which are irregular in nature and minor in monetary terms of non-cash remuneration. Accordingly, the sections in question provide for amendments to the Health Contributions Act and the National Training Fund Act to facilitate the application of health contributions and training levies to the settlement figure agreed.

Section 19 of the Bill provides for a number of amendments to the Pensions Act. As I have already stated, Part VII of the Pensions Act 1990 is being extended to apply to eight other grounds — age, religion, sexual orientation, disability, race, marital status, family status and the Traveller community ground. The extension of the equal treatment provisions is required under two EU directives and also on foot of a commitment in Sustaining Progress.

Where feasible and appropriate, section 19 implements the directives in a way which applies their provisions consistently as between occupational pensions and other conditions of employment. Nonetheless, occupational pensions are different from other conditions of employment and, therefore, notwithstanding the prohibition on discrimination based on age, sexual orientation, marital and family status, certain practices will continue to be permitted, for example, occupational pension schemes will continue to be allowed to set length of service or age for admission to the scheme or for entitlement to benefits, for example, normal retirement age; use age in actuarial calculations; set age or service-based contributions rates in defined contribution schemes, for example, an employer may pay a contribution of 3% of salary between ages 20 and 30, 5% over that age, the same will apply in relation to accelerated accrual based on service or age in defined benefit schemes; pay survivors benefits to the legal spouse only, however, where a scheme pays to partners of the opposite sex, they must also pay in respect of partners of the same sex; and pay enhanced benefits to persons retiring early on grounds of disability.

[Mary Coughlan.]

The practice of allowing schemes to pay to the legal spouse only will be reviewed in the context of the outcome of the review of this issue in public sector schemes, which was announced by the Minister for Finance, Deputy McCreevy, at budget time in the context of the report of the Commission on Public Service Pensions.

As I mentioned earlier, I believe it is important to ensure a coherent and consistent approach to equality both in our legislation and also in the way our legislation is administered and enforced. For this reason I have provided in the Bill that complaints that a pension scheme breaches the principle of equal pension treatment will be dealt with by the Equality Tribunal — the Office of the Director of Equality Investigations — under the same procedures and machinery as are used in employment matters. This will mean there is a seamless approach to complaints no matter what area of employment those complaints relate to. However, pensions can be complex and require specialised knowledge and, for this reason, I have provided that the Pensions Board will provide technical assistance, as required.

With regard to redress, again pensions are different in that what we do today affects our future entitlements rather than current or historical ones. Therefore, I have provided in this Bill that where a rule of a scheme is found to be in breach of the principle, it will be rendered null and void and the more favourable provisions must be backdated to December 2003 or July 2003 — the dates from which the relevant directives apply.

With regard to time limits, I believe it is not appropriate to have any time limit for the bringing of a claim while a person is still in the employment to which the claim relates. Therefore, the only time limit which I have introduced is six months from the date that employment ceases. This is consistent with other provisions of domestic law which apply to pensions and also with European Court of Justice law.

I am also providing in section 20 for a number of other amendments to the Pensions Act, which are mainly technical in nature and some of which are consequential on the equal treatment provisions.

At this point I would like to inform the House that it is my intention to bring forward amendments to the Pensions Act on Committee Stage to clarify the jurisdiction of the Pensions Ombudsman in relation to members of the North-South bodies pension scheme and to make a number of minor technical amendments, on the advice of the Parliamentary Counsel, to the existing section 19 of the Bill.

Members will be aware of concerns about access to the Irish labour market and the social welfare system following accession on 1 May. Ireland is in favour of enlargement of the European Union. We are champions of enlargement, as we have experienced at first hand

the opportunities accession to a greater Europe have presented to our own country. I have no doubt that a similar opportunity will present itself to the ten accession countries, and equally we too will grow economically and socially as the EU horizon stretches further eastward.

After 1 May, citizens of the new 25 state European Union will be free to travel anywhere in that Union. Workers will be free to travel to any other State to improve their own social condition, to earn a wage and to contribute to their new country of residence. Ireland is a growth economy, and there is a need for workers, and those new workers are welcome to Ireland.

This Government gave a commitment that EU citizens who want to come and work here from 1 May can do so and we will honour that commitment. We have a strong economy and we will welcome people who want to come here to work. Last year Irish businesses depended on 47,000 work permits to be issued to non-nationals to help them meet their labour supply requirements. The Department of Enterprise, Trade and Employment estimates that after 1 May this year, as much as 70% to 80% of that requirement will be met by workers from the accession countries.

I have said before that I will not allow our social welfare system to become overburdened and I will be taking steps to ensure that the system is protected. Up until this week, both Ireland and Britain were alone in the EU in not restricting incomers from the ten new member states. Britain has now put in place a series of measures, which will restrict access, including a new workers' registration scheme and new conditions on qualification for social welfare payments. Due to our common travel area with Britain it is now important that we put in place some conditions. I have a duty of care to both the recipients of social welfare payments and those who fund such payments, the taxpayer. Consequently, I will be proposing changes to the social welfare code which will be no less robust than those introduced in Britain. These measures will be sensible, considered and reasonable. I advise the House that I will bring forward amendments to this Bill, on Committee Stage, to introduce these measures.

This Bill builds on the progress made in the social inclusion area by this Government. It is based on objectives contained in the programme for Government and the commitments made in the social partnership document Sustaining Progress, and reflects the principles of the revised national anti-poverty strategy.

I commend the Bill to the House and look forward to a constructive debate.

Mr. S. Ryan: As always.

Mr. Ring: With the permission of the House, I wish to share my time with Deputy Paul McGrath.

An Ceann Comhairle: Is that agreed? Agreed.

Mr. Ring: The Taoiseach and the Minister for Foreign Affairs, Deputy Cowen, were in Europe during the past number of years telling the people in the accession countries there would be no restrictions of any type, whether, work or social welfare, once they joined the Union. Now it is different. All the countries in the Union, with the exception of Britain and Ireland, had already put up barriers. Last week Britain introduced measures to ensure its social welfare system would not be drained and now we have to follow suit.

The Minister is correct in saying that we have a duty to ensure we protect the less well-off in society and that scarce resources are distributed equally to those most in need. The Government has decided to bring forward an amendment on Committee Stage to deal with the problem we will face. At a meeting of the Committee on Social and Family Affairs last year, officials of the Department of Justice, Equality and Law Reform and the Department of Social and Family Affairs could not see any problems. Deputy Penrose and I pointed out all the difficulties they would face, but we were told no restrictions or barriers would be put in place to allow people to come to this country freely. That has not happened, nor will it.

We must protect the limited social welfare resources we have. As the Minister said, we welcome anybody coming here because the workforce requires them. Anybody who comes here should be protected. However, there is a danger that there are others who will want to come here to use our generous social welfare system. It must be protected. My point is that this is another broken promise. The ten accession countries were promised there would be no barriers to entry to Ireland. In this respect, the Government has acted no differently than it has acted generally since taking office.

Every Member has spoken about the promises on child benefit which the Government made in the context of last year's Social Welfare Bill. Every person and voluntary organisation dealing with poverty was appalled that the Government failed to honour its commitment. A clear commitment was given by the Minister for Finance, Deputy McCreevy, in the 2001 budget but the promise was broken and the Government is behind schedule.

I hope that, when the Minister for Social and Family Affairs and her officials sit down with the Minister for Finance, she succeeds in having honoured the commitment the Government gave to the mothers of this country. The commitment was given by the Minister for Finance from the very seat the Minister for Social and Family Affairs sits on today. That the promise was broken will not be forgotten by the people until it is honoured. The Minister has an opportunity in the coming year to ensure that what was promised in 2001 is delivered. It was not honoured in the previous or current budgets.

I do not wish to be negative. As the Minister knows, I am not a negative person. However, I wish to remind her that 2004 is the year of the family and that the international day of the family will fall on 15 May. In that context, I state my disappointment that the Government failed to honour its commitment on child benefit, although there are other anomalies in the social welfare system. For the ninth year in a row, there is no increase in child benefit. Every report and agency has acknowledged over the years that money given in child benefit is spent by parents on children. It is money well spent. The Minister had an opportunity this year to increase the payment.

Deputy Paul McGrath has raised on many occasions an issue which also upsets me. There are three categories of payment for dependants. As a mother, the Minister will know that, no matter what benefits one receives, every child should be treated equally. Every child represents the same cost and I ask the Minister and her Department to bring the three categories together once and for all. There were more than 20 categories at one time and that has been reduced. It would not matter if there were 30 categories; they should still be made one. Every child in this State should be given the same treatment.

Mr. P. McGrath: The Minister is not listening. The Government does not listen or deliver.

Mary Coughlan: We assimilate a great deal. Some of it is not easy to listen to.

Mr. Ring: I compliment Deputy Penrose, who is a member of the Committee on Social and Family Affairs, on the excellent report on carers. There is no doubt that it contains fine recommendations which I hope the Department will adopt over the next number of years. There are more than 170,000 carers in Ireland of whom 21,000 are acknowledged by the State. Of these, 14,000 receive carer's allowance of one form or another while the rest receive no recognition for the work they do. Even if they were not in receipt of the carer's allowance, respite grants would be a way to help them. All carers should receive the one-off payment respite grant and there should be some recognition of the service they provide and the job they do for the State. There has been wonderful interest in the report of the committee. The Department informs me that copies are sent out every day.

The Minister may remember 19 January, the day the 16 regulations were signed into law. I remind her that, in the budget in early December, ESB charges were increased and 5% was added to road tax. Every charge in this State has increased since then and whatever increases people on social welfare received were wiped out by inflation. The worst problem was the implementation of the 16 cutbacks. The back to education allowance has, in effect, been abolished. It was the case that one could qualify

[Mr. Ring.]

for the allowance if one had been unemployed for six months, but now one must have been unemployed for 15 months.

Mary Coughlan: It could not be abolished. If it were abolished, it would not exist.

Mr. Ring: The allowance affected 1,200 people and the Government saved a measly €2.2 million.

Mr. P. McGrath: It is more money for spin doctors.

Mr. Ring: I will talk about that later.

Mary Coughlan: I do not see that in the Bill.

Mr. Ring: Instead of providing people with more, €1 a week was taken from every person on rent supplement. The cut affected 60,000 people and the Government saved a mere €3 million. The cut which is having the greatest effect relates to couples in full-time employment. It affected approximately 150 people and the Government saved €1 million. While the cuts in question affected only a small number of people, they affected them badly. A cut means a major setback in the standard of living of people on social welfare.

We have repeatedly discussed rent supplement and the problem is coming home to roost for us all now. I listen every day in my constituency offices to people talking about how the cut has affected them. I am sure members of the Labour Party and Fianna Fáil backbenchers have the same experience in their constituency offices. The health boards are being inconsistent in the implementation of the scheme and the directive the Minister for Social and Family Affairs issued is unfair and not precise. People will be homeless because of this cutback. I am sure the Minister's backbenchers inform her every day about how this cutback affects many people.

The cut in the back to education allowance affected 1,200 people who needed a little help to get back into the workforce or to access further education. All that was saved was €2.2 million. That was wrong. There were other ways in which the Department could have made this small saving.

The earnings threshold for disability and unemployment benefit which has been increased from €88.88 to €150 has caused major problems. People are beginning to come into our clinics because they now realise what has happened in regard to the cutbacks. That the duration of unemployment and disability benefit has been reduced from 15 to 12 months is creating a problem. People are annoyed and aggravated about it.

I tabled a question to the Minister on pensions last week. The recent changes made in regard to discrimination are welcome. I am totally opposed to discrimination, whether in the work force or in society. I am delighted the EU put the pressure

on the Government by means of EU directives to implement this. There is one outrageous anomaly I would ask the Minister and her officials to look at. It concerns mainly women. I had a lady visit my clinic who worked in 1953 and 1954 and accumulated a number of stamps. She left the work force and raised her family and later returned to work. She qualified under the ten year rule, having paid her contributions for ten years, but because she worked for two years prior to that, her contributory pension is affected.

Mr. P. McGrath: That is right.

Mr. Ring: That is terrible.

Mr. P. McGrath: The Minister promised to do something about this a number of years ago.

Mr. Ring: If a person from America, Britain or elsewhere came to Ireland and participated in a number of FÁS schemes and had ten years' contributions and my even have a pension from another state, he or she would qualify for the full pension. Because my client, like other people in her situation, worked for two years, before going off to raise her family, putting her family first, and only later returned to the work force her entitlement was calculated over a 48 year period, rather than in the same way as more recent entrants to the work force and she was not entitled to a full pension. That is wrong. I ask the Minister to deal with that anomaly on Committee Stage.

Mr. P. McGrath: What about the new tax today.

Mr. Ring: Yes. The ESB increased its charges three times last year by a total of 25%. I shall refer to the latest increase. If a poor creature spends two or three years trying to save a few euro with a view to going on a little holiday, the holiday is gone, because from today the price of the passport has increased.

Mary Coughlan: What has that to do with me.

Mr. Ring: This is another attack on the people. I do not know what the Minister will do about it. When I resumed my clinics in January the people arrived with their little slips from the county council asking what their new social welfare income was and any increases they got—

Mr. P. McGrath: Were clawed back.

Mr. Ring: —went back to the State again.

Mary Coughlan: The Deputy should have been able to do something about that himself in the past few years.

An Ceann Comhairle: Deputy Ring without interruption.

Mr. Ring: Thank you, a Cheann Chomhairle, I do not ask for your protection often but I ask for it now.

Mr. P. McGrath: Clawback Mary.

Mr. Ring: The clawback description is correct. In regard to the payments after death. That the six weeks' payment after death is to be given to all social welfare recipients is welcome. I compliment the Minister as it is a wise and good move.

I ask the Minister to look at the position of people benefiting from free schemes. If a spouse dies, and the surviving spouse is over 60 years of age he or she stays on the free schemes. I suggest the free schemes be extended for six months to the surviving spouse regardless. At the moment people have the benefit of the free schemes but when the husband, wife, or partner dies they lose the benefit. It is a difficult time for people and the loss of the free scheme causes further problems for them. If it was possible to extend the scheme for six or eight months that would be of assistance. The Minister moved on it a little in regard to the over 60 age group but I ask her to look at the other categories. If the scheme cannot be extended on a full-time basis, it should be extended for six months or a year because that is the worst time for people when they have lost a partner as well as the income.

The Department will have to have another look at the cutbacks announced on 19 January from which the Minister saved €56 million or €57 million. People are beginning to realise what has happened. I am still worried about the serious mistake made by the Government with regard to cutting back on the rent allowance. I said on a previous occasion to the Minister that before introducing this scheme, she and the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Noel Ahern, who has responsibility for housing, should first ensure there are enough houses in the State. That has not happened. The Government's record on housing is terrible.

Mr. P. McGrath: Hear, hear.

Mr. Ring: I ask the Minister to look at it again on Committee Stage. I promise that if the Minister changes it, I will not say she is drawing back. I will congratulate her and welcome it and will not embarrass her. I will be positive about it.

Mr. P. McGrath: Clawback Mary.

Mr. Ring: On the question of adoptive benefit I am pleased to note the changes. That is a matter I raised many years ago before the Minister came to office. I am pleased that people who adopt children have almost the same rights as biological parents. However, they should have the same benefits, the same rights and the same time off. I welcome that move as a positive step by the Government.

I shall speak about inspection powers for pensions on Committee Stage. I welcome the changes with regard to pensions although the Minister was forced by the EU to make them.

On the issue of the personal public service number, I hope it will be used positively and will not be given out willy nilly to Departments or people who want it. It is private information for the people themselves. I hope it is used in a respectful way and that it is not used to turn us into a police state.

We shall discuss a number of the social welfare payments on Committee Stage. We have raised all the issues in the last Social Welfare Act. The three or four different items, the respite grant, the payment after death, the death benefit, and the changes to the pension, will be discussed on Committee Stage.

I hope when the Minister sits down with her departmental colleagues she will be a stronger Minister and that she has learned from the mistakes of last year. All the agencies have pointed out to the Minister, to me and to every Opposition spokesperson what is happening in regard to deprived people, particularly children. The Minister and I have a responsibility to ensure the weakest members of society are protected. The rich are getting richer, the poor are getting poorer, and the middle class are getting squeezed. The rich will always be protected by Fianna Fáil and the Progressive Democrats.

Mr. P. McGrath: I thank my colleague, Deputy Ring, for sharing his time with me. I welcome the opportunity to address the House on the Social Welfare Bill. On the issue of pensions and qualifying for contributory pensions I shall give graphic details of what is involved.

Two families living next door to each other in Mullingar — Deputy Penrose is probably aware of the problem — worked in England for some time and both returned home. One man is much younger than the other. One of the men came home and worked for a few months and went on FÁS schemes, signed on, came to pension age, retired and received the full contributory pension. He had not worked in Ireland prior to going to England and is also getting a British pension as well as a contributory old age pension at the full rate in Ireland.

The second man, the next door neighbour of the other man, is still at work. He has worked here for 14 years, paying a full A stamp and making the necessary contributions, and will be retiring one year from now. He worked out a pension projection to ascertain his position in regard to a contributory pension. He discovered — I raised this matter during debates on social welfare legislation for several years but nothing has happened — that, as a 15 year old, he had worked for Leitrim County Council, for which his father worked as a foreman, and had approximately 50 stamps accumulated for that year of work. I know the Minister will tell me that he was not entitled to work, and that is correct.

[Mr. P. McGrath.]

However, the sad part is that the Department of Social and Family Affairs has a record of the 50 stamps. When the man worked out his pension projection, the 50 stamps were added on to 15 other years of work, and the total divided by 50, in his case, to give him a grand average of less than 20 stamps. This will severely disadvantage and restrict him in terms of contributory old age pension. This man has paid more contributions in this State than his neighbour, worked before he went away and had to go away because there was no work available to him at that time, yet the State is penalising him for it.

On previous occasions, I was told that a departmental committee was considering this matter and would report. Has the committee reported or considered the issue? I have not seen such a report but want to know what the committee has decided on the issue. Unless it advises that this be put right, it is an injustice, and this is borne out by the example provided by Deputy Ring of a person who worked for a short time during that period. Injustices such as this should be dealt with by this House.

Deputy Ring pleaded with the Minister to take action in regard to additional assistance for widows, the forgotten of this country.

Mr. Ring: That is correct.

Mr. P. McGrath: Widows get a raw deal from the State, are badly treated and left high and dry, in many cases on very low incomes as well as having lost their partners. We should at least allow them to access the free schemes and the Minister should consider this issue with compassion.

In that context, carers do a fantastic job and provide a service which could not be provided by the State at a mere pittance of a cost to the State. While they are on duty 24 hours a day, seven days a week, we give them but a very small income and scarcely recognise their presence. This is one group which should be looked after and the Minister should do something in this regard.

I wish to refer to the child dependant allowance, a perennial I raise on an annual basis. Unfortunately, I am hitting my head off a stone wall. However, having heard from me on this issue for the third time, perhaps the Minister will change her mind and do something. There are three different rates of child dependant allowance. Why should they be different? The recommendation for the level of payments states that an adult dependant should receive approximately 66% of the full unemployment assistance or unemployment benefit rate, and many of the payments are between 60% and 70%, which is not too bad. However, the recommendation also states that the child dependant allowance should be at 33% of the rate, which would be €40. Despite that, only €19.20 is paid in child dependant allowance, less than half the normal and acceptable

recommendation. Of course, the Minister will respond by saying that I am not taking into account child benefit.

Mary Coughlan: Absolutely.

Mr. P. McGrath: Child benefit is not a focused payment but an across the board payment, regardless of whether a parent is working. Child dependant allowance is a focused payment to those on social welfare and in specific need, and one which should be increased because it has been static since 1994, which is too long. The Minister should do something about this and it is a great injustice that she does not.

We used to hear in regard to social welfare legislation that the child dependant allowance could not be interfered with because it would be a disincentive to work. That is no longer acceptable because before the Minister tampered with the allowance last year in the context of her "savage 16" cuts, the back to work allowance incorporated an element of the child dependant allowance. It was totally wrong to say an increase would be a disincentive to returning to work. If the child dependant allowance was higher, it would be incorporated into the back to work allowance and so could not be seen as any disincentive to work. The Minister should revise this. When she replies in this debate or on Committee Stage, she should not tell me it is a disincentive to work as it is not, and is not recognised as such by any of the neutral commentators who have considered this.

Another mean cut made by the Minister was the cutting back of unemployment benefit from 15 months to 12. This is a disgrace because unemployment benefit is a contribution-based insurance payment. People pay into the scheme on the basis that they will get unemployment benefit for 15 months if they need it due to losing jobs or otherwise. The Minister is reducing that period to 12 months despite this being a scheme into which people have paid. This is similar to an insurance company changing the terms for customers after they have insured cars and telling them that they are no longer insured. It is mean. When one considers that the social insurance fund is in surplus——

Mary Coughlan: At the minute.

Mr. P. McGrath: At the minute, the fund is about €1.4 billion in surplus, and it is outrageous that the Minister would impose a cut on those on unemployment benefit from 15 months to 12. It is mean, ill thought-out and takes the rug from under the insurance scheme. The point of an insurance scheme is that one pays in on the basis of what one will get out. In this case, people are paying in but the Minister has moved the goal posts and has taken away some of what they were to get out of the scheme. She should not do this because it is unfair.

The Government deceived the public by stating two years ago there would be a certain increase in child benefit. Last year, the Minister gave an €8 increase and this year €6. The Minister has still not fulfilled the commitment given by her colleagues in regard to child benefit, nor taken into account the last two years when there should also have been rises. How can the Minister justify telling the public a particular payment will be made, and then changing her mind? Is it any wonder there is a distrust of politicians or of Ministers, when Ministers tell this House they will deliver and then fail to do so? How can the Minister stand over this while, at the same time, the Government spends money on all sorts of peripheral matters, not to mention the spin doctors it employs. The Government is prepared to spend money time and again in such a fashion, yet when it comes to solid commitments which were given in this House, it reneges on them.

Mr. Penrose: I am glad to have an opportunity to contribute on the Bill. It must be set against the backdrop of the “savage 16” cuts, which we have a duty to oppose, as representatives of the people, in particular the vulnerable who are hit by the ferocious, savage, mean-spirited and niggardly cuts, and against the fact that €56 million, which only represented one tenth of the current budget surplus at the end of the year, could have been taken in and got rid of.

I will refer later to the number of meetings the Minister’s officials had with officials from the Department of Finance from June to November. There was a plethora of meetings, although she only had one meeting with the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Noel Ahern, who has responsibility for providing houses for those who had their rent supplement taken away at one fell swoop on 1 January.

The Minister referred to social welfare code restrictions in the context of the accession countries. We do not want to get carried away in a hysterical overreaction to supposed welfare tourists. We must be careful as we do not want to get carried away in the maelstrom of British reaction to this. We must be balanced and whatever measures we take must be proportionate and reasonable, as the Minister indicated. The Labour Party will not react to this until we see the proposals.

Out of respect to the House, we should have the proposed amendments by Friday, as we will take Committee Stage of the Bill on Tuesday. This is not a threat but, speaking on behalf of the committee members, we will not take the Bill on Tuesday unless we have those amendments by Friday so that we can give them due consideration over the weekend. We may also want to table our own amendments.

That is our solemn parliamentary duty because this is an important question in the context of the free movement of persons and goods guaranteed by and fundamental to EU treaties. As Deputy

Ring said, last year our committee suggested that situations may arise where controls might be implemented but that those controls should be proportionate. They should not inhibit the free movement of persons which is fundamental to the EU. The Minister stated that 50,000 permits had been issued and we should send out the signal that we welcome people to this economy and that such people have a positive role to play. However, given the Schengen Agreement, the land border and the ease of movement of people, we need to see the measures Britain proposes to introduce as some of them may well be tested at European Court level. We should ensure that the steps we contemplate are fair, reasonable and proportionate responses to the situation that has evolved as a result of the measures announced by the British Secretary of State, David Blunkett.

Mr. P. McGrath: He is no socialist.

Mr. Penrose: Absolutely. I am concerned about some of my colleagues who bear the name of the Labour Party in England.

Mr. Ring: There are a few of those here too.

Mr. Penrose: It is a long way from the socialists I know and from my kind of socialism. I am proud to carry the flag of Connolly and Larkin.

Mr. Ring: The Deputy is a true socialist like me.

Mr. Penrose: In that context I want to ensure we are not hauled before the European Court of Justice because of measures we introduce which may be perceived as an infringement of treaty law. That is a fair response.

I welcome the increase in child benefit although, as colleagues said, it is well behind the solemn commitment which was given. Statements in the House cannot just be for the gallery, and this commitment was one of the false promises on which the Government was re-elected. Distrust and cynicism are being generated by the failure to honour these commitments. If commitments cannot be honoured because of an immediate economic downturn which undermines the ability to do so, that is fair enough, but that was not the case. The country was booming and blooming and there was no bust.

Mr. P. McGrath: There was the social insurance fund.

Mr. Penrose: People were given commitments on child benefit and these are referred to by many at Labour Party meetings in Westmeath and elsewhere. Despite our phenomenal economic growth in the past decade, many families still live in poverty, as the Minister knows. Generous child benefits are the best way out of that poverty. Assisting such families while giving parents incentives to enter the labour force if opportunities arise, as Deputy McGrath said, is

[Mr. Penrose.]

important. The Minister for Finance left the Minister for Social and Family Affairs with some egg on her face when it came to her ability to fulfil her commitments.

I welcome the extension of the period in which benefits are paid to a surviving spouse on the death of a person receiving benefits. I compliment the Minister on that. The death of a person receiving benefits often means economic hardship for the surviving partner, as Deputy Ring said. The income stops there and then, which may add further economic hardship to the grief those people obviously suffer. This provision will go some way towards alleviating that hardship.

I have always spoken on the subject of widows, although with our new love of equality I should include widowers. Couples in their thirties or forties, whether they are in urban or rural areas, can feel isolated if they have two or three children. They rely on their partners to get the children to school and so on but their right hand is effectively cut off by the death of the partner. I know the Minister is familiar with this. The loss of a husband, wife or partner in the prime of life is a huge problem. Although it is to be hoped that they have mortgage protection insurance, extending those social welfare payments for six, nine or 12 months would be a fundamental crutch to those people and would alleviate some of the hardship and isolation people feel when they are at their most vulnerable. I appeal particularly on behalf of widows and widowers aged 35 to 45, as often they have two or three children.

One of the most stressed and neglected groups in society are those who care for ill and disabled family members. They often make financial and social sacrifices to care for their relatives and the carer's allowance is still inadequate. It should be remembered that, without the efforts of carers, many people would have to be cared for in Government-funded care facilities at a cost of billions to the Exchequer. The Bill provides for an increase in the respite care grant to €835, which at most would buy a fortnight's care or respite in the cheapest private nursing home. Some of these homes charge €600 per week and I do not know where this will stop. While any respite is welcome, this provision is paltry and I hope the Minister sees fit to implement the recommendations on carers made by the Oireachtas committee I chair. I must go back to those recommendations, although I know the Minister is looking into setting up a committee to deal with them.

Our committee received approximately 70 submissions and presentations. We were impressed by the quality of submissions we received and were also moved by their contents. When working on our report, I as Chairman was confirmed in my view that some of the best people in our country are involved in full-time care for people with long-term disabilities. I frequently hear concerns expressed that we are

becoming a nation of selfish, self-centred materialists who care about nothing except our own increasing wealth and comfort. That claim is easily counteracted by reference to the number of people who give up their own comforts, ambitions and, in many cases, careers to devote themselves to caring for a relation or friend who needs full-time care.

While recognising the dedication and devotion of full-time carers, we must take some urgent initiatives to support them in their work. As we said in the preface to our report, although the situation for both carers and the disabled has improved in recent years, those families faced, perhaps unexpectedly, with the task of caring for a recently disabled family member still encounter a bewildering array of fragmented and inadequately publicised State services with many different types of rules, regulations and means tests. Our first recommendation was to abolish the means test. Approximately 90% of older people in Ireland have average incomes of €254 or less. Means testing is, perhaps, an appropriate income when there are widely varying incomes in a population with many rich people and a few poor people at whom resources can be targeted. The older age group to whom full-time caring applies, does not conform to that description. Carers find the means test degrading, stressful and complicated. It would appear as such to the Minister if she found herself in the position of being a full-time carer, as would be the case for any of us who found ourselves in the position of having to become full-time carers of a relative or close friend. The problems associated with being a carer are ones with which we should easily identify. I urge people who have any doubts or misgivings about abolishing the means test for carers to examine the basic application procedures they would have to follow if they were suddenly thrown into the role of being a carer. The application forms are several pages long and different means tests are used for different services by the health boards and other agencies. Means tests are a cumbersome and high-cost procedure. Let us release the resources involved to benefit rather than burden carers.

The joint committee is also of the view that we should significantly shift caring resources towards home care and establish a home-based subvention system. We should seek, wherever possible, to maintain the disabled person in his or her own home. The support system currently in place has a built-in bias towards institutionalised care. This recommendation of the committee accords with the Government's view, as expressed in the health strategy documents, of the need to introduce an integrated care subvention scheme which maximises support for home care. The joint committee recognised that once one abolishes means testing and provides universal entitlement, one must have an effective and fair system in place to direct the resources towards those in greatest need of services and payments.

Other countries have established this system and we should benefit from and draw on their experience in implementing the committee's recommendation that a consistent and comprehensive system of needs assessment must be established in Ireland. Consistency, in this context, means that the various agencies, including the health boards, must operate such a system with a consistent set of criteria applied.

A further major recommendation of the joint committee is that while criteria and their application in regard to the needs system must be consistent, that does not mean the regulation of the provisions must be inflexible with a one-size-fits-all approach. A wide variety of circumstances applies to people with different types of disability. For example, families urgently need a variety of types of respite, both institutional and at home, and for varying time periods. The present inflexible regulations put enormous stress on carers. The administration of the regulations must be flexible and well-managed and the people administering the system must be trained accordingly. As the committee's report highlighted, greater flexibility is more a matter of attitude and the will to change, than of finance. However, the committee recommended a change in this area towards much greater flexibility.

We have got carers to work on the cheap and they feel strongly that we have failed to recognise their contribution. At a Labour Party meeting in Castlepollard, I was told that people still feel aggrieved at the failure to recognise their contribution by saving the State millions of euro. The abolition of the means test would give them that degree of recognition. It is only a small amount — €140 approximately — which would be essential to them and give the recognition to which they are entitled and feel due.

The provisions in regard to the rent supplement and the "savage 16" are miserly and insidious. For just €56 million the Minister has let the side down because she is only saving €2 million or €3 million here and there — scrapings from the rich man's table.

Mr. Ring: A day at the races.

Mr. Penrose: Some of them would spend that amount in a big bet at the races.

In regard to rent supplement, the Minister has put the cart before the horse with the promise of a strategy to provide measures to prevent homelessness, when the "savage 16" welfare cuts will have exactly the opposite effect. Prior to implementing the changes in the rent supplement scheme, she should have put those so-called strategies in place. Instead, she pushed ahead with no real thought or consideration for the effects of the measures. It makes no sense to introduce the measures without the backup which the Minister claims will prevent homelessness.

Local authorities are acting in an emergency fashion. Community welfare officers ask the local authorities if a particular person is on the list and,

if he or she is not, they will ask that he or she be assessed. It is awful pressure. All these bodies should have been brought together in joined-up Government to ensure the Departments of Health and Children, and Environment, Heritage and Local Government, the local authorities and the Minister's own Department were working together. Instead, these provisions are foisted on people through decisions made on an *ad hoc* basis, which is the worst type of legislation.

By the end of 2002, the Minister's Department announced an increase in tenant contribution from €6 to €12 per week — an increase of 108% in two years — and froze the maximum rent ceilings. In November 2003, more changes to the system were announced in the Estimates without consultation. The requirement to be in accommodation for six months in order to be eligible for rent supplement is unrealistic, arbitrary and mean. With 25% of rent supplement recipients being in receipt of UA or UB and a further 25% on SWA payments, how can these individuals be expected to save for a deposit on a property on the basis of six months' rent in advance? Under the new changes, if one person in a couple works full time — 30 hours — both are ineligible for rent supplement. This is creating huge unemployment traps for individuals. If Government policy stresses that employment is the best route out of poverty, why is the Minister trapping people in the welfare system?

Let us consider the following case study. John and Mary are in receipt of UA and qualifying adult benefit and have no children. If Mary takes up a job for 29 hours per week, which pays a minimum rate of €7 per hour, the household income will be €254.65. However, if the job is for 30 hours, their weekly household income will be €88.65. That is based upon their losing the rent supplement — which is €178 in the ERHA area. This is the difference in going from working 29 hours per week to 30 hours per week.

This is a real case, it is not off the top of my head. At 29 hours, the wages are €203, the adjusted UA rate is €64.65, the household income is €267.65 and they qualify for rent supplement. The rent payable less the rent supplement is €13, therefore, the household income is €254.65. However, if Mary works for 30 hours per week, her wages will be €210, the adjusted rate of UA is €56.65 and the total household income is therefore €266.65. However, they do not qualify for the rent supplement and must pay the €178 rent in full. Their income is therefore reduced to €88.65. How can any Minister justify that? Those are facts.

If the Minister thinks I am making this up, I will give another example. A man with a dependant spouse and four children is offered a full-time job — 39 hours per week — paying €380 per week. His family is subsequently ineligible for rent supplement which results in his household income being less than €150 per week, which includes a FIS top-up. How can a family of this

[Mr. Penrose.] size survive on that amount of money? If the man's wages were below €370, he would be able to keep his secondary benefits, including rent supplement, as this is the income threshold for the retention of these benefits. However, that threshold is unrealistically low.

The Minister may tell me we are exaggerating but I have the examples worked out to a tee. If her officials want to contradict them, let them show me where I have erred and I will present this paper to them. I am not wrong. This is the result of the most niggardly, mean-spirited cuts ever implemented in the history of the State. I studied the history of where this all came from. Is it the position that the Minister's plan to severely cut rent allowance, which has the impact to which I have referred, was presented to the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Noel Ahern, as a *fait accompli* the day before it was publicly announced in the Estimates? Yes or no?

Mary Coughlan: No. The Minister for the Environment, Heritage and Local Government was at the Cabinet table.

Mr. Penrose: Deputy Noel Ahern is the Minister of State with responsibility for housing. The Minister should start talking to the Department of the Environment, Heritage and Local Government and brief him.

Mary Coughlan: He is not a Cabinet Minister.

An Ceann Comhairle: Deputy Penrose without interruption.

Mr. Penrose: I invited that comment and I will give way to the Minister.

Is it correct that the Minister had two meetings and other contacts at senior official level with the Minister for Finance in the five months or so prior to introducing this savage cut? However, the Minister does not appear to have had any intensive or, of necessity, abrasive discussions with the Department of the Environment, Heritage and Local Government, in particular with the Minister of State, Deputy Noel Ahern.

The Estimate was introduced on 12 November. Did the Minister, Deputy Ahern, only find out about this on 11 November? It is his Department which must deal with the fall-out of this measure dealing with the provision of necessary shelter and accommodation for people who will be deprived of the rent supplement. A decision of this magnitude should surely have necessitated detailed discussions with the Department which is already under strain trying to meet the needs of an increasing number of homeless people and which will be expected to take up the slack in dealing with the far-reaching consequences if the rent supplement is discontinued.

I had a suspicion all along that the genesis and driving force behind the cut was the Department of Finance, and what I have discovered proves this is the case. The Minister, Deputy McCreevy, when Minister for Social Welfare in 1992, set out to break social welfare. The "dirty dozen" was his legacy to social welfare. What is happening now is a repetition of this and we are on the same track again. The Minister is a willing ally to what is happening. We must reverse the cuts because they will have an impact down the line. People have been telling me that they are already having an impact. Perhaps people think I am a bit of a fool, but I think they will have a serious impact. There are 50,000 already on the housing waiting list, which is growing. I understand we will save €10.5 million while approximately 4,000 people will be affected. It will be interesting to see how many people will be affected by the end of the year.

I want to deal with secondary benefits thresholds. The threshold for the retention of secondary benefits such as rent supplement, back-to-school clothing and footwear allowance and fuel allowance has remained at €317 since 1994. It has not kept pace with inflation, which has increased by more than 30% in the intervening period, or wages. It is totally outdated, causing unnecessary unemployment traps for people wishing to move from welfare to work. This is the essential issue. Welfare is just a support for people who find themselves in difficult circumstances. I understood the Minister's aim was to facilitate people who have an opportunity to better themselves by going from welfare to work. If this initiative is strangled by ensuring the secondary benefits threshold is maintained at a low level, we will be in trouble.

The €20 increase received by the job initiative participants from FÁS brings them above the threshold. The €10 increase for CE participants brings some workers, especially lone parents, above the €317 threshold. Both the job initiative and community employment schemes have proved to be valuable in assisting participants to enter or re-enter the labour market. However, now current and potential participants who benefit from these schemes are unlikely to participate because if they lose their secondary benefits they could find themselves living on €90 or €100 a week. Why has the Minister not addressed this issue? How can this be seen as making work pay? A number of groups have campaigned for a long time for this threshold to keep pace with inflation to ensure such poverty traps and unemployment traps will not arise.

My colleague, Deputy Ring, referred to the back-to-education allowance. Following the other changes made to the back-to-education allowance earlier in 2003, the changes arising from the Estimates now extend the qualifying period from six months to 15 months for third level options. This is another attack on unemployed people trying to break the poverty-unemployment cycle

by returning to education. What is the rationale for keeping people on welfare longer and ultimately costing the State, instead of providing assistance to improve their employability chances that will then see them coming off welfare and contributing to the Exchequer? Are the policy initiatives emanating from the Minister's Department poverty-proofed? Is a cost benefit analysis carried out on every initiative undertaken by her Department? There must be a wider analysis of the benefits three to five years down the line when people emerge from third level institutions and play a positive role in the workforce by contributing to the local community, particularly rural communities which need all the vibrancy they can get. The back-to-education allowance affected approximately 1,200 people.

The Minister is saying that all the other cuts, including the crèche supplement, will be taken up by the health boards or someone else. Is anyone else taking up the slack? What is the policy of the Department of Justice, Equality and Law Reform in regard to the MABS cuts? This small amount of money helped people out of the jaws of moneylenders. People were able to set up a repayment system and improve their lot. These cuts will come back to haunt us at some stage.

Deputy McGrath referred to aggregation. The Minister will be more aware than anyone in the House of this issue — I am speaking to the converted. Will she ask the review group to examine the issue? In the late 1950s, 16 and 17 year olds got a job prior to getting a one-way ticket to leave the country. My uncles always told me that they got one great legacy, namely, a one-way ticket out of Ireland, and they are still living in the heart of London. Perhaps these young people should not have been working. At the time people were breaking stones or working in a pit. People were pleased to get any work. People were working in Bord na Mona, which was just being set up, or in the Board of Works. The stamps these people earned were recorded before they went to England.

Some of these people may have come back in the 1970s or 1980s after being working for 40 or 50 years. The timespan from 1956 or 1957 would amount to 47 or 48 years and these people would have just 17 or 18 stamps. Therefore, these people's contributory pension contributions are being reduced. On the other hand, someone who earned more stamps over a shorter period of 15 or 20 years would have a much better pension. I am aware of the cases in Mullingar outlined by Deputy McGrath. The person who went to England feels deeply aggrieved. These people worked very hard. They did not go out of choice, they went because they had to go.

As the population ages we constantly hear alarming references to the pensions time bomb and successive Governments have been making provision for the increasing numbers in the pensions age group over the next 20 years. The PRSA has been put forward as the main solution

to the pension problem and every day we hear advertisements on the radio warning employers that they will be prosecuted if they do not provide access to PRSAs for their employees. Section 11 empowers social welfare inspectors to carry out inspections. I know from small employers who have been in contact with PRSA providers that these providers are not coming back to the small employers with the speed the Minister would like. I ask the Minister to contact the PRSA providers in this regard. Many shopkeepers and so on want to provide these pension schemes while many employees do not wish to take up the offer. PRSA providers should be more helpful to small employers who find themselves in this position.

Mr. Crowe: I wish to share my time with Deputies Gregory, Cowley and Boyle.

An Leas-Cheann Comhairle: That is agreed.

Mr. Crowe: I thank the Minister and her staff for facilitating a meeting with Opposition spokespersons and giving us an opportunity to go through the Bill. There are positive aspects to it. However, they cannot and should not be seen in isolation but against a backdrop of a society where the gap between rich and poor continues to widen.

A true measure of any society must be based on how it treats its poor, elderly and those in bad health. If we were to listen to those groups and individuals who campaign on behalf of these sections of society, they would tell us that, instead of conditions improving, especially during a time of significant wealth creation, they are much worse for the less well-off.

Many of the positive proposals in the Bill will not significantly alter or change the conditions or lifestyle of the most vulnerable people in our communities. At a time of unprecedented prosperity a quarter of our children and a fifth of our adults still live in households in receipt of less than half the average income, which represents the most unequal distribution of wealth of any industrialised state outside the USA. There is a simmering crisis in our unreformed, two-tier health service in spite of increased spending. Some 50,000 households are on local authority waiting lists. Our education system continues to fail and deny equality of access to children of lower income families. Our public transport system is inadequate, which further marginalises the poor and less well-off. We have unbalanced regional development which leaves disadvantaged regions lagging behind. This is the context in which we must address the Bill.

The Minister for Finance, Deputy McCreevy, told my colleague, Deputy Ó Caoláin, last week that he gives away so much money in tax exemptions, allowances, loopholes and breaks that he cannot keep track of it. Hundreds of millions of euro are lost to the Exchequer and the Minister has not bothered to do a cost-benefit analysis of the tax breaks he hands out. Some

[Mr. Crowe.]

300,000 children live in poverty according to the Combat Poverty Agency and the Minister for Finance does not consider it necessary to find out how much he is giving away in tax breaks. We are told that increases in child dependant allowance are not being considered because this would be a disincentive to work. What is the value of economic development if the children of the nation are not properly cared for? Surely as a society we must ensure children receive the best of care at all times.

One in five families with at least one member working live in poverty according to the ESRI, but there is no change in the Government's mantra that jobs are the one and only solution to poverty. A representative of the Society of St. Vincent de Paul has said that the numbers seeking help have doubled in the past year. Does this not suggest, even to the most cynical observer, that something is radically wrong with the Government's policy and how it addresses poverty and social inclusion?

The Bill will be seen by many as another missed opportunity. The Minister will say that she has to work within her budget. We in the Opposition will continue to argue that there are elements in our society who do not pay their fair share of tax and that they should provide those extra resources for the less well-off. Prior to the previous general election, the Government committed itself to increases in child benefit totalling €1.27 billion over three years from 2001 to 2003. This would mean a child benefit rate of €149 for the first and second child in the 2003 budget. A year later, we are still almost €18 short of the Government's target. We are told it has not broken its promise; it has just rewritten it. The rate for 2003 is promised again for 2005. In real terms, its value will have declined over those two years and the poorer sections of society will once again have to try to catch up.

I wish to comment on a number of the sections dealing with the changes to the Pensions Act. I thank the Minister and her staff for the briefing provided to Opposition spokespersons yesterday.

While I welcome the expansion of the grounds of discrimination, even if I note that it only seems to be happening in some cases as a result of EU directives, I am sure the Minister is aware that the grounds of discrimination now contained are the same as defined by the Equality Authority. In the past the authority has often expressed its desire to expand those nine grounds to include making illegal discrimination against individuals on the basis of political opinion, trade union membership socio-economic class or previous criminal record.

The changes in the Bill are the result of EU directives and the terms of Sustaining Progress. In other words, far from taking positive action, the Government has been forced to do so in one way or another. Will the Minister to consider taking progressive, proactive measures to widen the areas of discrimination contained in this

legislation to include the grounds to which I referred? Surely she would agree that discrimination on those grounds is unacceptable and that there is no protection for people who might suffer from different treatment for those reasons.

The Minister could also make some changes to some regressive legislation outlined in the Bill. Section 72(3) deals with an issue I raised a short time ago on Report Stage of the Civil Registration Bill. Under this section it is not discrimination to provide more favourable occupational benefits to a deceased member's widow or widower. As I pointed out to the Minister previously, marital status in this State has implications for rights in regard to residency, property, adoption, taxation and pensions, the last being the most pertinent in regard to this Bill.

The glaring inequality that exists in this State where we refuse to provide for some sort of registration of same sex partnerships is highlighted again as members of the homosexual community are cut off from equal treatment in terms of pensions. Same-sex couples continue to be discriminated against in this State and this legislation, at the same time as introducing sexual orientation as grounds for discrimination, recognises again that, when it comes to survivor's benefit, it is acceptable and legal to discriminate against same-sex couples. It is a shameful state of affairs.

At some point the Government will have to stop running away from this issue. According to a report from the Equality Authority published in 2002, various EU states, including Holland, France, Denmark, Germany and most Nordic states, have some form of legal recognition of same-sex marriage or some sort of process for registration of same-sex partnerships. The Government cannot continue to prop up institutionalised discrimination against people on the basis of their sexual orientation. Will the Minister address the specific issue of pension entitlements in the context of the ongoing discrimination against same-sex couples and outline her proposals to end it? If she is making changes to the Pensions Act, why would she not make this change? Why should we not begin to make the positive inclusive changes that are needed here?

I also strenuously object to section 73 of the Pensions Act, as it will be amended by the legislation. It legalises discrimination against a person on the basis of his or her disability because of his or her work output. It takes no account of difficulties people might have in their working environments because no measures have been taken to cater to their impairment. A disabled person might be able to work as well as any able-bodied individual if the company or business concerned were willing to take the appropriate measures to facilitate him or her. Regrettably, some businesses are not prepared or not financially able to make such provision.

The social model of disability is a different way of perceiving the disabled issue in Ireland. It does not see the person concerned as being disabled but as society disabling that person by not providing the appropriate facilities.

Another missed opportunity in this Bill is the failure to address the State's discrimination against women who returned to work. The women concerned were compensated, but a previous speaker spoke about their lack of social welfare credits. Many of these women are nearing retirement. What steps will the Minister take to address this matter? Does she believe the Government has a moral responsibility to address this matter? Many of these women were forced out of employment through no fault of their own. Failure to address this matter in the Bill represents a missed opportunity and this matter needs to be addressed urgently.

Mr. Gregory: I want to make a few brief comments on the level of social welfare payments referred to in the Bill. I want to place these payments in their overall context, in the Ireland which is now one of the most affluent countries in the world. Ireland's *per capita* income is one of the highest in the European Union, yet in contrast, its record in social provision is far below the European Union average.

I refer particularly to the extremely unequal income distribution which, with the constantly increasing gap between rich and poor, more than anything else demonstrates the alarming neglect in social provision in this affluent country. In the context of continued economic growth, the opportunity to address this deficit remains available, but the Government, the Fianna Fáil-Progressive Democrats coalition, has consistently chosen not to avail of that opportunity.

The CORI justice commission, in its analysis and critique of budget 2004, said that Ireland's poorest people have again been told to wait. CORI points out that Ireland has the widest gap between rich and poor of any country in the European Union, a gap which is increasing. What a record, after the years of the Celtic tiger's surpluses of billions. More importantly, the CORI analysis predicts that if the Government continues with the same approach — all the indications are that it will — Ireland will be an even more deeply divided two-tier society than it currently is, and that is saying quite a lot. CORI says this situation is unjust, unfair, unacceptable and unsustainable, and I agree. CORI concludes that ultimately the Government's choices are based on its vision for the future, a short-sighted vision. The Government maintains an increasingly deeply divided two-tier society at a time when the opportunity and the resources are available to redistribute wealth and in so doing, create a more just and equal state. Instead, the clear message is that the political will to attain that goal of social justice is not there.

Regarding social welfare payments, an analysis shows that the gap between rich and poor has

widened by almost €300 per week in the period covered by the seven budgets since the Fianna Fáil-Progressive Democrats alliance came to power in 1997.

Mary Coughlan: Consistent poverty has been reduced considerably.

Mr. Gregory: I have only five minutes, if the Minister will bear with me. It is worth putting this critique into the record because it shows how a combination of inadequate social welfare payments and budgetary measures which consistently favour the better off creates a divided people. Consider the disposable income of a couple who are long-term unemployed after seven of these Fianna Fáil-Progressive Democrats budgets. That couple is €89.43 better off per week. Alternatively, a couple earning €50,000 per year is €310 per week better off, that is, €16,000 per year better off. One can add a further €14 per week, as that latter couple has most likely joined the Government's special incentive savings scheme.

It follows that the higher the income, the greater the gap between the affluent and the least well off in Ireland. This ongoing trend is unjust and very bad, to put it mildly, for social cohesion. It should be reversed, but that would require a change of Government, because the trend is the direct result of conscious decisions and choices made as part of the philosophy of the Fianna Fáil-Progressive Democrats coalition.

Dr. Cowley: I am glad to speak on the Social Welfare (Miscellaneous Provisions) Bill 2004. I am disappointed however in what the Bill does not address, in particular the problem of the low-paid worker regarding eligibility for the medical card, which is essential for adequate access to health and social services for those on the bread line, and their children. Where is the hope for the 200,000 people who were promised medical cards but did not get them? It was fine to give medical cards to all those over 70, if we could have afforded that, regardless of whether they were of millionaire status. The problem is that so many older millionaires have got unlimited free access to the GP and to chemists' prescriptions, while such deprivation and lack of access exist for poor adults and children.

Anyone would assume that someone on the national minimum wage would qualify for a medical card, but this is not true. To qualify, a single person must be earning no more than €136 weekly. For a couple, the weekly income limit is €200, and €250 for a couple with two children, or €1.70 per hour individualised. People legitimately on the highest level of social welfare may exceed the medical card eligibility limit but still qualify for a medical card, while working people on lower incomes may not. Is it any wonder that people are driven to work in the growing black market? The medical card means so much in additional benefits too, such as the back to school

[Dr. Cowley.]

allowance. This is the terrible Government of glaring contrasts, where working people on incomes lower than people on social welfare do not qualify for medical cards, though everyone in the know, people who work on the coalface, recommend that eligibility levels should be increased.

Does it make sense to deprive people of less costly primary care when they will eventually be driven into more expensive secondary or tertiary care, because their condition has been neglected so much, and complications have developed, requiring hospitalisation? When a chest infection becomes a raging bronchial pneumonia requiring hospitalisation, does that make sense? I do not think so.

This is the same Government which plans to build expensive radiotherapy units in the big cities, whereas the more regional distribution which is recommended would ensure adequate access and greater survival for people. What good are these major units if people cannot access them? This is the same Government which plans to take away secondary care hospitals and force people into more expensive tertiary care. It does not make sense, especially when there are no additional facilities to take care of those people who are on trollies.

Mary Coughlan: That has to do with health. The Deputy is at the wrong debate. The matter before us relates to the Department of Social and Family Affairs.

Dr. Cowley: If that Department had done its job, I would not be speaking here. What about the treatment purchase fund and the situation whereby private orthodontic services are being provided for people on the waiting lists, while the population could be treated adequately if the service that is there were properly supported? The Government has poured millions into a treatment purchase fund, while if one put in local consultants, the service could be provided permanently. It brings to mind the old saying: "Give a man a fish and you feed him for a day; teach him how to fish, and you feed him for life." The Minister should give back the local services, rather than taking them away in the manner of her colleague, the Minister for Health and Children, by means of the Hanly report.

The Government is paying highly for subsidised rents while it has failed, through the local authorities, to provide sufficient long-term housing to accommodate people in the long term. I am sure the Minister will agree with that, because she has said it herself. I compliment the Minister on speaking out on this matter. She might have a word with her friend, the Minister for the Environment, Heritage and Local Government and her other Cabinet colleagues, and ask them about a defined Revenue funding scheme, which would encourage people to recognise the enormous potential of voluntary

housing and the value of being allowed to stay in their local areas instead of being subvented in expensive nursing homes. At least 25% of them could return to their communities. That would be possible through a defined revenue funding scheme.

There is a great myth about a black hole in health and social spending. There is much less poverty in countries which spend on their social services. We need less poverty and more spending on social services. I agree with supporting people to go back to work and providing child care services thereby allowing people who are able to go out to work to do so and not to be burdened with a lack of child care services and with the care of older people. If people got those supports, they would be able to work and we would have a better economy as a result.

Mr. Boyle: The Social Welfare (Miscellaneous) Provisions Bill is the secondary legislation introduced by the Minister each year on foot of commitments in the budget but this year it seems to be different in a number of respects. Not only does it seek to introduce the legislative measures for the staggered payments — payments made at different times of the year under the various parts of the social welfare code — there is an attempt to amend pensions legislation. There is a third as yet unspoken part of the Bill about which the Minister spoke this morning, namely, amendments to be made in regard to the likely treatment of people from the EU accession countries in terms of social welfare. In regard to that third area, it is unfortunate that we are operating in a vacuum without those amendments which I hope will be supplied as soon as possible so that, as Opposition spokespersons, we can react and amend appropriately.

In regard to the traditional aspects of the Bill, I will go through some of what is proposed. There is an increase in child benefit, the 2003 and 2004 increases combined being less than the Government promised in its three year commitment prior to the last general election. There is an increase in the annual respite care grant which has been doubled if a carer is caring for more than two people. It is a small sum of money but at least it is a move in the right direction. I would have liked additional measures to have been considered in terms of qualification for the respite care grant because the real barrier for many people looking after people in care is evidenced in the low take up because of the restrictive nature of the qualification for not only the care grant but for the carer's payment. I hoped the Government would have come up with proposals in that area.

The six weeks' payment after death arrangements are welcome and have been called for by many in this House. It will help people in a difficult situation by not having to deal with a significant loss of income immediately. It will give them breathing space to sort out payment arrangements while overcoming a bereavement.

The linking of the death benefit pension to the widower's contributory pension for pensioners over 80 years of age eliminates an anomaly in the system.

I refer to the increase in the minimum payment of unemployment assistance from €31.80 to €40. It is almost like pocket money. The Minister will probably be aware that there are teenagers who eke more than €40 out of their parents each week.

Mary Coughlan: I am not at that stage yet.

Mr. Boyle: One of the unfortunate aspects of the social welfare system is that the young person who is unemployed and finds himself or herself in an accommodation bind living with parents is assessed on the parents' means and thus receives a derisory payment which is neither an incentive nor a disincentive to change his or her life circumstances because it does not recognise him or her as an individual.

The maternity leave proposals are welcome and a Bill is proceeding through the House in that regard. Everyone welcomes the fact the payment is being readjusted to the period before birth and after birth and that the same will apply to adoptive leave. However, I am concerned the legislation has not been dovetailed better. The legislation was not introduced in the House early enough so we could make definite decisions and have definite dates as to when these changes would be made to the social welfare code. That will be a disadvantage to those who want these changes to happen sooner rather than later.

Most of the changes to the traditional part of the Bill are welcome but I would have thought the opportunity would have been taken to reduce, if not eliminate, the idea of staggered payments throughout the social welfare system. In many respects, we have moved to using the calendar year for the payment of social welfare benefits and the introduction of increases on a January, April, May and June basis. It might help the Minister's budget but it creates a false impression that payments are annual when they may only apply to two thirds or half the year in some cases. When we reach a situation where all increases are made on 1 January, it will be a more honest approach to payments being made.

The second part of the Bill, the new section we would not have seen in previous Bills, concerns the review of the pensions Act. Some of it is necessary in terms of implementing EU directives, even though specific exemptions are being considered. I have qualms about seeking the exception on the age ground. That is the most controversial aspect of the exemptions being sought. People are living longer and their ability to contribute should be increasing not decreasing. How that is done, whether on a voluntary basis or through some other incentives, is a matter for political debate. There is a perception — it is not fostered by the Minister because she came quickly out of the traps to knock it on its head

when it arose a few months ago — that the retirement age should be looked at and that it should be increased. We have had the report from the Society of Actuaries. There is a case for people who are over 60 or 65 years of age and who want to continue to contribute to do so. Structuring a payment and a pension system around that is something we could do.

I argue there is a case for tax incentives for people who voluntarily and willingly stay in the work force because of their experience in their given fields. They could be looked at differently in the tax system. My party has long argued for a combination of the tax and welfare systems to maximise the incentives in this area. That said, we need to implement the directive and most of the exemptions can be justified in terms of Irish cultural habits as much as anything else. However, I put down a marker on the exception on age grounds which will require considerable debate on Committee Stage.

There should be an opportunity to look again at personal retirement savings accounts, PRSAs. I recently asked the Minister how employers indirectly benefit by sponsoring or encouraging their employees in this regard. The employee makes a payment but the employer is not directed to make an equal payment yet he or she still benefits from the fact the employee is contributing to a PRSA. This is a double handed incentive in that the employee benefits and the employer benefits without making a direct contribution. It goes against many of the principles of pay related insurance and what we are trying to encourage here, namely, pay related pensions.

I refer to the third element of the Bill we have yet to see. The Minister and I have already debated this issue on the national airwaves. I have not seen the amendments but I still argue that it is a reaction to a problem which we do not know will exist to any great extent. We do not know the number of people who will come to this country to work or to live and to try to benefit from the social welfare system. Given the length of time it takes for people and their means to be assessed and to receive a first payment and secondary payments in terms of accommodation, which has been suitably adjusted by the Minister in the changes made before December, I do not know what incentive exists for a citizen of an accession country to come here to avail of our social welfare system and to see it as a means of support. I cannot see what incentives exist for any citizen of an accession country to come here to use our current social welfare system as a means of support. They would be starting from a minus level in the first instance, by travelling over and seeking to become established here, in addition to living on unemployment assistance payments as low as €138, which are well below what we agreed they should be, at 30% of the average income. In those circumstances, I would argue whether the Minister needs to introduce any amendments in that area. I will be arguing against

[Mr. Boyle.]

her on Committee Stage when, hopefully, she will be of a mind to withdraw those amendments or to accept the advice of the European Commission that they may not be legal.

Mr. Dennehy: I welcome the opportunity to contribute to the debate on the Social Welfare (Miscellaneous Provisions) Bill 2004. As I did last year, I again wish to compliment the Minister, Deputy Coughlan, for the job she is doing. Her remit covers a wide area of responsibility, given the number of clients, if we wish to use that term, including the elderly, widows, lone parents, the disabled, carers and others on low pay. Her Department has a huge budget but she is doing her job extremely well. She deserves our compliments, although I appreciate that there will always be negative comments and less than complimentary charges may be made at times.

I wish to refer to a number of things that were said at the outset by Deputies Ring and Paul McGrath. Both Deputies referred to people — in the case of Deputy Paul McGrath it was a neighbour — who had accumulated a number of stamps from 1953 or 1954. I have mentioned previously the decision by the Minister for Social and Family Affairs and the Minister for Finance to make allocations for pre-1953 social welfare stamps to Irish people living abroad. I did not spell out all the details of that scheme at the time but I would like to put them on the record now. As of August 2003, some 18,699 people in the UK, 15,978 in Ireland and 4,573 between the USA, Canada and Australia have availed of this generous gesture. That makes a total of 43,804 elderly emigrants who are now benefiting from this Government's decision to allocate full credit for pre-1953 contributions.

Members will be aware that there was not an insurance element in that but in seeking to look after the elderly, the Government has made that magnanimous gesture. It was the most positive approach to emigrants that I have seen since my time in politics began in 1974. It is in line with arguments that we made back in 1991 when I chaired one of the committees dealing with this matter at the British-Irish Interparliamentary Body. To date, the cost of that humane gesture has been €209.9 million, which comprises €26 million in 2000, €70 million in 2001 and €113 million in 2002. It was a historical reaction to the plight of these elderly emigrants, all of whom are now at least 65 years old.

I mentioned this matter previously because of the extremely negative reaction a few weeks ago by Opposition Members who, on paper at least, purported to be so concerned about emigrants. I was sickened by some of the comments of Opposition members at the Committee of Public Accounts.

Mr. Connaughton: The Deputy is easily sickened.

Mr. Dennehy: My comments are on the record of the proceedings of the Committee of Public Accounts. I wish to reiterate that if the Minister for Social and Family Affairs and the Minister for Finance can expect such a reaction from the Opposition to that kind of gesture, it is no encouragement to them to do anything similar in future. Members from both sides of the House have sought concessions at times when difficulties have been brought to their attention. The reaction of the two Deputies who expressed their concerns about an individual — and I know all these figures are made up of individuals —

Mr. Connaughton: That is the point.

Mr. Dennehy: —who might have had stamps in 1953, was very poor. I thought Deputy Paul McGrath was going to start crying at one point. He was aghast that someone could make a promise about child benefit, yet not carry it through fully. He said this damaged the body politic. I do not know whether he was around when we had the £7.50 for stay-at-home housewives.

Mr. Connaughton: It was £9.50. The Deputy is playing hell with it.

Mr. Dennehy: That promise was made by somebody far more saintly than me. We recovered from it but I do not know how Fine Gael managed. We must be robust in our arguments but the Opposition reaction was poor. Deputy Ring lambasted the Minister for what he described as “the critical 16”. He dealt with all the minuscule sums, such as €3 million, €4 million and €5 million.

Mr. Connaughton: That is nothing.

Mr. Dennehy: They are tiny figures. In fairness to Deputy Ring, however, he did make an important point that the money could have been saved elsewhere in the Department, although he was very careful to avoid any suggestions in that regard. I was surprised because I thought he would list them out carefully. I am as concerned about my constituents as any other Deputy. We need to be positive about such issues and if Deputy Ring has ideas where money could be saved he should point them out.

Deputy Ring also mentioned what he called “a measly euro” change in the rent subsidy scheme. I had to fight and campaign to stop some of the Fine Gael members on Cork City Council from tabling a proposal to scrap the rent subsidy scheme. Some of my own colleagues on the Government side also had doubts about it but the scheme is a very important one. I will refer to it later if I have time to do so. We should be realistic, however, and tell the truth, which is that changes were needed. Every Member of the Oireachtas was aware of certain difficulties and abuses concerning the scheme. It could not continue to expand, particularly in the Dublin

area where we were being ripped off left, right and centre, not by the poor constituent who was applying for the scheme but by the people receiving it. Something had to be done and I feel it was done correctly. Despite what Fine Gael councillors in Cork, and others, may have argued for, the important thing was to maintain the scheme. The scheme is necessary because it compensates those who are entitled to housing but who we cannot currently house.

The question of broken promises on child benefit was raised, which I found fascinating and I will revert to that point later. Over the years, there has been much discussion as to whether universal social welfare benefits, including child benefit, should be paid to all parents, regardless of their income. The question is often posed, fairly, as to whether we should pay benefits to parents who may be millionaires, when we could means test the benefits and provide a larger payment to lower income recipients. I personally believe that would be the wrong way to look at the question. The State has an interest in the welfare of all its citizens who should be in a position to contribute to and benefit from the system. The child benefit system, where a payment is made directly to the mother in the home, guarantees an income to the mother, independent of her spouse or partner. In the past, when the level of female participation in the workforce was a lot less than it is today, child benefit was often the only direct payment such women received. For a long time I have encouraged the retention of the current system, so I would oppose any means testing or taxation of child benefit. Fianna Fáil members in general will agree with me on this issue.

It is important to remember that at different times in our lives we may be net contributors or net beneficiaries of the social welfare system but that we are participants at all times. I was contacted recently by a couple from Dublin whose son was disabled. He died last week and I attended his removal, although I never met him. He was a young doctor who got an aneurysm and ended up a paraplegic. He was scrambling to try to get a chair lift installed in his home. His wife was also a professional but she left her job to care for him. Anybody could face a similar scenario. We must be mindful that we might be on the other side of the equation as a recipient.

Budget constraints necessitate that means testing will be required in certain areas of the social welfare system, but I am glad the current system maintains almost universal public support. When I first entered local government in 1974, a demeaning and degrading scheme was in place which provided for scrutiny by local councillors of applications for the old age pension. I did not have major philosophical hang-ups but I boycotted the scheme on the basis that it was demeaning for elderly people that I could invade their privacy and review their incomes. The scheme was wound up shortly afterwards.

One way to judge the budget and the Social Welfare Bill is to make direct comparisons. Deputies Ring, Paul McGrath and Penrose referred to the “disgraceful level of child benefit”. However, the record shows that, when Fianna Fáil resumed in power in 1997, child benefit was €38.10 per month. It has been increased by a significant 245% to €131.60 per month since. There can be no argument about this fact, yet these Members have the audacity to argue about the “disgraceful level of child benefit”. That is a straightforward comparison, which is evidence of a significant commitment on the part of the Government to the welfare of children.

I refer to the allocation of the available resources. I am happier with a direct payment by the Exchequer to all families rather than using the tax system to provide a subsidy for child care. A universal payment to all families allows each family to decide for itself the appropriate form of child care for its children. This issue will be revisited. Without making promises in this regard, I have consistently said people should have a choice. If they have children, they should receive an allowance out of which they can provide for them and make decisions accordingly. Deputy Paul McGrath instanced his horror at the notion of reneging on promises.

It is often forgotten that PRSI stands for pay related social insurance and it is important that people who pay into the system can easily access the benefit to which they are entitled. One area of concern relates to dental benefit and the number of dentists who undertake PRSI-related work and whose books are open for new patients. I have received representations from a number of my constituents who say they find it difficult to avail of the dental benefit to which they are entitled. This is a problem throughout the State. It should not be a problem in Cork given that a dental school and hospital is located there, but the problem is as bad in Cork as anywhere else.

Last year's dispute between the Minister for Social and Family Affairs and the dental practitioners highlighted the problem that exists within the system. A significant increase in the number of dentists operating under the scheme is needed and I am anxious that qualified Irish dentists working in the UK should be enticed to return to the State and establish practices here. The logistical impediments that prevent them from doing so should be tackled urgently.

I refer to the ongoing debate on immigration in the aftermath of 1 May when ten new member states will join the EU. I would welcome suitably qualified people from these countries participating in our workforce. There is a touch of *Tadhg an dá thaobh* about a number of contributions to this debate. The media, in general, have taken a balanced view on the issue of new regulations that might need to be implemented in this area, especially following the British decision. The Opposition has stated something should be done but it will watch the Government closely. Nobody has suggested what

[Mr. Dennehy.]

should be done. A common-sense approach is needed and the issue must be examined. It is not the case, as Deputy Ring stated, that the Minister for Foreign Affairs is galloping around Europe telling people they can come to Ireland to claim social welfare.

The British decision has changed our position on this issue. It is our nearest trading partner and, in the bad old days, 90% of our trade was with the UK. However, when the British Government makes such a significant decision, Ireland must react and there has been a practical reaction. Many of my constituents have expressed concern about this issue and they think EU citizens will enter Ireland and dawdle on the social welfare system. That will not be the case because these people have the right to come here to work and it should be upheld. I was glad to work in England and Wales in the bad old days with people of various nationalities and that broadened my view on these issues. However, the right to work must be upheld and there are opportunities for these people. Ultimately, our sails must be trimmed on the question of social welfare. The system could not sustain a deluge of people, which will not happen anyway on the basis of previous evidence. The number of people who have entered the State from the ten accession states is available.

The current requirement under the dental benefit scheme that one must have five years' of class A contributions to qualify for benefit is too restrictive. While I acknowledge the limitations on the Minister's budget, I tabled a parliamentary question in which I asked her to undertake a study to ascertain the cost of relaxing the rules so that a person qualified for such benefit having paid contributions for two years. I hope the Minister will consider this. This is different to the orthodontic issue which we have been trying to untangle for the past number of years. The methodology used for training and related matters has created a closed shop which has resulted in a substantial increase in the price. However, the provision of such facilities should be different.

It is important that everybody can benefit from the social welfare system and, in so doing, to ensure it commands maximum public support.

6 o'clock Similarly with PRSI, it is essential that all persons who pay into the system understand the benefits they can derive from it and it is not regarded as a supplementary income tax. The less well-off are often not aware of the potential benefits of the system and the family income supplement is an example of this. The phrase, "poverty trap", has been used a great deal in recent years. The long-term unemployed find it difficult to take up a job because the wages they are offered do not make up for the loss of unemployment assistance and related benefits. That has been referred to by other speakers.

My fellow Corkonian, Father Seán Healy, has done considerable work in this area and I respect his opinions in this regard. One of the best ways of removing a poverty trap is to have a system of smoothing the transition from social welfare back to employment. The family income supplement is an excellent way of achieving that and the income threshold for qualifying for the supplement has been made much more accessible. This scheme improves every year but we need to advertise it more widely and explain it to people.

I have a particular interest in the carer's allowance. It is universally recognised that Deputy Michael Woods, who is one of the country's foremost authorities on social welfare, made great reforms in this regard and put systems in place which will stand as a legacy to his work in that Department. I am glad his successors, Deputies Dermot Ahern and Mary Coughlan, are continuing his work. Benefit for carers is something we all support. I work with the Irish Carers Association and I am aware of the great work it does, taking the pressure off the State. Anything we can do for carers should be done. I ask the Minister to look at this aspect.

Mr. Connaughton: Social welfare provisions are undoubtedly better now than they were. This is what the Government tells us and it is what one would expect the Government to tell us. However, because of the inflow of funds into the country and the Celtic tiger economy, the gap between the rich and poor has widened to an alarming degree. I have always accepted Father Seán Healy as an honest broker. There are times when I do not agree with everything he or his organisation, CORI, say but he and his associates are the only people on whom those who live on or below the poverty line can depend. Every couple of months CORI issues well researched facts and figures. These are much needed. We can argue about whether the old age pension is adequate but our arguments must be based on an understanding of what poverty means. There is a certain level of income below which no family can operate with dignity. I am not talking about going around with a torn jacket or having one meal a day.

One could argue that substantial progress has been made in the past ten or 20 years but can we balance our prosperity against the poverty which still exists? The CORI critique of the budget argues that the gap between rich and poor has widened by €294 per week since 1997 when the Government came to power. CORI presents facts and figures to back up that statement. It is, surely, a damning indictment of any Government or society that the gap between rich and poor should be so wide.

The new personal rate of unemployment assistance is €134.80 per week. It increased this year by €10. The Minister of State and I know people who would have no trouble spending that amount on an evening meal in this city. Deputy Dennehy and I may not have time for that sort

of thing, given the job we do, but I know people who would have no trouble spending €134 on a meal, and some of them would say they had got off lightly. Nevertheless, we ask a human being to live and be fed, clothed and sheltered on that basic payment. I accept that other ancillary benefits are built into the payment. If they were not, one Friday would be a very long way from the next. This is the point CORI makes. Until those basic rates of benefit are increased to a level where people can operate and live with dignity, we are failing.

Many people who have to work hard for a living and who pay their taxes will argue that people are unemployed because they want to be. There are some people in that category but most people would not be unemployed if they could help it. The amount of money we pay people who are disabled or genuinely unemployed and must depend on the State for their income is very small, compared with what they are entitled to. Great care must be taken that the social welfare system is not subject to fraud or the funds drained. However, the argument must always return to the €134 per week, on which a social welfare recipient is expected to survive.

We now find ourselves in a new dilemma, and it is ironic that it should happen while Ireland holds the EU Presidency. I share the view that the question of citizens from the ten accession countries becoming part of our social welfare system must be handled in a balanced way. I fully appreciate that the United Kingdom's decision of a few days ago changed the goal posts. Will the citizens of the existing member states be included in whatever new legislation we introduce? I had not understood that would be the case. There appeared to be no problem in this regard at the time of the last EU enlargement and I assumed that new legislation would apply only to the ten new accession countries. Most Members of this House will accept that legislation is necessary, given the new conditions created by the United Kingdom action. Because of our many connections with the United Kingdom it is necessary that we protect ourselves, but we must do so in an even-handed way. A hallmark of the European Union since the Treaty of Rome is the ethos of togetherness and inclusiveness. Since joining the then EEC in 1973 we have voted in several referenda about the ethos built into the treaties. We need to ensure that whatever decisions we take do not work against us in the future.

We are an exporting country, exporting our goods and services all over the world. Fortunately, we are not now exporting people as we did in past generations. Great care needs to be taken to strike a balance so that there is no bar on people who want to work in Ireland. I think that is the ethos of the EU and a principle we should adhere to.

While we do not know what will be in the new legislation, it has to be handled in an even-handed way yet couched in such a way that it

would cover the eventuality of a massive influx. I have no idea whether that will happen.

If the rate of social welfare payments in the accession countries is much lower than ours, it may be advantageous to come to Ireland. However, we must tread carefully, because cohesion is extremely important in the European Union. A foundation stone of the Union is the freedom of people, goods and services to move unhindered throughout the Union. This will become a national issue and will be debated wherever people congregate. I think that most people will view the proposed legislation in the light of what happened in Britain, which left little option but to take action.

The guiding principles of the carer's allowance is to allow a person to stay in his or her home. To put it in a nutshell there are basically four options open to people when he or she gets old. First, if he or she is lucky enough to enjoy good health and own his or her home, he or she is able to remain at home and look after himself or herself. I hope that for myself and everybody else who is listening, that is what will happen to me.

Mr. O'Connor: It will not be for a long time yet.

Mr. Connaughton: Hopefully, there is a lot left in the tank.

Second, that the old person will be able to remain at home but will need to have the services of a carer. Third, that the elderly person will have to go into a private nursing home and, fourth, that the State will look after him or her in a State-run geriatric home. If we start at the final option, where the State is involved, that is by far the most costly option for the care of old people in their final days. The staff running that service are doing an excellent job but by its nature it is extremely costly. One would have assumed that we would be gearing ourselves to ensure the other option would be the preferred choice.

The private nursing homes that have sprung up all over the country are a very useful addition to this service. However, for a variety of reasons, on which I will not elaborate, it is becoming extremely expensive to stay in a private nursing home. Even with the payment of the subvention, a person in receipt of a non-contributory pension or its equivalent would not be able to afford such care unless the family were wealthy enough to bridge that gap. I know of a great many families that no longer can afford to have a parent in a nursing home and will have to care for the parent at home. I know that Deputy Moynihan-Cronin who is in the Chair has spoken on a number of occasions on the carer's allowance. I can see no valid reason that the Government would not ensure that the carer's allowance is realistic, because a person may have to give up a job from one to five years to care for a parent in his or her home. Unless something is done very shortly, the private nursing homes and State-run geriatric homes will be in difficulties. It is easy to evaluate

[Mr. Connaughton.] the carer's allowance. In most cases families want to care for their parents. I am making a case for the evaluation of carer's allowance by the Department to be brought to the fore as this is the only way we will solve a potential problem that will cost millions of euro of taxpayers' money.

Mr. Callely: We have made progress on it.

Mr. Connaughton: We need to make rapid progress, as the Minister of State knows. The carer's allowance is much better than it was five or six years ago.

Mr. Callely: Nearly 100% more people are availing of it.

Mr. Connaughton: There is no problem with that but neither the Minister of State nor I can take a bow on that one.

An opportunity is being missed. An enhanced carer's allowance may provide an escape valve for people to care for the ageing population.

It is disgraceful that some people are losing their medical cards. It is obvious that someone earning €136 should not be entitled to a medical card unless they have a medical condition. If one finds a young family of two spouses on low incomes with three or four small children, one will see that every week one of the children will have to be brought to the doctor. Doctors are becoming extremely expensive, but that is nothing compared to the cost of filling a prescription. There is a category of people at that stage of life who should be entitled to free medical cover. The Government must take note of that as a matter of extreme urgency. The expense has got out of hand in the past two years. We are now at a stage when many young mothers cannot give their children the treatment they should. I ask the Minister to examine the matter.

Mr. O'Connor: I was tempted to share some of my time with my friend, Deputy Connaughton. While he has made a very positive contribution to the debate, his approach was not adopted by others throughout the afternoon. Some Members decided to spend time voicing soundbites, which is fair enough in the rough and tumble of politics. At times, politically motivated remarks promote a certain image of the House.

Mr. Connaughton: It is the same story.

Mr. O'Connor: If the Deputy had listened to today's debate, as I did, he would have noted that with one of his colleagues it was hard to know what Bill he was discussing or what business he thought was being conducted. He covered everything. Perhaps colleagues are entitled to do that. One of the highlights of the afternoon was when my constituency colleague, Deputy Crowe, spoke about the positive aspects of the Bill. I was very happy to hear him make those comments.

I welcome the Social Welfare (Miscellaneous Provisions) Bill 2004 and I look forward to supporting it. I welcome the opportunity to say a few words on it. I welcome also the presence of my colleague, the Minister of State at the Department of Health and Children, Deputy Callely. It seems there is not a day in the House on which Opposition Members fail to have a go at him.

Mr. Perry: He is well able for it.

Mr. O'Connor: I can only presume it is because he is doing his job in an absolutely superb way. Every time someone has a go at him, as happened again this morning, it serves only to remind me of the great work he is doing.

Mr. Connaughton: The Minister of State is not shy.

Mr. Perry: He is doing a good job.

Mr. O'Connor: As a Government backbencher, I assure the House that the Minister of State is keeping us very well informed about all the good things happening in his Department.

Mr. Connaughton: More photographers are needed.

Mr. O'Connor: We should support people like the Minister of State, Deputy Callely, in doing his job, caring for his community and looking after public representatives by ensuring that we have enough information. That is good.

Mr. Perry: We are in total agreement, the Minister of State is doing a great job.

Mr. O'Connor: I am glad the Deputies opposite agree with me.

Mr. Callely: I thank Deputy O'Connor.

Mr. O'Connor: I am not saying anything that is not true. It upsets me when I see people picking on the Minister of State. I know he does not mind, but he is doing his job and providing a great service. He walked the streets of Tallaght with me and people voiced their appreciation to him. That is as it should be.

Mr. Callely: Hear, hear.

Mr. O'Connor: I should mention Tallaght since I listened to all my colleagues talking about their constituencies. As Members know, I represent Dublin South-West which includes the major population centre of Tallaght as well as Firhouse, Templeogue and Greenhills. I mention that in the context of my wish to talk about the services provided in my area. Members referred to services and unemployment benefits. I came to the Dáil at a later stage than some colleagues would wish to, but I am happy about that. I often

say in meetings in Tallaght that I used to be normal, did normal things and worked in normal jobs. I lost jobs in the normal way by being made redundant on a number of occasions and it was always very upsetting. At that time people signed on for social welfare benefits at the local Garda station in Tallaght. I make that point in the context of the regular criticism of the Minister and the Department, some of which is unjustified.

I am always positive about the Department of Social and Family Affairs and its predecessors, and its achievements in major population centres like Tallaght. I invite all Members to Tallaght where they will find a very modern social welfare complex beside the Square which was opened in 1997. It provides social welfare and local employment services and houses FÁS. The South Western Area Health Board's CWO services are provided there, as is the family mediation service. The customer services information section of the social welfare office operating from the complex deals with up to 700 personal callers on any given week. It is important that the Department continues to provide such first class facilities and services for people. Colleagues are correct to point out that people who are vulnerable and under pressure should be able to access services. We should be creating an environment in which the public can feel comfortable calling to the modern office in Tallaght to conduct business confidentially.

In his excellent contribution, Deputy Dennehy reminded the House of the Private Members' debate of a few weeks ago on services for emigrants. As a former emigrant, like Deputy Dennehy and others, I support the view that over the past 50 to 60 years many people abroad made a significant contribution to the economy by sending moneys home. The UK has been referred to as it is in close proximity. I was abroad for only a little while and I did not send all that much home, but the concept was there. Many families were kept going with this money. It is right that we should consider the conditions in which emigrants now find themselves. The Government should continue to offer strong support to the services for Irish people abroad who need our assistance. I have no hesitation in supporting that view. I was glad Deputy Dennehy reminded us of the matter.

Any contribution on social welfare matters this week will deal with the social welfare challenge of 1 May which is being discussed in the media and the House and on the streets. I am very glad the debate all week has been responsible and controlled because I was concerned about that. I was on a radio programme last week with two colleagues who are greater personalities than I would ever claim to be, and I am glad we are being responsible on an issue on which people could easily say the wrong things.

I am very supportive of what the Government wishes to achieve and of what the Tánaiste has said. The Tánaiste's commitment that EU citizens can come here to work from 1 May will please

people. People in all our constituencies are watching this space with a great deal of interest and hoping the matter will be dealt with directly and responsibly.

There is a great deal of talk about what Britain is doing. We are proud of the fact that Ireland has shown that not only is it independent from the UK but that it has progressed enormously during the past 80 years. Some say that because the British do one thing we may have to do the same. We have demonstrated our independence and that our Government is capable of making independent decisions. Somebody said to me today, "Thank God we have a Taoiseach who is much more popular than his British counterpart." The Irish Government will make its decisions, it will be responsible and the public will support those decisions.

There are challenges out there and people will watch us. There will always be criticism and people will come to politicians. They certainly come to me as I move about the streets of my constituency and to my seven clinics each week. People talk about these issues and express different views. Sometimes the views are more contrary than others. It is right that there should be a debate and that people would be confident that the Government will handle this situation properly. I am confident that will be the case.

I am pleased to note that the Bill provides for the introduction of a range of social welfare improvements announced in budget 2004. Listening to some of the debate today, some of my colleagues opposite must have listened to a different Budget Statement because there was general agreement last December on the Government's objectives. Today we heard many different views which would not add up if my colleagues opened them up to scrutiny.

The Bill provides for increases in child benefit and respite care grant. On the announced arrangements for maternity leave, the minimum period of leave to be taken prior to the expected date of birth is being reduced from four weeks to two weeks. I am happy to note that the Bill provides for the increase in child benefit which was announced in December. The increase of €6 in the lower rate payable in respect of the first and second child and €8 in respect of the third child and subsequent children is welcome. It brings the monthly rates to €131.60 and €165.30. In many of our constituencies we get much positive reaction to that increase. It must be remembered that more than 24,000 families will benefit from those increases. Research has shown that child benefit as a universal payment made directly to families is the most efficient and effective way in which the Government can channel support to children. That is at it should be and we should always treasure our children.

At a time when the country was beginning to enjoy great economic affluence as a result of previous Fianna Fáil policies, the pre-1997 Government provided no significant financial support to parents, implementing a child benefit

[Mr. O'Connor.]

increase as low as one euro. However, I will not make any strong party political points. I listened to a Minister answering questions yesterday and a Dublin colleague on the Opposition benches, for whom I normally have a great deal of respect, said it was several years since the rainbow coalition Government was in power so that it did not matter much. That was a strange political point to make.

When Fianna Fáil came to Government with the Progressive Democrats in 1997 we had to start practically from scratch so far as that process was concerned. Child benefit was payable at a rate of €38.09 per month for the first and second child and at a rate of €49.52 for the third child and subsequent children. Perhaps that is the last party political point I will make for the evening. If Members want to deal in figures and talk about history, that is fair enough. The history is there and everybody knows it. Fianna Fáil backbenchers are just as entitled to stand up for the Government as anybody else and I am always happy to do that.

It is good to note that the social welfare improvements in the budget will cost €630 million in a full year. It means that social welfare expenditure for the year will be double the level which was set in the pre-1997 period.

A number of colleagues referred to the carer's allowance and our relationship with carers. In my constituency I have a good deal of contact with carers, both directly and with the carers association. The needs of carers was always stressed to me. Several years ago when my elderly father was ill for a little while and was looked after by my sister it gave us an opportunity to bring my dad, who was born in the inner city, out to Tallaght. It gave me an insight into the great work done by carers and the efforts made. There is no question but that all of us should support in a positive way what is being done by carers.

Mr. Callely: Hear, hear.

Mr. O'Connor: Certainly I am able to do that and I am glad the Minister has that commitment. That is what we should do.

During the period when I was a member of the health board, with my colleague, the Minister of State at the Department of Health and Children, Deputy Callely, we were very strong on that issue. In fairness to many colleagues in the House, many health boards have done that. I hope in the post-health board period efforts will continue to be made to ensure carers are able to do the work they want to do. They do a huge amount of work and it is right that we would support them. There will never be a time when the carer's allowance will be enough. It does not matter what assistance is given to carers, it will never be enough because of the great work they do.

I am glad the Government continues to recognise this and that the Social Welfare Bill

provides for an increase in the annual respite care grant, payable to recipients of carer's benefit and carer's allowance, as announced in the budget. I am pleased that my party in Government has implemented a programme of development to assist carers, which has gone considerably further than the record of any previous Government. That the programmes should continue to benefit thousands of people and families is recognised across the House. The historical lack of provision for carers requires us to pay special attention to this area.

In introducing these measures we are continuing to honour the commitment to support the valuable work undertaken by carers. The Joint Committee on Social and Family Affairs, of which I am happy to be a member, has done much work in that area and has paid much attention to the needs of carers. I am happy to acknowledge the work of Deputy Penrose, chairman of the committee. I hope we will continue to have an opportunity to do such good work.

I wish to refer briefly to maternity benefit. I am pleased that the regulation that a woman who is entitled to 14 weeks' maternity leave must take four weeks of this before having her baby has been changed under this Bill. Many of my constituents will welcome that.

I spent considerable time reading the Bill and listening to today's debate. I was very affected by the contributions — entertained by some and frustrated by others. However, it is important we listen to what is said. I am always delighted to participate in this process because it is important we understand the great contribution made in our communities by the Department of Social and Family Affairs, and I am happy to put that on record.

The Minister should understand that we will continue to bring to her attention the legitimate concerns which are regularly brought to our attention. Where we can improve systems, programmes and, ultimately, benefits, we should do so. There are signs that the economy, which has been well managed by the Fianna Fáil-PD Government, is improving and, therefore, more money may become available. I hope the budget in December will hold more good news for social welfare recipients, as it should.

Mr. Perry: I am delighted to speak on this Bill in which an undercurrent of cutbacks is very evident. The back to education allowance will be all but abolished at third level. There is an increase in the qualifying period for back to education allowance from six to 15 months in respect of the third level option. This measure will affect approximately 1,200 claimants and the estimated gross saving will be €2.2 million. This will have a major impact on many students. Some may decide not to return to education. The impact is regrettable because it was an effective scheme.

Conditions for the rent supplement will be severely curtailed and restricted. There is an increase in the rate of the minimum contribution for rent supplement to be made by the recipient from €12 to €13 per week. This will affect approximately 60,000 recipients and result in a saving of €3 million for the Department.

It was estimated that pre-1953 pensions would cost some €8 million per year but the eventual cost was €130 million. While most would support the pre-1953 pension entitlements and the scheme was advocated by many Members, this was a major miscalculation by the Department, the level of which impacts greatly on essential services, which is regrettable. Many people returned from the UK — a result of the massive emigration of the 1950s, 1960s and 1970s — but the Department were not aware of the impact this would have. The extra cost is now impacting on the level of cutbacks taking place.

The measure regarding exclusion from rent supplement where either of a couple is in full-time employment will save €1 million and will affect approximately 150 recipients. Discontinuance of entitlement to rent supplement is also proposed, with certain exceptions where the applicant has not already been renting for a period of six months, with provision for exceptions for the homeless and people who are at risk. It is expected that some 2,000 applications for rent supplement will be affected by this measure with an estimated net saving of €10.5 million. This is a most severe measure which will clearly have a major impact. It has been debated extensively in the media. I thought the Minister intended to bring in some amendment to this heartless imposition, which will mean that people must stay at home in the context of the pressure of single parenthood and overcrowding. This will cause huge tension in family homes and is an issue the Minister should revisit.

Referral of rent supplement claimants to local authorities to have their housing needs assessed, and refusal of rent supplement, are intended where applicants have left or refused offers of local authority housing. It is estimated that approximately 100 such cases may arise in a year, which will generate savings of approximately €600,000. The total budget of the Department is €1.6 billion, a huge sum. I know from chairing the Committee of Public Accounts of miscalculations in regard to rent supplement, as already stated, but also in regard to the effectiveness of departmental spending. The savings in this case are small when compared to the total budget of the Department.

It is regrettable that the crèche supplement will be discontinued as this measure will affect approximately 1,600 people while generating a saving of €2.3 million. The supplement has been effective to date in terms of the level of community crèche benefits and I regret the cutbacks in the level of the Department's support to communities in regard to child care facilities.

It is also regrettable that both parents are forced to work due to the cost of child care.

The earnings threshold for disability and unemployment benefit will rise from €88.88 to €150 and, as a consequence, increase the thresholds for the three bands used for the purposes of these graduated rates. This measure is, in effect, an adjustment of the threshold in line with inflation. The gross saving is estimated as €14.3 million while the net saving, having regard to the number of persons who will otherwise qualify for unemployment assistance or supplementary welfare allowance, is €7.4 million. The approximate numbers of persons affected in 2004 will be 10,300. Therefore, this measure has a major impact and hits the most vulnerable.

The duration of unemployment and disability benefit has been reduced from 15 to 12 months. Entitlement for new claimants to half-rate payment of disability benefits and unemployment benefits, where recipients are already in receipt of widow's or widower's pensions or one-parent family payments, will be discontinued. The estimated saving will be €5.8 million in 2004 and the approximate number of persons affected will be 2,000. When we consider the caveats in the budget and the level of cutbacks, this measure is quite severe.

Dietary supplement is to be phased out with expected savings of approximately €1 million, with 1,700 recipients affected, which is severe. When one considers each case, it is clear that this attacks the most vulnerable, who Members encounter daily. It is quite mean of the Minister to hit the dietary supplement which will affect those receiving medical treatment.

The transitional half-rate payment for lone parents is to be discontinued where a recipient of one-parent family payment takes up employment with earnings in excess of the upper threshold of €293 per week. That is a very low salary. From being in business I know that €100 is practically valueless when it comes to making purchases in a supermarket.

To qualify for a full higher education grant for maintenance and fees, where applicable, a parent's gross salary must be under €34,400 for 2004-05. For a 50% grant it is €38,700, for 75% it is €36,500 and €40,800. These limits were increased by 9.9% in the last budget if one has more than three children and by 19.3% if one has over seven children. They are also increased by €4,160 for each family member one already has in third level education. Those figures apply to gross salary.

The fact that people are still paying tax on the minimum wage is very unfair. We have a two-tier economy in which the rich are getting richer while the poor remain trapped. Parents on social welfare face huge problems in educating their children through second and third levels, while those on the minimum wage of €7 per hour, or €280 per week, are still paying tax. That is wrong. When we refer to the minimum wage it should be a minimum wage, excluding tax. Recipients

[Mr. Perry.]

should get all of their wages in their pay packet but unfortunately they do not. We have introduced tax bands and increased income levels at the higher end of taxation but it is regrettable that we have not taken people out of the lower tax bracket entirely. It is unfair that those rearing children on lower incomes must still pay tax.

As I said, the transitional half-rate payment for lone parents is to be discontinued where a recipient of one-parent family payment takes up employment where earnings are in excess of the upper threshold of €293 per week. That is very unfair. The estimated average weekly number of persons affected is 300, with an estimated saving of €1.3 million.

The half-rate child dependant allowance in respect of unemployment benefit and disability benefit claims will be discontinued where the claimant's spouse/partner has a gross weekly income in excess of €300. That €300 per week amounts to €1,200 per month or approximately €16,000 per year, which is a very small gross salary. This is an outrageous move for which the estimated savings are €10.4 million.

Increasing the underlying number of paid contributions required from 39 to 52 for entitlement to disability, unemployment and health and safety benefit, is also unfair. The estimated gross savings involved are €2.5 million, while the average weekly number of recipients affected will be approximately 400 in 2004.

A supplement given to recipients of supplementary welfare allowance who have been supported by the Money Advice and Budgeting Services in brokering a deal with creditors is to be discontinued, which is very unfair. The Money Advice and Budgeting Service has been very effective in working with people who have been unable to deal with their finances. People are aware of this service, which has saved many families. Approximately 370 people will be affected, generating savings of €0.7 million in the SWA budget.

Increasing the underlying number of paid contributions required from 39 to 52 for entitlement to disability benefit, unemployment benefit and health and safety benefit is very unfair; the estimated gross savings are €2.5 million and the average weekly number of recipients affected will be approximately 400, which means many people will be affected. Increasing the period within which claims are linked with a previous claim from 13 weeks to 26 weeks is equally unfair. The estimated annual savings are €2 million and the average weekly number of persons affected is 275. That is another unfair stealth tax.

When one goes through the hidden agenda one sees this Bill is draconian and unfair. Reducing the maximum duration of unemployment benefit from 390 days to 312 days where less than 260 PRSI contributions have been paid since first entering employment is another unfair move. The estimated savings are €5.2 million and the

measure will affect an average weekly number of recipients of approximately 700. Those are people on benefits — people who have paid stamps.

When one goes through these cutbacks and includes the fact that the Department miscalculated the pre-1953 stamp amount by an estimated €8 million, which costs the State €130 million per year, it is clearly unfair that the most vulnerable people in society should pay for those miscalculations. It is not a matter of the pre-1953 people fighting for their case, but the Minister should have got additional funding from the Exchequer to ensure the cutbacks evident here do not affect the most vulnerable.

The levels of entitlement are also unfair. At 18 a single person living at home who has left school can apply for unemployment assistance but will be assessed with 17% of their parents' disposable income. That is very wrong, as is the provision that no assessment of one's parents' income applies if one is 27 or over. When one comes to 18 and is entitled to vote, people may leave the family home or their parents may have no income to give them. It is unfair and unbelievable that people are assessed on their parents' income until they are 27 and this situation should be changed.

Last Monday a case involving dental benefit was brought to my attention. A person who retired last year, after paying all his welfare stamps for 40 years, went for dental treatment and was making a claim on his contributions. He was told he was no longer entitled to benefit because he had retired. There must be an anomaly in that situation. He worked for 40 years and retired, though he has gone back to work.

Debate adjourned.

Council of Europe Representatives.

Minister of State at the Department of the Taoiseach (Ms Hanafin): I wish to inform the House that Senator Brendan Daly has been discharged as an alternate member to the Parliamentary Assembly of the Council of Europe from Ireland and will be replaced by Senator Ann Ormonde for the remainder of 2004.

Private Members' Business.

Irish Language: Motion (Resumed).

The following motion was moved by Deputy Rabbitte on Tuesday, 23 February 2004:

Go ngláíonn Dáil Éireann ar an Rialtas, toisc go bhfuil an seans ann i rith Uachtaránachta na hEorpa a bheith ag Éireann faoi láthair, agus go bhfuil aitheantas a fháil ag teangacha breise, go bhfuil sé ag teastáil go n-aithnítear an Ghaeilge mar theanga oifigiúil ag an Aontas Eorpaigh agus a institiúidí.

Ms O'Donnell: I wish to share time with Deputies Grealish, Hanafin and Kitt.

Acting Chairman (Ms Moynihan-Cronin): Is that agreed? Agreed.

Ms O'Donnell: The Irish language is not an issue which should cause division in this House. Our native language has strong supporters on all sides and all agree it should be strengthened and defended against attack or demise. There are some positive signs that the language is flourishing. There has been strong growth in gael scoileanna in many areas of the country as is the case in my own constituency. There is a host of classes, cultural groups and clubs which is an indicator of continuing and emerging interest in Irish language, culture and dance among young and old. As we grow in confidence and affluence as a people, there is no sign of a drift away from our traditional attachment to Irish culture — quite the contrary.

Riverdance, which revolutionised traditional Irish dancing combined the best features of traditional dance with contemporary razzmatazz, sound and excitement. Riverdance has become the world's most successful music and dance extravaganza, in less than ten years achieving iconic status. In many ways, it is a modern metaphor for the creativity, confidence and international outlook of modern Ireland.

Although the Irish language has yet to achieve this renaissance in terms of popular culture, there is no shortage of vibrancy among young people for support, admiration and, at times, devotion to the language. Our Gaeltacht colleges host thousands of youngsters every year and within this cocktail of summer holidays and juvenile freedom is to be found the secret ingredient which could inform Government policy for the more successful teaching of Irish in our schools. The emphasis has to be on the spoken word in a fun, learning environment, rather than the dreaded grammar and compulsion to which we were all subjected, unfortunately with no great effect.

The central piece of the Government's programme on Irish, the Official Languages Act, was passed last July and I note President McAleese appointed the Commissioner for the Irish Language this week. I understand successive Governments have sought to enhance the standing of Irish in the EU. In this regard there have been a number of successes. The Treaty of Amsterdam in 1996 confirmed the right of citizens of the Union to write to any of the institutions in Irish and to receive a reply in Irish. I would have thought that would go without saying. Subsequently, in 2001, it was formally agreed that a response to this correspondence should be made within a reasonable period. The Irish representatives at the European Convention which negotiated the draft constitutional treaty ensured that these rights will be maintained.

The Government also requested an Irish language version of the draft constitutional treaty and this has been published. LINGUA, the Union's programme for the promotion of language teaching and learning recognises the Irish language for its projects. Last year, the Government took steps to enhance the standing of the language in the context of the reform of the staff regulations for EU officials. Following the Government's initiative, Irish can be counted as part of the language competence for officials' first promotion.

However, the fact remains that every country which signed the Treaty of Rome in 1957 and every country that signed a treaty of accession since then, had their official languages recognised as official languages of the European Union. The exclusion of Irish in 1972 by the Government was a mistake. It is possible to correct that mistake by taking the opportunity to advocate that Irish achieve recognition as a working language. What better opportunity to do this than when Ireland has the EU Presidency and when ten countries will be joining and nine languages will be added to the existing 11 official and working languages.

The current status of Irish is that of a "treaty language" in the European Union. This has meant that each successive treaty is published in Irish as well as in the 11 other languages of the current member states. The draft constitutional treaty under consideration at the Intergovernmental Conference would fully maintain this position. The Irish language, therefore, while not an official and working language, has a status in the EU that is quite distinct. By conferring treaty status on Irish, the member states have clearly signalled their understanding of the important place the language holds in this country. In this respect, Irish finds itself in a better position compared to some other languages which are spoken in the Union. For example, Luxembourgish, which is an official language in Luxembourg and is used in its Parliament, is not an official language of the EU, nor is it accorded treaty status.

The Progressive Democrats strongly support the thrust of the Private Members' motion this evening and would consider the tabling of the motion and the debate on it a helpful contribution to the job in hand. I understand that a recently established interdepartmental working group is analysing all the options available to us with a view to identifying practical ways forward. In our view, it should not be an impossible feat to make fast progress on this matter. It is evident from the debate on this motion that there is strong political support on all sides of the House.

The size argument in regard to the numbers of people using the language is unconvincing. Many of the countries joining in May have populations smaller than ours. For example, Estonia has 1.4 million people, Slovenia has 1.9 million and Malta has little more than 380,000 people. It is a fundamental principle of the European Union that language is central to identity. Our language

[Ms O'Donnell.]

has survived centuries of colonisation, criminalisation and, more latterly, sophistication. It is part of what makes us unique as a race. If the European Union is truly a union of nation states, it is wholly legitimate and desirable that, as we become bigger players in the EU, we take our language with us.

It is also illogical that although Irish is the official language at home, it is not the official language of the European Union. From May Day onwards, there will be 21 treaty languages and Irish is among them. However, among all of these languages, Irish is the only treaty language that will not also be an official language. The motion when passed must surely strengthen the Minister's hand in seeking to have Irish designated as an official language of Europe in the interim.

Mr. Grealish: I thank Deputy O'Donnell for sharing her time with me.

I welcome this debate, particularly since I represent Galway West, which covers Connemara and a large portion of the Gaeltacht. While the viewpoints and analysis of the many participants may differ, we all join the discussions with the same motive — we wish to preserve, strengthen and promote the Irish language.

I have heard the points made by the proposers of this motion and my constituency colleague, the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, who is playing a leading role in support of the Irish language. It goes without saying that the Irish language organisations and their members are carrying out critical work in this regard.

It is only fair to say that the Governments in which many of the parties have served at different times have taken the opportunity to increase the standing of Irish in the EU. At a time when we increasingly see a smaller number of languages used at meetings of officials in Brussels, there have been some real achievements. Our citizens can now write to any of the EU institutions in Irish and receive a reply in Irish. The draft constitutional treaty which was published last summer was published in Irish. In a new development, Irish speakers who work as EU officials will be allowed to count the language when applying for their first promotion.

The enlargement of the EU to 25 member states will pose major questions for the EU institutions in their efforts to consider the provisions of interpretation and translation services in the future. In the European Commission alone, the number of pages to be translated is expected to increase by approximately 60% over the next two years. Financial and physical implications are involved. For example, where now there are teams of interpreters for 11 languages, there will be teams for 20 languages. There has been a widespread view for some time that the EU needed to streamline its interpretation regime. Last

December, agreement was reached on a way forward.

The approach, agreed by member states, will see an increased number of working group meetings in Brussels taking place without any interpretation provision. In practice, these official level groups will work in English and French only. The future regime will encompass the provisions for a full interpretation to a limited number of working groups and a system of payment for interpretation services for existing official and working languages in the remainder of the working groups.

The European dimension of the debate on the Irish language has been the subject of much public debate in recent weeks. I am aware of the case being made that the Government should seek to increase the status of the language within the European Union and its institutions. I welcome the establishment of the inter-departmental working group to study the issue. I am pleased it will review all the options available. I hope the group will come up with proposals which the Government can raise with the institutions in Brussels. It is clear that there would be a broad welcome in the House for any opportunities that arise which would allow for the enhancement of the Irish language in the EU. In this regard the Government accepts the spirit of the motion.

The record of the Government on the Irish language is a strong one. We are aware that for the first time a statutory framework for the delivery of services through the Irish language has been delivered. The Official Languages Act is a concrete demonstration of the commitment of the Government to the Irish language. The main objective of the Act, which we all support, is to ensure better availability and a higher standard of public service through Irish. It is through this type of policy that the position of the language in our society can be reinforced and its vibrancy enhanced. The Government is to be commended for the rapid action it has taken in regard to the Official Languages Act and for investing generous resources to put it into effect.

The work of the Government on the Irish language has not been limited to the Official Languages Act. Over the past seven years, we have seen the establishment of Foras na Gaeilge, the Gaeltacht Commission and a range of other initiatives which my constituency colleague, the Minister, Deputy Ó Cuív, detailed last night. In this context, the suggestion of low expectations or broken promises on the part of the Government is a hollow one. I am confident that, if there is a practical way to improve the status of the Irish language vis-à-vis the EU, the Government will do all it can to move in that direction.

Minister of State at the Department of the Taoiseach (Ms Hanafin): Nach iontach an rud é go bhfuilimid anseo anocht agus go bhfuil an dá thaobh sa Teach ar aon intinn gur cóir dúinn ár dtacaíocht a thabhairt don Ghaeilge agus stádas

ceart a bhaint amach di san Eoraip? Ag an am céanna, caithfidh bheith réalaióch faoi seo.

Some weeks ago, I agreed to a request from Conradh na Gaeilge to have a debate on the Irish language during Seachtain na Gaeilge. Little did I know that we would be having this debate, which is equally useful in advance of it. In reality, we do not get enough time, or take the opportunity to discuss either the Irish language or any other topic in Irish. Cuireann sé iontas orm i gcónaí nuair a bhíonn díospóireacht againn sa Teach seo an líon daoine a labhrann as Gaeilge, is cuma cén ábhar atá á phlé againn.

I welcome the fact that the Opposition parties tabled the motion. It gives us an opportunity to look at the Irish language as it is today and as it can be in an expanded Europe. All of us in this House are conscious of identity. Le breis is 100 bliain anuas, tá daoine ag féachaint ar conas is féidir tacaíocht agus stádas níos fearr a thabhairt don Ghaeilge agus conas í a athbheochanú agus stop a chur le meath na Gaeilge. Looking back over the centuries, everyone, including Thomas Davis, Douglas Hyde and Ernest Blythe, recognised that the Irish language is a core and integral part of our identity. Ironically, we are discussing the importance of giving the Irish language status in Europe but, ag an am céanna, Irish thrived more when it was under threat than when it was given support. Ní ghá ach féachaint siar ar na péindhlithe nuair nach raibh cead ag daoine Gaeilge a labhairt, could not speak it, study it, learn it, share it, to see that it was the time the Irish language thrived most. It is to the credit of people then, and indeed since then, that people have continued to recognise the importance of our identity. I do not accept that an increased status for the Irish language in Europe is the only thing that will ensure its continued revival and support. I accept, however, that it would be a great support to all these people, mé féin ina measc, a labhrann Gaeilge agus a bhfuil grá acu don teanga.

Some Members said that their constituencies include large Gaeltacht areas. Níl aon Ghaeltacht i mo dháilcheantar i nDún Laoghaire, ach déarfainn go bhfuil níos mó daoine a labhrann Gaeilge ansin ná mar atá in an-chuid dháilcheantair eile. For a constituency formerly known as “Kingstown”, the strength of the Irish language in terms of the gael scoileanna agus teaghlaigh le Gaeilge will perhaps come as a surprise to some people. Tá ceannáras Comhaltas Ceoltóirí Éireann sa dáilcheantar fosta.

It is this type of development which continues to strengthen the Irish language. One sees magnificent new buildings for Coláiste Eoin and Coláiste Íosagáin a mhéadaíonn meas na ndaltaí ar an áit ina bhfuil siad ag foghlaim. This is a wonderful school which always attracted students. It will now attract even more students because of the great facilities. This is the type of practical support the Government is giving to the Irish language agus an rud céanna leis na gaelbhunscoileanna freisin. Is breá liom an

t-airgead agus an tacaíocht atá á tabhairt do ghrúpaí sa Ghaeltacht a fheiceáil mar, cé go bhfuil a lán ar siúl do lucht na Gaeltachta, ba mhaith liom tuilleadh do dhaoine a dhéanann an-iarracht an Ghaeilge a úsáid mar ghnáthchuid dá saol féin.

Members spoke about teaching Irish and the spoken Irish. Go dtí gur toghadh don Teach seo mé, ba mhúinteoir Gaeilge agus stair mé. I have always placed strong emphasis on the spoken language as the only way to ensure that young people will grow to love the language. I can see why having greater opportunities in Europe to translate and interpret would provide great job opportunities for our young people for whom the written language and the spoken language is their first love and skill. There would be great opportunities in this regard.

Roimh Nollaig, bhí mé ag lánseáil leabhar agus foilseachán An Ghúim don bhliain seo chaite, ócáid an-dheas. The range and extent of publications available in Irish, both for very young children and academics, was impressive. Bhí an-mheas agam ar an dhá phuipéad nua atá aige, two hand puppets being used to teach primary school children and junior infants called Lug agus Gog. The imagination of people in enabling the most effective devices to be used in the teaching of language is to be recommended.

Cé go bhfuil mé ag caint faoin Ghaeltacht agus daoine ansin a labhrann Gaeilge, ní mhairfidh an Ghaeilge muna bhfuil an Ghaeltacht féin bríomhar. Le roinnt blianta, feicimid an méid airgid agus cúnaimh atá á dtabhairt don Ghaeltacht, do na mná tí agus na cúrsaí samhraidh sa Ghaeltacht. An litir is deise a fuair laistigh den cúpla mhí seo caite ná a letter from the bean an tí with whom I stayed when I was in secondary school. Tá sí anois ina nóchaidí ach bhí sé an-dheas gur scríobh sí chugam le fáil amach cad é atá ar siúl agam. Seo an sórt tuiscint i measc daoine a labhrann Gaeilge, agus feicimid sin le Teachtaí ar an teilifís nó an raidió, Raidió na Gaeltachta agus TG4 ach go háirithe, a dhéanann sár-obair an Ghaeilge a spreagadh agus daoine eile a mhealladh isteach leis an teanga a labhairt.

Ba mhaith liom díriú isteach ar chúrsaí Gaeilge, go háirithe na cinn a eagraítear lasmuigh den Ghaeltacht do dhaoine óga. Sa chathair seo, eagraítear cúrsaí gach bliain for children who are too young or who might not have the right standard of Irish to go to the Gaeltacht. These are fun day courses for children ar nós BrúÉ a eagraítear i gColáiste na Carraige Duibhe. From the ages of five to 15 these children are encouraged to go to summer camp in the same way as they would go ordinarily to a soccer, football or tennis camp. However, this is a fun summer camp through Irish where children get the opportunity to develop their love for the Irish language. Ní thugaimid aon tacaíocht do chúrsaí mar sin agus is cóir dúinn féachaint an féidir aon tacaíocht a thabhairt dóibh le daoine a mhealladh leis an Ghaeilge a úsáid agus ansin níos déanaí, nuair a bheidh caighdeán ard acu sa Ghaeilge agus a bheidh siad níos sine, is féidir leo dhul

[Ms Hanafin.]

chuig an Ghaeltacht agus cúltur agus atmaisféar a bhláiseadh.

Ag filleadh chuig an rún, labhair daoine anocht about the great progress that has been made in regard to the Irish language over many other languages. It is always encouraging when one reads the Central Statistics Office figures and realises that the number of people who say they can speak Irish is growing. Whether those people or Members present would read all the documents from Europe in Irish is debatable. I for one would find them difficult enough to read in English without having to read them in Irish. We need to introduce a sense of realism and practicality about this. Is it necessary to translate thousands upon thousands of pages of technical detail into Irish? We can at least work towards progressing a system or recognition of the Irish language which would not involve any unnecessary work. While such a move might provide jobs in interpretation and translation services, we need to be practical and realistic.

An interdepartmental group has been set up to examine how we can progress this issue. The motion proposes that we progress it during our Presidency. This proposal does not belong exclusively to our Presidency ach tarlaíonn go n-aontófar an Eoraip nua ar 1 Bealtaine agus tá deis ann féachaint an féidir linn dul ar aghaidh leis seo. Chomh maith le daoine eile ar dá thaobh den Tí, tá áthas orm labhairt ar son stádais cirt a thabhairt don teanga san Eoraip, ní fheadar cad é an stádas sin agus conas gur féidir á bhaint amach.

Ag dul siar 30 bliain ó shin, agus daoine ag déanamh a gcuid oibre ar an ábhar seo, níor cheap daoine that Europe would become so expanded that we would be dealing with many languages. We cannot go back 30 years, but we can go back a few months to see exactly what increased status we can give the language, although not only for the sake of its revival. The Irish language will survive without Europe. It has survived mostly when it was in pain of threat, but we should support those people, na heagrais Gaeilge agus na daoine a labhrann Gaeilge agus a dhéanann an-obair ar a son. Is féidir linn cabhrú leo freisin.

Minister of State at the Department of Foreign Affairs (Mr. Kitt): Taispeánann an díospóireacht seo cé chomh láidir agus atá an tacaíocht don teanga. Bhí áthas orm an tacaíocht céanna a fheiceáil agus mé ag labhairt sa díospóireacht faoin ábhar seo cúpla seachtain ó shin sa Seanad. Bhí díospóireacht den scoth againn sa Teach eile an uair sin. Is léir go bhfuilimid ar comhaigne faoin scéal agus go bhfuil gach páirtí ag seasamh le chéile ar son na teanga.

This debate has demonstrated the great well of support and affection for the Irish language in this House. This comes as no surprise to me and it is also no surprise that the support is cross-party and extends to all regions. While there are

many issues on which Members might have serious and strong differences, the Irish language is not one of them. No party has ownership of this issue and, wisely, no party would claim one.

I had the honour of participating in a Seanad debate last month when a similar motion was discussed. Senators from all parties showed similarly strong support for the maintenance and promotion of the Irish language. The debate was a lively one and demonstrated a heartfelt wish to see the language flourish with particular emphasis on how we can encourage the interest of our young people in the language. It was a pleasure for me to listen to the many native Irish speakers. We are fortunate to have a considerable number of them in this House, including my colleague, the Minister of State, Deputy Hanafin.

The debate on the position of the Irish language in our society strikes a deep resonance and the contributors from all walks of life bring a variety of issues to the discussion, approaching it from historical, cultural, social, economic and psychological directions. While the viewpoints and analyses of the many participants may differ, we all join in the discussion with the same motive, a strong wish to preserve and promote the Irish language. The debate often stirs strong passions and highlights the truly profound material and emotional investment individuals and communities make in a central aspect of our culture and identity.

The deep commitment to improving the standing of the Irish language reaches well beyond this House. In particular, I wish to acknowledge the role played by the Irish language organisations and communities for the strenuous efforts they have made over many decades. The vibrancy of the language is a tribute to their work and I know they are especially concerned to ascertain if there is an opportunity to enhance the status of the Irish language in an enlarged European Union.

The commitment of the Government to the Irish language is not in doubt. My ministerial colleague, Deputy Ó Cuív, spelt out last night the progress that has been made over the past seven years.

Mr. M. Higgins: Not very clearly

Mr. Kitt: The Official Languages Act, on which the Minister, Deputy Ó Cuív, has shown great leadership, is in place and the implementation phase is under way. The Act's overriding aim is to ensure that public services through Irish are more widely available and to a better standard than before. The Government is committed to the implementation of the Act, something that will require serious levels of financial and human resources.

I welcome the appointment this week of the Commissioner for the Irish Language, who will be based in Galway and will have the task of supervising and monitoring the implementation of the Act. This legislation poses a great

challenge for public bodies, which will need to build their capacity to deliver services to customers and to issue publications in English and Irish in the medium term.

The Government has taken action to promote Irish across a spectrum including by taking innovative measures in areas of business employment and education. I am aware there is a high level of interest in the debate on the use and standing of the Irish language in the European Union, and this pace has gathered in recent weeks. I received representations on the matter. In addition to the Seanad, the Forum on the Future of the Europe debated the matter in January. There was significant public discussion on this subject in those recent weeks. Much of the discussion has situated the issue in the context of the negotiations on a new constitutional treaty, the impending historic enlargement of the Union on 1 May and Ireland's Presidency of the Union. A number of different views have been offered by interested parties on the potential that these and other avenues present for the improvement of the status of the Irish language.

In order to have this matter examined as fully as possible, the Government recently established an interdepartmental committee and it is only right that this should thoroughly examine the issues relating to official and working language status. Some of them are complex and are deserving of full consideration. There are a range of issues to be examined, including the translation of documents and the availability of interpretation services at meetings.

That the Government wishes to have these matters examined should not be read to mean that it has a negative view on them. It was heartening to hear such strong support in the debate for the Irish language. It also is heartening to know that, outside this House, there is great commitment and concrete results to show for it, as my colleague the Minister of State, Deputy Hanafin, outlined. The increase in the numbers and locations of gaelscoileanna is especially encouraging. This is the case in my constituency of Dublin South and many other parts of the country.

The two Governments led by the Taoiseach have displayed a serious approach towards the need to foster the language. I have little doubt that this will continue to be the case, including in the context of the status of the Irish language in the European Union. In this regard and taking into account the need for the Government to examine the issue as thoroughly as possible, I am happy to support the spirit of the motion. Cuirim fáilte roimh an díospóireacht agus tá mé sásta tacaíocht a thabhairt do spioraid an rúin agus tá súil agam go mbeimid in ann oibriú le chéile leis an ábhar tábhachtach seo a chur chun cinn.

Aengus Ó Snodaigh: Tá mé ag roinnt ama leis na Teachtaí Gregory, Finian McGrath, Cowley, McHugh agus Boyle, san ord sin.

An Leas-Cheann Comhairle: Tá sin aontaithe.

Aengus Ó Snodaigh: Molaim leasú Uimh. 1:

An méid seo a leanas a chur isteach sa líne dheireanach, i ndiaidh “institiúidí”:

“agus a iarraidh ar Choimisiún na hEorpa an leasú cuí ar Rialachán 1, 1958, a dhréachtú agus a chur faoi bhráid na Comhairle Airí”.

Fograím díoma nár iarr moltóirí an rúin seo orainn i Sinn Féin nó ar na Teachtaí neamhspleách ar n-ainmneacha a chur leis an rún, is trua sin. Fáiltím, áfach, roimh an chinneadh atá acu glacadh lenár leasuithe. Is céim chun tosaigh sin.

Díoma eile ná go bhfuil an Rialtas ag dul i gcoinne na leasuithe atá os ár gcomhair. Ní thuigim meon an Rialtais in aon chor, mar níl ann ach hypocrisy. Oíche aréir, dúirt an tAire go gcaithfí athrú ar bith i stádas oifigiúil na Gaeilge a dhéanamh trí Rialachán 1, 1958 a athrú. Níl sa leasú s'againne ach díreach an modh sin a bheith luaite chun stádas na Gaeilge a bhaint amach. Ní thuigim é. Má tharlaíonn sé go bhfuil bail an Rialtais ag dul i gcoinne na leasaithe, impím orthu, fiú anois, athrú poirt a chur orthú féin. Níl mé chun díriú isteach ar na buntáistí a thiocfaidh as aitheantas breise ar son na Gaeilge san Aontas Eorpach; tá sé sin déanta cheana féin ag an Dr. Pádraig Ó Laighin go han-mhaith, agus b'fhiú an doiciméad sin a léamh muna bhfuil sé léite ag duine de na Teachtaí sa Tigh.

Tá mise ag lorg chearta na Gaeilge mar cheart. Mar Ghaeilgeoir agus mar Éireannach, tá leatrom déanta orm, agus tá mé ag impí ar an Rialtas an leatrom sin a chur dinn. Bhí mé anseo aréir nuair a bhí an tAire, an Teachta Ó Cuív, ag labhairt ar an chás seo, agus is oth liom a rá nár athraigh an méid a bhí le rá aige m'intinn faoi sheasamh an Rialtais thar na blianta faoin Ghaeilge.

Ag am amháin ina ráiteas, bhí an chuma air go raibh sé ag cur an mhilleáin ar Chonradh na Gaeilge nár thóg siadsan raic faoin cheist seo i 1972 agus go raibh siad ró-ghafa le cur i gcoinne an Chómhargaidh féin. Bhí an ceart aige; bhí siad gafa leis sin ag an am. Roimhe sin, ag an am, agus ina dhiaidh sin, bhí siad ró-ghafa ag déanamh iarrachtaí cearta teangan agus daonna a iomrascáil ó Rialtas an Stáit seo. Dá mbéadh an Stát seo dearfach i leith na gcearta sin agus i leith na Gaeilge, b'fhéidir go mbeadh an t-am ag Conradh na Gaeilge agus eagrais deonacha eile obair an Rialtais a dhéanamh chomh maith.

Dúirt an tAire aréir go raibh sé go hiontach go bhfuil grúpa oibre bunaithe chun an cheist seo a chioradh. Tá an grúpa oibre sin 30 bliain ró-dhéanach. Cén fáth nach raibh sé ann ag an am? Cén fáth nach raibh sé ann ó shin in ainneoin go raibh acmhainní á n-éileamh ag daoine difriúla? Dúirt an tAire chomh maith go gcaithfidh teacht ar na fíricí uilig. Sin an ráiteas a dúirt sé anseo sa Teach aréir.

Mr. M. Higgins: Bhí sé ag caint faoi Chonradh na Gaeilge aréir. Ní raibh an ceart aige.

Aengus Ó Snodaigh: Ní raibh. Bhí sé mícheart, ach dúirt sé gur cheart dúinn féachaint ar na fíricí uilig. Tá fochoiste bunaithe aige, ach ní gá. Is féidir leis an bhfochoiste sin a scoir mar tabharfaidh mise na fíricí dó. Níl stádas ag an Ghaeilge mar theanga oifigiúil oibre san Aontas Eorpach; sin fíric amháin. Níor lorg aon Rialtas an stádas sin ariamh; sin fíric eile. Tá deis againn anois é sin a lorg, ach go háirithe toisc go bhfuil an Uachtaránacht againn agus go bhfuil go leor teangacha eile ag teacht isteach agus ag fáil an stádas céanna atá á lorg againne. Tá sé sin ag tarlú i mbliana. Ní gá ach rún simplí chun leasú a dhéanamh ar Rialachán 1, 1958 chun é sin a dhéanamh, agus is féidir é a lorg go héasca ó Chomhairle na nAirí ag an chéad chruinniú eile, nó fiú níos déanaí ag an chruinniú i Meitheamh.

Muna ndéanfar é sin, agus muna nglacfar leis sin, beidh orainn leanúint ar aghaidh leis an troid seo mar a rinne Gaeilgeoirí agus lucht tacaíochta na Gaeilge thar na blianta. Impím ar an Aire na céimeanna simplí seo a thógáil gan mhoill, gan ligint do mhoilleadóireacht agus na leithscéalta a thogann ó na státseirbhísigh stop a chur leis, mar a rinne na mandaríns frith-Ghaelacha a bhí in Iveagh House i dtús báire i 1972. Caithfidh an deis atá againn a thapú. Ba cheart don Aire dul sa seans agus ceannasaíocht a ghlacadh. Cé atá i gceannas anseo: na státseirbhísigh nó an Rialtas? Níor chóir go nglacfaidh aon Rialtas leis an meon go gcaithfear bheith cinnte go mbúfar an cheist sula gcuirfear é. Má chuirtear an cheist, tiocfaidh an duais amach anseo. Níor chóir go mbéadh an Rialtas nó an tAire ach go háirithe ag brath ar an chacadamas a bhí á chur os ár gcomhair aige dár teideal non-paper (m.d. 139/02), mar níl ann ach sin — dréacht de chacadamas de shórt éigin. Níl stádas dlíthiúil ar bith ag baint leis, agus níor chóir go mbeimis ag díriú ar cheist Mhálda. B'fhéidir go mbeadh ceisteanna tíortha eile ar nós Latvia ní b'fhearr. Impím ar an Rialtas glacadh leis an leasú agus leis an rún uilig.

Mr. Gregory: Ba mhaith liom ar dtús an addendum atá thíos ar an gclár in ainmneacha na dTeachtaí Neamhspleácha a mholadh, agus a chur ós comhair na Dála anocht, sé sin, go dtiocfaidh an Rialtas ar ais chuig an Dáil roimh 1 Meitheamh 2004 le freagra ón Aontas Eorpach ar an rún seo.

Tá sé an-suntasach go bhfuil sé i gceist ag an Rialtas vótáil anocht i gcoinne an addendum atá curtha síos ag na Teachtaí neamhspleácha ar an rún atá os ár gcomhair anocht. Tá sé thar a bheith soiléir gurbh é a bhí i gceist ag an Rialtas ná glacadh leis an rún gan vótáil ar bith, gan oiread agus faic dá laghad a dhéanamh faoin rún, agus gan faic a dhéanamh chun aitheantas a fháil don Ghaeilge mar theanga oifigiúil de chuid an Aontais Eorpaigh.

De réir cosúlachta, ós rud é go bhfuil an addendum de chuid na dTeachtaí Neamhspleácha curtha leis an rún, bhéadh ar an Rialtas teacht ar ais chuig an Dáil le toradh a chuid iarrachtaí, sé sin, teacht ar ais le freagra ar an gceist ón Aontas

Eorpach, ach níl an Rialtas sásta fiú an méid sin a dhéanamh. Ba chóir go mbéadh náire ar Fhianna Fáil go háirithe vótáil i gcoinne an addendum bunúsach seo. Tá a leithéid de chladhaireacht ó Fhianna Fáil leis an seasamh sin dochreidte do gach aon duine sa tír seo a thugann dílseacht don teanga náisiúnta.

Cuireann teacht isteach na dtíortha nua san Aontas Eorpach ceist na dteangacha náisiúnta i gcomhthéacs nua. Dhiúltaigh na tíortha nua ar fad don stádas lenar ghlac an tír seo don Ghaeilge, rud a fhágann an Ghaeilge mar an t-aon teanga oifigiúil Stáit a bhfuil stádas níos ísle aici san Aontas Eorpach ná mar atá ag teanga oifigiúil aon bhallstáit eile. Is é Rialtas na hÉireann féin a d'iarr an stádas áirithe sin nuair a bhí Éire á glacadh isteach san Aontas. Anois, le linn Uachtaránacht na hEorpa a bheith mar chúram againn, is cóir dúinn lánstádas oifigiúil oibre a iarraidh don Ghaeilge. Tá sé scanallach agus dochreidte nach bhfuil Fianna Fáil, de réir cosúlachta, sásta an méid bunúsach sin a dhéanamh.

Mr. F. McGrath: I thank the Ceann Comhairle for the opportunity for speaking to this motion on the Irish language and on the urgent need to have it recognised as an official language of the European Union and its institutions. The fact that the motion is before the House shows clearly another example of the direction Europe is taking and the urgent need to ensure that diversity and difference are accommodated in a Europe based on principles of equality and justice. I support the motion and demand that the Government become more organised and ensure respect for our language. Failure to do so is cultural vandalism and part of the “tipping the cap” syndrome that sadly exists in our society.

San am céanna, tá orainn go léir obair le chéile ar son ár dteanga. Tá an Rialtas seo lag, agus tá ar gach duine tacaíocht a thabhairt don tairiscint seo. An rud is tábhachtaí anseo anocht ná go n-iarrann Dáil Éireann ar an Rialtas an deis a thapú, ós rud é go bhfuil Uachtaránacht na hEorpa ag Éirinn agus ós rud é go ndéanfar teangacha oifigiúla breise de chuid an Aontais a aithint de thoradh na 11 ball nua breise le cur in iúl don Aontas Eorpach gur mian leis go n-aithneofar an Ghaeilge mar theanga oifigiúil de chuid an Aontais Eorpaigh agus a chuid institiúidí. Tá ar gach Teachta Dála anseo tacaíocht a thabhairt don rún seo. Sin an rud is tábhachtaí sa díospóireacht seo.

This issue is above party politics and above any Deputy. It is about our language, culture and country, and about asserting our difference and independence. That is why I support the motion. The disregard shown for our national language is typical of this Government's short-sighted vision. Some Cabinet Ministers — I stress some — are like parasites feeding off the Irish nation and killing it slowly at the same time. Is there any pride left in the political establishment of this State? Do its members care that they will be

remembered as those who presided as the Irish nation and culture evaporated off the face of the earth? They are the same people who moan to us about funding TG4 while they see nothing wrong with spending €40 million on electronic voting.

It is time for Members of this House to put Ireland first. They seem to care more about their masters in Europe than for the majority of our citizens. I urge all Deputies to put political differences aside in this debate and to put our language first. Let us unite in demanding that the Irish language be recognised as an official language of the EU and its institutions. I am amazed the Government is not supporting the addendum from the Independent group.

Mr. McHugh: In 1973 Ireland joined the European Community. At that time Irish was, and still is, the official language of Ireland. However, for no good reason, the Government at the time of joining the European Community, did not seek to have Irish adopted as an official language of the European Community. It adopted a dog in the manger attitude, displayed an inferiority complex and sought only to have our country's official language recognised not as an official language but as a treaty language, an inferior status for the language.

After May this year, there will be 21 treaty languages. It is a shame for Ireland that Irish, in the absence of Government action, will be the only one among them that will not be an official language. It is unacceptable that as countries signed accession treaties, the regulation governing the language regime of the institutions was amended to give recognition as official languages to the national languages of the new member states. As far as I know, this has been done in every case with the exception of Ireland.

Language is central to people's identity and, therefore, linguistic diversity must be respected. The draft treaty establishing a constitution for Europe contains an objective that "the Union should respect its rich cultural and linguistic diversity and should ensure that Europe's cultural heritage is safeguarded and enhanced." I ask that the Government take that objective on board, apply it to Ireland and set the process in motion for recognition of the Irish language as an official working language of the European Union. It is entirely a matter for the Government to make the arrangements for Irish to be recognised as an official working language by informing the European Union that it wishes to have the relevant regulations modified to include Irish as an official working language.

I am absolutely amazed that the Government proposes to vote against the amendment to the motion tabled by the ten Independent Deputies in the Technical Group. That addendum merely calls on the Government to report to Dáil Éireann on the response of the European Union by 1 June 2004. The decision to vote against our addendum indicates that the Government has no

intention of pursuing the objective of official recognition.

Dr. Cowley: Molaim an rúin in ainm na dTeachtaí Dála Neamhspleáchach nach mór don Rialtas teacht ar ais don Dáil agus tuairisc a thabhairt ar fhreagra an Aontais Eorpaigh ar stádas na Gaeilge roimh 1 Meithimh 2004.

Ba cheart don Rialtas oibriú go cruaidh air seo. Tá sé an-tábhachtach go mbeidh an Ghaeilge mar theanga oifigiúil san Aontas Eorpach. Tá na mílte daoine ann a bhaineann an-taitneamh as bheith ag labhairt na Gaeilge agus tá a lán daoine óga ag baint úsáid aisti sna Gaelscoileanna, rud iontach a thugann dóchas don teanga. Tá suim agam féin sa teanga mar tá baint agam le rásaí na ngeolt in Aicill agus bímid ag plé na rásaí as Gaeilge gach samhradh.

An t-aon rud a chaithfidh an Rialtas a dhéanamh ná a rá leis an Choimisiún Eorpach go bhfuil sé beartaithe aige go mbeidh an Ghaeilge ina teanga oifigiúil san Aontas agus an *acquis communautaire* a aistriú go Gaeilge. Tá an obair sin tosaithe cheana. Beidh a lán postanna le fáil air sin, go speisialta dóibh siúd atá cleachtaithe sa Ghaeilge.

D'éist mé leis an Aire Ó Cuív agus tá an-suim aige sa teanga agus suim aige go ndéanfar an rud seo. Níl sé déanta, áfach, agus caithfidh an cheist a chur cén fáth. Tá géar-ghá leis seo a dhéanamh agus ba cheart go bhfuil náire ar an Aire nach bhfuil an Rialtas chun é a dhéanamh. Níl locht ar an Aire go fóill ach beidh muna bhfaighimid freagra maith ar 1 Meithimh 2004.

Is fearr go mall ná go breá, mar a deirtear, agus tá seans againn go mbeidh daoine in ann an Ghaeilge a labhairt i bParlaimint na hEorpa. Tá sé scanallach don tír seo nach raibh Seán Ó Neachtáin agus Mary Bannotti in ann Gaeilge a labhairt gan cead a fháil. Ní mór don Rialtas teacht ar ais le freagra maith ar an rún seo.

Mr. Boyle: On my relatively few visits to the European Parliament to Green group meetings, I have always taken the opportunity to make a 30 second introduction as Gaeilge just for the mischievous pleasure of seeing translators scurrying around trying to find out what language is being spoken. Such an action was taken by the Fianna Fáil MEP, Brian Crowley, on his first day in the European Parliament. Ultimately, such actions ring hollow and only show the subordinate nature of the Irish language in the European Union. That makes it more necessary for a motion of this nature to be passed with what seems to be the fully expressed view of this House.

Comhdháil Náisiúnta na Gaeilge issued an interesting fact sheet as Fraincis, as Béarla agus as Gaeilge listing 15 reasons the Irish language should become an official language of the EU. It is in order to place those 15 reasons on record. The first reason is that the present situation is anomalous, and that has become fairly obvious from the contributions of many to this debate.

[Mr. Boyle.]

The second reason is that the opportunity now exists anois, an deis mar a déarfá. The third reason is that no renegotiation is needed, even though the Green Party could suggest several areas of renegotiation in different European Union treaties. The fourth reason is the question of Irish national identity. While we have improved in terms of national self-confidence through economic improvements, linguistic confidence is still beyond many of us. I lack the confidence to make a contribution in this House as Gaeilge and I hope that situation will change. My party leader literally speaks for the party on the Irish language. We hope that in the long run more of us in the parliamentary party will attain the standard he so successfully maintains.

Other reasons include the shame factor, the inferiority complex attached to the language and the fact that we have a capacity to make this change now. In terms of graduates and school leavers in particular, there are economic reasons for pursuing official language status. Each year this House takes on legal students for work experience in the translation section. As European Union legislation is becoming increasingly part of our legislative code, such an opportunity and a facility should exist for Irish students and graduates to work within the legal framework of the European Union.

Other reasons listed by Dr. Liam Mac Cóil include the fact that we would translate for ourselves in Brussels. Irish translators are part of a subordinate unit to the English translation service. There is no compulsory Irish in Brussels. While English is a working language, official language status would raise that of Irish.

The cost argument is not an obvious one because it is negligible. European citizenship for Irish speakers can only be enhanced through the recognition of Irish as an official EU language and, ultimately, the language can and will prosper as a result of such recognition.

Mr. Kenny: Ba mhaith liom mo chuid ama a roinnt leis na Teachtaí Gilmore agus Upton.

An Leas-Cheann Comhairle: Agreed.

Mr. Kenny: Tugaim lán-tacaíocht don rún seo atá molta ag Páirtí an Lucht Oibre, an Teachta Rabbitte ina measc, chun stádas oifigiúil a thabhairt don teanga Ghaeilge. Bhí mé ag éisteacht leis an díospóireacht, agus bhí chuile dhuine á rá go bhfuil suim mhór sa Ghaeilge agus go bhfuil gach duine báúil di. Labhair siad faoi na rudaí atá á ndéanamh ag an Rialtas i leith fhorbairt na Gaeilge. B'fhéidir go bhfuil cuid de sin fíor.

Ag an am céanna, áfach, is é an fáth go bhfuil an brú ag teacht i leith stádas oifigiúil a thabhairt don Ghaeilge ag an bpointe seo ná go bhfuil seans ag an Rialtas seo nach raibh ag Rialtas ar bith cheana ón am a ndeachamar isteach sa Chómhargadh i 1972. Tá an Uachtaránacht ag

Éirinn faoi láthair, agus tá an Taoiseach mar Uachtarán ar an AE. Tá deich dtír eile ag teacht isteach, agus tabharfar stádas oifigiúil dá dteangacha. Tar éis 1 Meitheamh, ní bheidh an seans sin againn arís, mar ní bheidh Uachtaránacht againn arís mar atá againn faoi láthair. Cibé rud atá an Rialtas á dhéanamh, nó cibé rud nach bhfuil an Rialtas á dhéanamh, is é an príomhrud — an rud bunúsach anseo — ná go bhfuil seans ag an Taoiseach mar Uachtarán ar an AE an jab seo a dhéanamh agus deireadh a chur leis. Níl sé i gceist go mbeadh chuile fhíosa páipéir á aistriú go Gaeilge, agus tá a fhios ag gach duine ón méid daoine atá ag labhairt na Gaeilge agus ón mbrú atá thart faoin tír, sna gaelscoileanna, sna grúpaí atá ag déileáil le forbairt agus labhairt na teanga, go bhfuil easpa misnigh acu siúd má fheiceann siad gur theip ar an Rialtas arís an rud sin a dhéanamh.

Nuair a bhí mé féin i mo leaid óg agus ag fás suas, agus le ceithre scór bliana anuas, séard a bhí ina phríomhaidhm ag lucht Fhianna Fáil ná athbheochan na teanga. Le linn chuile thoghcháin ghinearálta, luaíodh é sin, ag chuile ard-fheis agus le chuile cheannaire de pháirtí an Aire, bhíodar ag labhairt, thíos san RDS nó áit éigin eile, faoi athbheochan na teanga, agus dúirt siad go raibh sé ina phríomhaidhm ag lucht Fhianna Fáil.

Anois, tá seans ag an Aire agus ag an Rialtas an rud seo a thógáil go hidirnáisiúnta. Ní thiocfaidh an seans arís. Dóibh siúd atá thuas ansin agus do na daltaí atá thart faoin tír, don aos óg, don ghlúin atá ag fás suas, ba cheart, san Uachtaránacht dheireanach seo, go gcuirfeadh an Rialtas brú ar dhaoine chun an jab a dhéanamh. De réir mar a thuigimse é, níl deacracht ar bith ag baint leis. Níl ar an Taoiseach ach an litir a scríobh chuig an Uasal Prodi agus an rud a mholadh go hoifigiúil mar Uachtarán ar an AE, agus glacfar leis. Má dhéantar é sin, beimid sásta anseo sa Teach go bhfuil glactha leis an moladh. Ní thuigim ar chor ar bith tuige nach bhfuil fonn ar an Rialtas teacht ar ais chuig an Teach le labhairt faoi fhreagra an AE don rún a mholfadh an Taoiseach. Faoi láthair, tá am fágtha againn. Cibé Aire atá ag tabhairt freagra ar an rún seo, ba mhaith liom go n-iarrfaí an Rialtas go gcuirfí an moladh go foirmeálta agus go hoifigiúil roimh an gCoimisiún, go mbeadh litir scríofa ag an Taoiseach mar Thaoiseach agus mar Uachtarán ar an AE go ndéanfaí é seo. Dá nglacfaí leis sin — tá súil agam go nglacfar leis — bheadh fonn ar an Rialtas teacht ar ais anseo ar son díospóireachta sa Teach seo chun glacadh leis an rún seo.

Mar a dúirt mé, tá mé buíoch de cheannaire Pháirtí an Lucht Oibre agus de na páirtithe eile as an rún a chur síos, agus tugaim lán-tacaíocht don rún seo. Tá súil agam, sa deireadh thiar thall, go dtiocfaidh Fianna Fáil agus na hAirí amach á rá go cinnte go raibh sé ina phríomhaidhm ag a bpáirtí athbheochan na Gaeilge a chur ar bun agus, ní hamháin go raibh siad ag déileáil leis sin ach go bhfuil siad ag cur stádas oifigiúil idirnáisiúnta ar ár dteanga dúchais anois.

Mr. Gilmore: Tá áthas orm an deis seo a fháil labhairt ar son an rúin seo go dtabharfar aitheantas don Ghaeilge mar theanga oifigiúil oibre san Aontas Eorpach. Bhí mé anseo aréir nuair a labhair an tAire Ó Cuív. Labhair sé go ginearálta faoin Ghaeilge, ach ar ndóigh, ba bheag a bhí le rá aige faoin rún féin. Cinnte, níor chuir sé i gcoinne an rúin, nó níor mhol sé aon leasú dó. Ag an am céanna, níor shoiléirigh sé dúinn cad é seasamh an Rialtais ar stádas na Gaeilge san Eoraip. Níos tábhachtaí, b'fhéidir, níor chinntigh sé dúinn cad a dhéanadh an Rialtas faoi. Is dócha go bhfuil an Dáil anocht chun glacadh leis an rún tábhachtach seo, ach níl mise dóchasach ar aon nós go bhfuil an Rialtas i ndáiríre faoi agus go bhfuil sé chun an beart a dhéanamh agus aitheantas a thabhairt don Ghaeilge. Chuala mé an tAire Ó Cuív aréir ag leagadh síos coinníollacha, leithscéalta agus fadhbanna le ligint dúinn smaoinemh go bhfuil an Rialtas agus é féin ag déanamh a ndíchill i leith na Gaeilge ach, faraor, go bhfuil rialacha Eorpacha éigin ag cur ina gcoinne. Bhí óráid an Aire Uí Chuív an-chasta, agus níos casta fós ós rud é gur athraigh sé a script. I mo thuairim, tá cuid de na hathruithe idir an script agus an méid a dúirt sé sa Dáil an-tábhachtach. Comhairlím dóibh siúd a bhfuil suim faoi leith acu san ábhar seo comparáid a dhéanamh idir script an Aire a scaipeadh do na Teachtaí anseo aréir agus an méid a dúirt sé sa díospóireacht.

Mr. Rabbitte: Document No. 2.

Mr. Gilmore: Leiríonn sé sin, cé go bhfuil an Rialtas ag glacadh leis an rún, nach bhfuil sé ar intinn aige ar chor ar bith aon rud a dhéanamh faoi i ndáiríre.

The Government is accepting the motion because, I presume, it would be a step too far for it to oppose it. It does not appear, however, that it intends to do anything serious about the motion. The inconsistencies between the script which the Minister circulated last night and the speech he actually delivered here demonstrate that quite clearly. It is a case of there being many a slip between script and speech. I will examine four areas of the Minister's speech to the House last night. First, he told us, as is usual with a difficult question, that the Government had established an interdepartmental group to look into the question and to examine the options. He told us in the script:

Tá an grúpa ag déanamh iniúchta ar réimse roghanna ag súil gur féidir an bealach is praiticiúla a aimsiú le cur le stádas na Gaeilge san Eoraip.

But what he actually said in the course of his speech was that the purpose of the group and, indeed, the meetings with Comhdháil Náisiúnta na Gaeilge, to which he referred, were for the purposes of "an Ghaeilge a chur chun cinn". That is a somewhat different emphasis.

The second issue is the Minister's reference to the treaty signed by the Government last December. Dúirt sé go bhfuil a fhios ag an Teach go bhfuil an Conradh aontachais daingnithe ag Éire trí ionstraimí daingnithe a bhí leagtha isteach ar 18 Nollaig 2003 agus nach féidir le hÉire nó aon bhallstát eile téarmaí an chonartha aontachais a phlé in athuair. The Minister is saying because it was signed on 18 December, it must, therefore, be reopened and renegotiated. However, that is not the case and it is open to the State to assert that the Irish language is the official language that it wishes to use in the European Union.

The Minister then dealt with the reasons Maltese has become one of the official working languages of the Union and why there is a difference between the Maltese and Irish positions. Dúirt sé, "Agus na moltaí seo á ndéanamh ag an gCoimisiún, is cosúil gur bhunaigh sé caighdeán áirithe a úsáideadh mar shlat tomhais agus úsáid na Máltais á mheas aige. Léiríonn athbhreithniú ar na caighdeáin sin gur rinneadh an cinneadh sin ar go n-úsáideann na hinstiúidí ar fad i Málta an Mháltais a áirítear ina measc sin an Parlaimint, an Rialtas agus na cúirteanna".

The Minister drew attention to what he calls the "slat tomhais". Maltese is used generally in the Maltese Parliament and that is the criterion used by the Commission to decide whether a language should be an official language. The Minister has laid down in advance the excuse that will be trotted out later. He will return to the House to say the Government supported the motion but the "slat tomhais" has defeated it.

Towards the end of his contribution the Minister veered off his script entirely and referred to the obligation on Members to use the Irish language more frequently. He referred to his time in Conradh na Gaeilge as a youth and the number of times he uses the language. However, he left out an interesting paragraph in his script, which reveals another excuse that will be trotted out.

Sa scríbhinn, deir sé "chaithfeadh an Coimisiún an moladh a dhéanamh don athrú sin agus, mar sin, le go n-athrófaí stádas na Gaeilge, chaithfeadh an Coimisiún cuí a dhéanamh don Chomhairle maidir leis an rialachán agus chaithfeadh an Chomhairle a aontú air sin d'aon ghuth."

This is the fourth in a sequence of excuses that is being lined up. While the Minister agreed with the motion and outlined how much he has done for the Irish language, which I acknowledge, he has lined up a sequence of excuses and conditions that will be trotted out when the Government puts its hands up and says it did its best but it could not achieve its aim.

Tá an Rialtas ag leagan síos na coinníollacha agus leithscéalta seo ionas go mbeidh sé in ann go ndéarna sé a dhícheall ach ní raibh sé in ann an beart a dhéanamh sa deireadh.

Dr. Upton: The teaching and learning of Irish and its official recognition has been the subject of much passionate and emotive debate for many years. This debate is positive in terms of setting the scene regarding the official recognition of the Irish language by the EU. However, in the lead up to the Presidency, the Minister for Community, Rural and Gaeltacht Affairs suggested the window of opportunity it provided should be used to promote Irish. This is a cop out on the part of a Minister and a party which is so committed to the Irish language and its promotion. Mar a dúirt an Teachta Kenny, sé ceann de na príomhaidhmeanna i gcónaí ag an Rialtas ná athbheochán na teanga. Tá an seans aige anois sin a dhéanamh. A token gesture should not be made towards the revival of the language and its status and the opportunity to have the official status of the language recognised and copperfastened should be grasped.

Go ndéanfaí an Ghaeilge a aithint mar theanga oifigiúil don Aontas Eorpach, is gá go gcuirfeadh Rialtas na hÉireann in iúl don Aontas gurbh mhian leis go ndéanfaí a amhlaidh. Tugann an Uachtaránacht an seans sin dúinn ár n-ionad iomlán san Eoraip a athaímsiú.

Le síniú an chonartha aontachais is déanaí, chuir Éire fáilte, le héifeacht ó 1 Bealtaine amach, roimh deich mballstát nua agus naoi dteanga oifigiúil nua san AE. Ba cheart go mbeadh an Ghaeilge ina measc sin agus an stádas céanna ag baint leis. Tá mórán buntáistí ag baint le stádas na Gaeilge mar theanga oifigiúil. Bronnann stádas oifigiúil buntáistí fostaíochta do shaoránaigh na dtíortha atá i gceist. Ón lá comharthaithe amach, chuirfeadh an tAontas na rialacháin agus treoracha ar fad ar fáil as Gaeilge, mar a dhéanann sé le gach teanga oifigiúil eile. Mar atá an sceal faoi láthair, ní cheadmhach mar cheart ach teangacha oifigiúla a úsáid i bParlaimint na hEorpa. Ligtear do chomhaltaí teangacha eile a labhairt i gcúinsí teoranta ach tá sé riachtanach cead a iarraidh agus a bheith tugtha roimh ré.

Gach bliain, bíonn éigeandáil ann faoi chaighdeán na Gaeilge san ardteist, nó faoin laghdú ar an méad daltaí a dhéanann an scrúdú. Nuair a bhaineann teanga stádas idirnáisiúnta amach, cabhraíonn sé le buanú na dteanga féin trí dhearcadh níos fabhraí di a chothú i measc lucht labhartha.

The EU will have 20 official language from 1 May. Ireland and the Irish language will be disadvantaged until it has the same status as the other 20 languages. The language should not only be given token recognition during the Presidency. It is welcome that Irish will be spoken and promoted during the Presidency but there is a need to confirm the status and equivalence of the language together with all the other European languages that have official status. The recognition of Irish as an official language will provide opportunities to seek and obtain employment. The laws of the Union will be provided in Irish and Irish MEPs will have the

right to address the Parliament in Irish. These are tangible advantages but the promotion and recognition of the language would also have a cultural value. A number of the concerns relating to the teaching and learning of the language should be removed. The relative and importance of the language would be appreciated and recognised and the Government should dispense with its ambivalence in regard to its commitment to the status of the Irish language in Europe.

A window of opportunity is available to the Minister during the Presidency to outline a timeframe and put a plan in place whereby the status of the language can be copperfastened. It is not enough, nor is it acceptable, to issue vague and non-committal statements on the issue. Many of the positive developments relating to the language have been mentioned. There is a fresh interest in many of the values associated with the language through scholarships and teaching and its culture and traditions. There is an opportunity to consolidate this interest through the conferring official status on the language in the Union.

Minister for Foreign Affairs (Mr. Cowen): Tá sé tábhachtach go bhfuil an díospóireacht seo againn. I dtús báire, ba mhaith liom a rá go gceapaim go bhfuil meas ar an teanga sa tír seo inniu nach raibh ann le tamall. Tá sé le feiceáil, mar shampla, sna bunscoileanna lán-Ghaeilge atá ag obair leo go héifeachtach ar fud na tíre. Tá siad ag spreagadh daoine óga leis an teanga a úsáid go coitianta agus go nádúrtha. Tá an scéal céanna sa chóras scoile i gcoitinne. Dá bharr, sílim go bhfuil athrú mór tagaithe ar dhearcadh na ndaoine óga ar an teanga. Molaim freisin sár-obair Raidió na Gaeltachta agus TG4. Táimid uile brodiúil as a gcuid oibre, agus go háirithe an “súil eile”, difriúil ghéar a thugann siad ar chúrsaí — agus ní hamháin ar chúrsaí spóirt. Is soiléir freisin go bhfuil an-obair á déanamh ag na heagrais Gaeilge. Gabhaim búiochas pearsanta agus búiochas an Rialtas leo. Is soiléir freisin go bhfuil an-obair amach is amach á dhéanamh ag na heagraithe Gaeilge. Ba mhaith liom mo bhuíochas phearsanta agus búiochas an Rialtais uile a ghabháil leo. Ní déarfainn go mbeadh an díospóireacht seo againn murach a gcuid oibre agus a gcuid brú. Go mba fada buan agus éifeachtach iad.

Tá sé leagtha amach ag an Rialtas — agus chun an fhírinne a rá, ag gach Rialtas ó bhunadh an Stáit — ár ndícheall a dhéanamh chun an teanga a choinneáil beo agus í a neartú ar fud na tíre. Tá dea-scéal spreagúil le hinsint againn inniu. B'fhiú do gach duine anseo dul ar ais agus ráiteas an Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta sa Teach seo aréir a léamh. Is leor domsa a rá gur ainmníodh, ar an Luan seo caite, an chéad Choimisinéir Teanga ariamh san tír seo — dul chun cinn stairiúil chun stádas na teanga a fheabhsú agus a neartú.

The debate on the Irish language in the European Union has gathered pace in recent weeks. It is understandable that this should be so,

with enlargement only months away and Ireland holding the Presidency of the Union. A variety of points are being made in correspondence with public representatives and through the media on the merits of the case to include Irish as an official and working language of the Union. The Government is listening to these points. I echo another point made last night by the Minister, Deputy Ó Cuív. The fact that the Government has drawn attention to some of the practical difficulties involved does not signal in any way a lack of will on our part.

We have recently established an interdepartmental working group which is continuing to analyse all the options available to us. This working group is examining a range of issues, some of which involve complex considerations, with a view to identifying additional practical and sensible opportunities to enhance the status of the Irish language. Each option will be thoroughly examined.

A critical question which needs to be considered is the exact meaning and scope of an official and working language of the Union. It is generally understood that official and working language status allows for the translation of all official documents and the provision of a comprehensive interpretation service for a range of meetings. The point might legitimately be put by some in Europe that this might infer that at least a significant part of business conducted by Irish political and official representatives would be done through Irish. We would also have to consider the task of translating the estimated 85,000 pages that make up the EU *acquis*.

When the Taoiseach addressed this issue in the House on 28 January he confirmed that he was very open to efforts to improve the standing of the Irish language in the European Union. He also recognised that our case might not be strictly comparable with others and he expressed the hope that a middle way forward might be found.

Before any action is taken, we need to take a thorough, methodical and balanced approach. The interdepartmental committee should be allowed to continue with its work to consider, among other things, the issues relating to translation, interpretation and intervening in Irish, to which this issue gives rise. We will need to examine fully the exact scope of what we are discussing in this debate before we make any request to the Commission.

Our approach should be to move forward in a determined but sensible way and along the lines I have described. Until we have completely examined the issues involved, it would be premature and unwise to consider the precise basis on which we would approach the Commission. In short, and pending the outcome of the work of the interdepartmental committee, an attempt to define the timing, manner and content of an approach to the EU would be precipitate. It is for these reasons that the Government does not intend to act in the manner prescribed by the two amendments, although it

will report to the Dáil on the possibilities of progress at the earliest feasible opportunity.

The Government accepts the spirit of this motion and will continue to work on enhancing the use and status of the Irish language in the European Union. I reiterate my view that there is genuine goodwill on all sides towards the Irish language in the House. Cad chuige nach mbeadh? It is very strong on the Government side, mar a bhí ariamh, and we have demonstrated this by making real strides in areas where successive Governments have struggled to register progress. Many of the issues touched on in this debate go to the heart of the discussion about how best to maintain and strengthen the language, a debate which we have had among ourselves for decades. Logically, we must be careful that we are not perceived to be making demands on the EU that we would not make of ourselves. It is vital that the solutions we seek are positive for the standing and development of the language. Such solutions must be practicable and sustainable. The Government is determined to work hard to find them.

Mar a duirt mé, tá dream oibre ag plé na ceiste tábhachtaí seo. Go háirithe, beidh an dream ag diriú ar dheiseanna oiriúnaí a aithint chun an teanga a chur chun cinn san Aontas Eorpach. Tá a fhios ag an dream go bhfuilimid ag iarraidh dul ar aghaidh go luath, agus go bhfuilimid ag tnúth le tuarascáil uathu chomh tapaídh agus is féidir.

Mar a déarfai i mBéarla, níl aon rud ar an bpláta sa Bhruiséal. Bheadh sé ciallmhar mar sin fanacht leis an tuarascáil sar a chuirimid tús le gníomh ar bith. Idir an dá linn, glacann an Rialtas le spriod an rúin seo. Mar atá a fhios ag cách, táimid beagnach uile anseo sa Dáil ar aon bharúil faoin scéal, ach caithfimid na deiseanna a aithint i dtús baire. Níl an dara rogha againn. Nuair a bhéas siad againn, déanfaidh an Rialtas a dhícheall chun moltaí an dreama a chur i gcrích chomh tapaídh agus is féidir.

Mr. M. Higgins: Is pribhléid dom cúpla focal a rá ar son an rúin seo. Is mian liom a rá go bhfuil údair an rúin seo ag glacadh leis an leasú a moladh ag Sinn Féin agus leis an *addendum* in ainm na dTeachtaí Neamhspleácha.

Gabhaim mo bhuíochas le gach duine a ghlac páirt sa díospóireacht. Tá daoine ann a labhrann Gaeilge sa Teach — ina measc mo chomhainmneach, an Teachta Joe Higgins, a labhrann Gaeilge go minic — nach raibh seans acu labhairt. Tá an ceart ag an Aire go bhfuilimid go léir ar aon bharúil faoi chás thábhachtach na Gaeilge ach nílimid den bharúil céanna faoin gcaoi is fearr chun dul ar aghaidh ag an bpointe seo. Tá sé ag teastáil uainn go nglacfadh an Rialtas le rún ón Teach seo iarratas a chur ar aghaidh go Coimisiún na hEorpa go n-aithneofaí an Ghaeilge mar theanga oifigiúil. Sin atá uainn.

Tá daoine a deir nach bhfuil an t-am ceart fós. Dúradh é sin faoi Raidió na Gaeltachta agus faoi Theilifís na Gaeilge. Deirtear i gcónaí nach bhfuil an t-am ceart. Ach tagann amanna agus muna

[Mr. M. Higgins.]

dtógtar an seans atá ann — mar atá sa gcomhthéacs atá ann faoi láthair — beidh an seans caillte.

Bhí mé sásta leis an méid a dúradh ag na cainteoirí ar fad a labhair anocht. Labhair an Teachta O'Donnell anocht i bhfabhar an rúin. Níl an tAire Gnóthaí Pobail, Tuaithe agus Gaeltachta i láthair anocht. Tá sé in áit éigin san Eoraip, sa domhan nó ina chroí féin. Labhair sé areir go maslach agus go dúr cantalach. Níor phlé sé an cheist. Caithfidh mé nithe áirithe adúirt sé a cheartú. Labhair sé faoi Málta aréir, mar shampla, agus bhain sé úsáid as “non-paper”. Is féidir le hÉinne glaoch ar an gCoimisiún agus cóip den pháipéar seo a iarradh. Ní bhfaighfear í, mar níl aon stádas ag baint léi. Bhí ar an Aire é sin a admháil nuair a cuireadh brú air aréir. Mar sin féin, bhí sé ar Raidió na Gaeltachta ag baint úsáid as an bpáipéar céanna.

Labhair an tAire faoin am nuair a bhí sé ar Choiste Gnó Chonradh na Gaeilge. Mhaslaigh sé Conradh na Gaeilge. Dúirt sé gur chuir Conradh na Gaeilge i gcoinne dhul isteach i gComhphobal na hEorpa agus dá bhrí sin, nach raibh seans ag an gConradh aon aird a thabhairt ar cheist na teanga ag an am. Bhí sé ag caint leis féin faoi sin. Nuair a bhí an tAire ar Choiste Gnó Chonradh na Gaeilge scríobh an Conradh go dtí an Aire Gnóthaí Eachtracha ar 1 Lúnasa 1970, ar 15 Meán Fómhair 1970 agus ar 7 Deireadh Fómhair 1970. Fuair an Conradh freagra ar 8 Feabhra 1971 ag glacadh leithscéala go raibh na litreacha caillte ag an Roinn agus ag lorg cóipeanna breise ionas go bhféadfadh an tAire freagra a thabhairt orthu. Nuair a fuair an Conradh freagra faoi dheireadh i Mí Feabhra 1971 dúradh, “Dar ndóigh, níor tháinig an t-ábhar seo [ceist na teanga] faoi chamáin fós”.

Nuair a d'fhoilsigh an Rialtas Páipéar Bán i Mí Eanáir 1972, dúradh ann:

Tá an Ghaeilge á haithint mar theanga oifigiúil de chuid na gComhphobal mhéadaithe. Beidh teanga na mballstát nua eile, an Béarla, an Danmhairgis agus an Ioruais ina dteangacha oifigiúla freisin, maraon le teangacha oifigiúla an Chomhphobail atá ann faoi láthair, eadhon, an Fhraincis, an Ghearmáinis, an Iodáilis agus an Ollainnis.

Níl sé sin fíor. Ní raibh na rudaí adúirt an t-Aire oíche aréir faoi Chonradh na Gaeilge nó faoi Mhálta fíor. Leanann sé ar aghaidh rud áirithe eile a rá, díreach mar an rud céanna atá mé tar éis éisteacht leis cúpla noiméad ó shin, faoin méid oibre a bheadh ag teastáil agus go gcaithfidh uilig a aistriú. Níl sin fíor ach an oiread. Tá sé leagtha síos sa gconradh gur féidir le hinstiúid, b'fhéidir Comhphobal na hEorpa, a leagan síos cad iad ná páipéir agus na téacsanna a chaithfaí a aistriú. Ansin dúirt go dtéann sé go mall ach sa deireadh sroicheann sé an sprioc atá uainn. An rud atá ag teastáil uaidh agus ón Rialtas ná an fhírinne a insint i leith an ruda seo, an rud atá muid ag éileamh ar gach taobh den Teach, is cuma má tá

Teachtaí neamhspleách nó ina mball pháirtí, agus rud éigin a dhéanamh ag an bpointe seo, nuair atá an seans againn.

Cén sórt seans é? Ní bhaineann sé le teanga amháin nó le haistriúchán, baineann sé le haitheantas, féinmheas, ilgnéitheachtas cultúir agus rud atá tábhachtach domsa, mar dhuine nach labhrann Gaeilge ón gcliabhán, ná teangabháil a dhéanamh don oidhreacht atá ann ó thaobh cultúir, litríochta agus ceoil de. Níl muid ag cur éilimh ar éinne sa Chomhphobal nach bhfuil muid ag cur orainn féin. Ní laoch den Aire Ó Cuív a bhí ag teastáil uainn aréir, an rud a bhí ag teastáil uainn ná bheith ionraiciúil agus an cheist a fhreagairt an bhfuil sé i bhfabhar prionsabal an rúin. Ní raibh sé sásta sin fiú amháin a rá nó an fhírinne a rá faoin gcomhthéacs atá ann ó thaobh na dtéacsanna i gComhphobal na hEorpa. An bhfuil sé toilteannach an iarracht a dhéanamh agus glacadh le comhairle uainne go bhfuil an t-atmaisféar foirsteánach faoi láthair leis seo a dhéanamh?

An fhad is a bhfuil teanga i dtíortha eile ar nós An Eastóin nó An Laitve, ní bheidh siad ag iarraidh go nglacfaidh cruinniú sa mBruiséal socrú go mbeidh siad in ann oibriú trí mheán a dteanga féin. Níl muid ag iarraidh ach an oiread. An rud atá uainn nó ag am nuair a bheidh níos mó ná 20 tír ann, agus 20 teanga oifigiúil aitheanta, go mbeimis san áit chéanna. Tá sé soiléir dúinn go léir sna blianta atá le teacht go mbainfaí úsáid as trí nó cathair theanga mar beidh sin praiticiúil agus réalaíoch. Cén fáth nach féidir leis an Ghaeilge bheith i measc na teangacha eile oifigiúla?

Rud eile a rá go bhfuilimid in ann dul chun cinn a dhéanamh ar bhealach éigin eile. Is féidir, dár leis an Aire, sórt éabhlóid a dhéanamh ón stádas mar theanga conartha. Níl sin fíor ach an oiread mar na hathraithe a tháinig i gconradh Amsterdam, nuair a bhí mé féin mar Aire, agus na hathraithe i gconradh Nice, tháinig siad ar iarratas na Spáinnigh agus na bPortaingéiligh. Ní raibh baint dá laghad acu le stádas teanga conartha Éireann. Sin an fhírinne agus sin an sórt dallamullóg atá an tAire ag iarraidh a chaitheamh ar ár súile. Sin an fáth go mbeidh mé ag glacadh leis na leasuithe. Aimsíonn leasú Uimh. 1 an próiseas agus ina dhiaidh leagtar síos amchlár fána mbeidh dualgas ar an Rialtas teacht ar ais don Dáil agus a rá go raibh an job déanta aige agus an freagra a fuair sé.

Tá muid soiléir, áfach, faoin rud atá an Rialtas ag déanamh. Tá sé i bhfabhar Gaelscoileanna, an ceol Gaelach, an stair agus gach rud eile ar fud na tíre a luaigh na hAirí Stáit agus daoine eile. Tá muid an-bhuíoch go bhfuil siad i bhfabhar na nithe sin. An cheist anocht, áfach, an bhfuil an Teach seo sásta a rá leis an Rialtas go bhfuil muid i bhfabhar stádas oifigiúil don Ghaeilge, rud nár tharla trí bhotún i 1972.

Ionas go mbeimid ionraic, is féidir leis an Aire a stair féin a léamh. Dúirt sé go raibh sé ag déanamh tagairt do leabhar ard fheis Conradh na Gaeilge 1971 nuair a bhí sé ag déanamh na

quotations sin. B'fhéidir go bhfuil sé deacair don Aire nithe áirithe a chuimhniú ach cuirfidh mé in aigne iad dó má tá sé ag teastáil uaidh. Chomh maith leis sin, ón méid a tharla anocht, bhí sé béasach agus ba léir go bhfuil suim ag daoine sa Ghaeilge ach is cuma faoi sin. Tá súil agam go sroichfidh sé an leibhéal béis atá ar fáil de ghnáth i mo dháilcheantar féin.

Tá sé tábhachtach ní amháin glacadh leis an bprionsabal ach glacadh leis an commitment féin é a chur i gcrích leis an gCoimisiún. Mar a dúirt an Teachta Gilmore, tá sé suimiúil an rud atá an Rialtas a rá. Caithfidh an moladh teacht on gCoimisiún agus tá an tír agus an Rialtas seo sórt neodrach ar an gceist. Níl sé neodrach ar an gceist, caithfidh sé an t-iarratas a chur ar aghaidh chuig an Coimisiún, tosnóidh an Coimisiún ar an obair atá ag teastáil agus beimid go léir sásta ag an bpointe sin.

Rud eile a bhí á phlé ar Raidió na Gaeltachta. Cé hiad na daoine atá inár gcoinne? An bhfuil an Coimisiún i gcoinne an ruda seo? Tá sé léirithe agam an sórt cur i gcéill agus rud bréagach a bhí ráite faoi Mhála. Níl an Coimisiún ina choinne. An bhfuil ball de Chomhairle na nAirí ina choinne? Níl aon fhianaise go bhfuil. An bhfuil costas ro-mhór ag baint leis? Níl. An bhfuil sé fíor go gcaithfidh gach rud a aistriú? Níl sé fíor. An rud atá tábhachtach nó go n-aithnítear an tábhacht atá ag baint, ó thaobh cultúir de, ní amháin le húsáid teanga ach go mbeidh an teanga aitheanta mar ghné dár bhfáisteantacht féin. Beidh na glúinte faoi chomaoín an-mhór ach go háirithe don Dr. Pádraig Breandán Ó Laighinn as ucht an éachta atá déanta aige ar son an ábhair seo, agus do na heagrais ar fad a ghlac páirt san fheachtas.

Tá sé tábhachtach nár luaigh muidne sa Dáil go raibh muid ag déanamh rogha idir an rud seo a chur ar aghaigh in Aontas na hEorpa agus spriocanna eile atá againn ar son na Gaeilge sa tír seo. Rinne an Rialtas an argóint oíche aréir agus anocht nach bhfuil an ceart againn an rud

seo a éileamh go dtí go bhfuil spriocanna áirithe bainte amach againn sa tír seo féin. Sin rud eile bréagach agus léiríonn sé an seoiníneachas atá ann i leith na Gaeilge. Tá muid ag caint faoi cheart i gcomhthéacs ceartanna eile. Tá muid ag caint faoi bhotún uafásach, rud iontach a rinneadh sna 1970s, b'fhéidir ar mhíthuiscint. B'fhéidir go raibh daoine eile ann agus cheap siad go mbeadh uallach ró-mhór orthu an Ghaeilge a labhair i bhforam idirnáisiúnta. Tá sé in am deireadh a chur leis an bhfrithintleachas sin agus a ghlacadh leis an bpearsantacht agus an cruthachas atá ar fáil i leith cúrsaí teanga agus ceoil. Ba chóir go mbeidh mórálach as an stair atá againn, an méid atá bainte againn agus an samhlaíocht is féidir linn a úsáid chun nithe níos mó a bhaint amach, nithe déanacha agus cothromaíocht ar son na hEorpa.

Tá muid san Eoraip le fada agus sna 1970í dhiúltaigh muid glacadh leis an seans a bhí againn ár dteanga a bheith aitheanta mar theanga oifigiúil. Tá sé thar am go gcuirimid deireadh leis sin. Ag an bpointe nuair atá an Eoraip ag leathnú, nuair atá tíortha nua ag teacht isteach, ba cheart úsáid a bhaint as an seans agus a rá leis an Chomhaontas go bhfuilimid anois ag iarraidh gan bheith mar éiscíoch ach bheith ar chomhionannas le tíortha eile san Eoraip agus go mbeidh ar dteanga aitheanta mar theanga oifigiúil. Nílimid á dhéanamh seo ar bhonn eacnamaíochta, fiú go bhfuil buntáistí eacnamaíochta ann, nó ar bhonn sóisialta, ach ar bhonn cultúrtha go bunúsach. Tá fealsúnacht ag baint leis, sé sin, san am atá le teacht go mbéadh na glúnta atá le teacht in ann rá go raibh muidne ar a laghad, tar éis 30 bliain de bhotún uafásacha, sásta an t-iarratas a dhéanamh chun ár bpearsantacht agus ár gcearta féin a bhaint amach i leith cúrsaí teangan. Sin an fáth go gcaithfidh an vóta a dhéanamh i bhfábhar an rúin seo, an leasú agus an addendum. Sin an rud atá uainn, agus sin an rud a iarraim ar an Rialtas a dhéanamh; gan bheith i gcoinne an rúin, an leasú nó an addendum.

Amendment put.

The Dáil divided: Tá, 51; Níl, 65.

Tá

Boyle, Dan.
Breen, James.
Broughan, Thomas P.
Burton, Joan.
Connaughton, Paul.
Costello, Joe.
Cowley, Jerry.
Crowe, Seán.
Cuffe, Ciarán.
Deasy, John.
Deenihan, Jimmy.
Durkan, Bernard J.
Enright, Olwyn.
Gilmore, Eamon.
Gogarty, Paul.
Gormley, John.
Gregory, Tony.
Hayes, Tom.
Healy, Seamus.
Higgins, Joe.

Higgins, Michael D.
Hogan, Phil.
Howlin, Brendan.
Kehoe, Paul.
Lynch, Kathleen.
McCormack, Padraic.
McGinley, Dinny.
McGrath, Finian.
McGrath, Paul.
McHugh, Paddy.
Mitchell, Gay.
Mitchell, Olivia.
Morgan, Arthur.
Moynihan-Cronin, Breeda.
Murphy, Gerard.
Noonan, Michael.
Ó Caoláin, Caoimhghín.
Ó Snodaigh, Aengus.
O'Dowd, Fergus.
O'Sullivan, Jan.

Tá—continued

Pattison, Seamus.
 Penrose, Willie.
 Rabbitte, Pat.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.

Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Upton, Mary.
 Wall, Jack.

Níl

Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Aylward, Liam.
 Brady, Johnny.
 Brady, Martin.
 Browne, John.
 Callanan, Joe.
 Callely, Ivor.
 Carty, John.
 Cassidy, Donie.
 Collins, Michael.
 Cooper-Flynn, Beverley.
 Coughlan, Mary.
 Cregan, John.
 Cullen, Martin.
 Curran, John.
 Dempsey, Tony.
 Dennehy, John.
 Devins, Jimmy.
 Ellis, John.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Gallagher, Pat The Cope.
 Glennon, Jim.
 Grealish, Noel.
 Hanafin, Mary.
 Haughey, Seán.
 Hoctor, Máire.
 Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.

Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 McCreevy, Charlie.
 McEllistrim, Thomas.
 McGuinness, John.
 Moloney, John.
 Moynihan, Donal.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donnell, Liz.
 O'Flynn, Noel.
 O'Keeffe, Batt.
 O'Malley, Fiona.
 Parlon, Tom.
 Power, Peter.
 Ryan, Eoin.
 Sexton, Mae.
 Smith, Michael.
 Wallace, Dan.
 Wallace, Mary.
 Walsh, Joe.
 Wilkinson, Ollie.
 Woods, Michael.
 Wright, G.V.

Tellers: Tá, Deputies Ó Snodaigh and Stagg; Níl, Deputies Hanafin and Kelleher.

Amendment declared lost.

“; and calls on the Government to report to Dáil Éireann on the response of the European Union by 1st June, 2004.”

Mr. Gregory: I move amendment No. 2:

To add to the motion:

Amendment put.

The Dáil divided: Tá, 53; Níl, 65.

Tá

Boyle, Dan.
 Breen, James.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Costello, Joe.
 Cowley, Jerry.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deasy, John.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Gilmore, Eamon.
 Gogarty, Paul.
 Gormley, John.
 Gregory, Tony.
 Hayes, Tom.
 Healy, Seamus.

Higgins, Joe.
 Higgins, Michael D.
 Howlin, Brendan.
 Kehoe, Paul.
 Lynch, Kathleen.
 McCormack, Padraic.
 McGinley, Dinny.
 McGrath, Finian.
 McGrath, Paul.
 McHugh, Paddy.
 Mitchell, Gay.
 Mitchell, Olivia.
 Morgan, Arthur.
 Moynihan-Cronin, Breeda.
 Naughten, Denis.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Sullivan, Jan.
 Pattison, Seamus.

Tá—continued

Penrose, Willie.
Perry, John.
Rabbitte, Pat.
Ryan, Seán.
Sargent, Trevor.
Sherlock, Joe.

Shortall, Róisín.
Stagg, Emmet.
Stanton, David.
Upton, Mary.
Wall, Jack.

Níl

Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Aylward, Liam.
Brady, Johnny.
Brady, Martin.
Browne, John.
Callanan, Joe.
Callely, Ivor.
Carty, John.
Cassidy, Donie.
Collins, Michael.
Cooper-Flynn, Beverley.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Ellis, John.
Fitzpatrick, Dermot.
Fleming, Seán.
Gallagher, Pat The Cope.
Glennon, Jim.
Grealish, Noel.
Hanafin, Mary.
Haughey, Seán.
Hoctor, Máire.
Jacob, Joe.
Keaveney, Cecilia.

Kelleher, Billy.
Kelly, Peter.
Killeen, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
McEllistrim, Thomas.
McGuinness, John.
Moloney, John.
Moynihan, Donal.
Moynihan, Michael.
Mulcahy, Michael.
Nolan, M.J.
Ó Fearghaíl, Seán.
O'Connor, Charlie.
O'Dea, Willie.
O'Donnell, Liz.
O'Flynn, Noel.
O'Keeffe, Batt.
O'Malley, Fiona.
Parlon, Tom.
Power, Peter.
Ryan, Eoin.
Sexton, Mae.
Smith, Michael.
Wallace, Dan.
Wallace, Mary.
Walsh, Joe.
Wilkinson, Ollie.
Woods, Michael.
Wright, G.V.

Tellers: Tá, Deputies Gregory and Stagg; Níl, Deputies Hanafin and Kelleher.

Amendment declared lost.

Motion agreed to.

Social Welfare (Miscellaneous Provisions) Bill 2004: Second Stage (Resumed).

Question again proposed: "That the Bill be now read a Second Time."

Mr. Wall: I wish to share my time with Deputy Moynihan-Cronin, by agreement.

An Ceann Comhairle: Is that agreed? Agreed.

Mr. Wall: I welcome the opportunity to speak on the legislation which is important to many families in each constituency. I bring to the Minister's attention the problems encountered by many applicants for unemployment assistance and unemployment benefit when payment is stopped due to their lack of initiative in obtaining gainful employment. While everyone would obviously be pleased if 100% employment figures were achievable, such is not the case. When such payments are withdrawn applicants, many of

whose cases I am aware of, do not know what to do — I presume this is similar to the experience of other Members who are contacted by such unfortunate people. No mechanism is available to these people to prepare themselves in applying for jobs. They arrive at clinics, usually with a pile of letters obtained from various employers in the area stating that no jobs are available. They feel this is the answer to their applications and that it will be acceptable to an inspector of the Department.

However, as far as I am aware from attending social welfare appeal hearings and from conversations with Department officials, such information is not acceptable and public representatives must then inform applicants of the procedures as they, the public representatives, understand them.

If one seeks employment, a CV is obviously required. In many cases, it is up to the public representatives to prepare a person in that regard and it is clear to such representatives when drawing up CVs that many applicants availed only of primary education. It is a basic problem that such unfortunate people do not have the education to advance themselves or to prepare a

[Mr. Wall.]

CV which is needed to apply for a job. It is in this context that public representatives notice the effect the back to education allowance has upon such people. Due to the current changes and the famous 16 cutbacks, they are deprived of the opportunity to return to education to achieve the skills they did not achieve when they had such an opportunity in early life.

Such applicants are not prepared in attending their local FÁS offices, Obair centres, resource centres or, as is the obvious move, in seeking advertised employment through the local press. During the period in which a public representative is preparing a case to try to get people into a position where they can apply for advertised employment, which seems to be the necessary criterion as decreed by the Department, no money is available to the applicants or their households. The applicants may not be able to supply food or the daily needs of their families and children. When they go to the community welfare officer, it is to be told that there is no payment available.

I have experienced this on numerous occasions and it is a total disgrace that the position has not been clarified and dealt with. Applicants are told by community welfare officers of an appeal mechanism through the local social welfare office which will allow an emergency payment to be made. However, when they go to the social welfare officer in their area, they are told no such payment exists. They are left in limbo. On many occasions when they visit their public representatives, they are sent to the local Society of St. Vincent de Paul or other charities, or representatives must try to provide funding to allow food to be put on the table.

I ask the Minister to deal once and for all with this problem, which has been ongoing in my area for the past five or six years. Similar circumstances arise in each case — the social welfare office and community welfare officer both state they are not responsible and, of course, the applicant and his or her family suffer. A mechanism must be put in place to ensure that unfortunate people cut off in such circumstances have a briefing session available to them or are brought before social welfare officers to allow them to appeal decisions and get interim funding while their applications are being processed.

They must also be prepared to make applications for employment, which is necessary in the context of the appeals process within the social welfare system. A mechanism

9 o'clock

should be put in place in that regard.

Given the number of people who attend clinics in my constituency, this is a major problem which has not been addressed and, despite numerous questions to the relevant Ministers, there is no sign of it being addressed.

With regard to community welfare officers, a decision should be made to address cases where an emergency payment is due. Instead of a person having to walk from one office to another to find

a community welfare officer, a mechanism should be put in place to co-ordinate this process between the Departments of Health and Children and Social and Family Affairs.

I have often praised the efforts of departmental employees and I reiterate that now, especially for appeals officers who seek to assist applicants with their cases. Nothing is sadder than seeing people lined up in an appeals office, waiting to prove to the appeals officer that they have sought employment. Often the problem is that there is no employment for them in their area and some of them do not have the education to seek alternative employment. They may have papers in their hands when in those offices, but often they have neither CVs nor direction from the Department. I appreciate the time and effort put in by appeals officers to help such people. Those efforts preserve the integrity and impartiality of the appeals system.

The savage 16 cuts attributable to the Minister surpass in number and effect the dirty dozen cuts of a previous Fianna Fáil-led Administration. I support the assessment of our spokesperson, Deputy Penrose, of the effect these cuts will have on many families and individuals.

One could speak at length about the hardship imposed by any of these cuts and I referred to the problems of the back to education allowance. I know of no person who would now qualify for the back to education allowance as changed by the Minister. It was difficult to get someone who was unemployed for six months even to think about going back to education but now it is impossible, and it is the Minister's idea which is responsible for the fact that no-one will go back into education. This provision should be removed from the Statute Book as it applies to no-one. No Member could say that he or she has filled out a back to education form for a person who made a successful application under the scheme.

I could go on. I appeal to the Minister to address the problems I have raised, which are being encountered by all Members dealing with applicants for social welfare.

Ms B. Moynihan-Cronin: I welcome the opportunity to speak on the Bill.

Mr. Haughey: On a point of order, how did Deputies Wall and Moynihan-Cronin get called to speak at this time?

An Ceann Comhairle: The note the Chair had was to call Deputy Wall for the next business after the vote, the Social Welfare Bill.

Mr. Haughey: Deputy Wall was not in the House when this debate adjourned at 7 p.m. for Private Members' Business. Is it possible that he could be called to speak even if he was not in the House at that time?

An Ceann Comhairle: The Chair goes on the guidance of the previous person in the Chair. I was not in the Chair myself at 7 p.m.

Mr. Haughey: Deputy Perry had spoken for 20 minutes and now we are still on the Opposition side for another 20 minutes. That does not seem to be a fair procedure.

Mr. Durkan: Deputy Haughey was caught napping.

Mr. Haughey: No, I was here. Deputy Wall did not move the adjournment of the debate.

An Ceann Comhairle: I take the point the Deputy is making but that was the advice to the Chair.

Ms B. Moynihan-Cronin: I was in the Chair for an hour before the adjournment of the debate.

Mr. Haughey: So was I. Did Deputy Moynihan-Cronin have anything to do with the fact that Deputy Wall——

Ms B. Moynihan-Cronin: No, I do not make that out. Will the Chair rule on Deputy Haughey's question as to whether I had something to do with Deputy Wall coming in?

An Ceann Comhairle: No, my understanding is that the list came from the Whips' office.

Mr. Haughey: How can a Labour speaker follow a Fine Gael speaker?

An Ceann Comhairle: I was not in the Chair at the time. Obviously, if Deputy Wall was not in the House, he did not move the adjournment and the Chair at the time, Deputy Moynihan-Cronin, obviously did not call him.

Ms B. Moynihan-Cronin: The time was up and I had no time to call Deputy Wall.

An Ceann Comhairle: The list came from the Whips' office.

Ms B. Moynihan-Cronin: If right was right there was half a minute of Fine Gael time left.

Mr. Haughey: It should have reverted to the Government side.

Ms B. Moynihan-Cronin: While I welcome the increase in child benefit, the improvement in the carer's allowance and respite care grant and other issues which have been dealt with positively, I must raise some other matters. I do not do so to be critical but because I feel strongly about some of the most vulnerable people in our society. It would be remiss of me in speaking on the Bill not to highlight once again the savage 16 cuts announced by the Government before Christmas.

In November voluntary organisations working with those on social welfare voiced their serious opposition to the Government's savage cutbacks. Groups like OPEN, which represents lone parent groups, Simon Community, the Society of St. Vincent de Paul, the Children's Rights Alliance, Threshold and the INOU have all condemned this move by the Minister. The Government's community welfare officers spoke out against its proposals on restricting rent allowance. The Simon Community said the savage 16 cuts were "a backward step and will lead to great hardship", while IMPACT said: "The Minister is pulling away the social safety net".

We cannot refer to the €59 million which was sliced off the already tight social welfare budget without putting it in context by referring to the 100% funding, worth €14 million, allocated to Punctestown, the €40 million being spent on electronic voting which nobody sought or wants except the Government, and the €22 million plus spent on consultants by the Department of Social and Family Affairs. We learnt this week that the Government is prepared to squander more than €300 million of taxpayers' money to fund big industries for their CO₂ emissions. There is something wrong with this dire picture.

With so much money being flung here, there and everywhere, it is astonishing that the Government continues to ignore the plight of those in our communities who are struggling to cope with the spiralling cost of living in Ireland today and are further marginalised with each passing day. They were bypassed by Ireland's recent economic boom, which is borne out by the fact that, since 1994, the number of people in relative income poverty has more than doubled. The very people living in relative poverty are those who are targeted by these social welfare cutbacks.

This is only the tip of the iceberg but it bears witness to the callous disregard the Government has for the poorest people in society. There is no social or economic justification for these cutbacks. How can the Government, which stated that: "social inclusion is a priority" in its four year review of the work of the Department of Social, Community and Family Affairs, rationalise the sweeping and devastating savage 16 social welfare cutbacks?

The four year review went on to claim: "Our stated objective is to build an inclusive society where all citizens have the opportunity and the incentive to participate fully in the social and economic life of the country". Where is the evidence for this? Recent reports and statistics paint a different picture.

At the beginning of this month, a report compiled by UCD and the Combat Poverty Agency estimated that 2,000 deaths could be attributed to fuel poverty. It is truly shocking that in 2004 people die because they cannot afford to heat their homes. Despite rising costs, the fuel allowance was not increased in the budget. Who in this House would be able to heat his or her

[Ms B. Moynihan-Cronin.]

home for a pitiful and measly €9 per week? Instead of raising the fuel allowance, the Government has distributed a cold alert card so older people will know when their house is too cold. Knowing one's house is too cold is one thing, being able to afford to heat it is another.

The "savage 16" social welfare cutbacks also featured many attacks on lone parents. They hark back to the Tánaiste's proposal in 1997 to introduce measures to encourage single mothers to remain with their families rather than establish one-parent homes. The cutback allows health boards to refuse rent allowance to those who are not renting for six months prior to the claim and payment will be refused to people who refuse an offer of local authority housing. Another worrying aspect of this situation concerns community welfare officers in regard to rent allowance. The word is out that they have discretion in some cases but, unfortunately, discretion is no good without funding.

Lone parents are also being refused a transitional half-rate social welfare payment to ease them back into employment. Up to now, this payment has ensured a smooth return to work for lone parents who already face a mountain of obstacles in this situation and has provided a safety net for them to cope with the loss of benefits. Not only has the Government reduced lone parents and social welfare entitlements, it has also extended the length of time someone needs to be claiming social welfare to qualify for the back to education allowance from six to 15 months.

As has already been stated by my colleagues, this places more barriers in the paths of people from disadvantaged areas in terms of pursuing further education. Curtailing this allowance means that groups such as lone parents are being excluded from re-entering the labour market and from educational opportunities. Deputy Wall outlined situations such as this before I spoke.

Perhaps one of the most ominous cutbacks of the "savage 16" is the phasing out of the dietary allowance which is paid to those with special dietary needs, such as coeliacs. The special dietary requirements are often much more expensive than other foodstuffs and are a necessity for people who suffer. If one does not have the wherewithal to purchase these foods, what does one do? This could mean a life and death situation for such people, particularly those living on their own. I know the Minister is a decent person and I ask her to examine that cut.

I appeal to the Minister to revisit a particularly mean provision, namely, the changes made to the entitlements to the half-rate payment of disability and unemployment benefit where the recipient is already in receipt of widow's pension or lone parents allowance. This is particularly hard-hitting for those widows who are at a vulnerable time in their lives, especially those whose partners did not have an occupational pension and whose reduction in income is often sudden, particularly

in the case of a young person. I appeal to the Minister to reverse this mean cut.

I support the proposals made by my colleague, Deputy Penrose, in regard to the abolition of the means test for the carer's allowance. There are many other issues I would like to address such as the family income supplement and so on but, unfortunately, I do not have the time to deal with them all. Again, I appeal to the Minister to revisit the provisions in regard to the widow's allowance because these people are vulnerable, particularly those with children.

Mr. Haughey: I wish to share time with Deputy Carty.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Mr. Haughey: I welcome this Bill, the second Social Welfare Bill in respect of 2004. Social welfare expenditure in 2004 will exceed €11.26 billion and these two Bills combined will allow for the implementation of a wide range of improvements in social welfare schemes. I welcome the proposed increases in child benefit. There will be an increase of €6 for the first and second child and €8 for the third and subsequent child.

I particularly welcome the Government's approach to child benefit. In recent years, substantial increases in child benefit have been introduced to help parents with child care expenses and to tackle child poverty in a direct way. This, combined with the launch of the equal opportunities child care programme by the Minister for Justice, Equality and Law Reform, has made a real impact in the provision of affordable child care. Under this programme, substantial grants continue to be made to child care groups despite the more difficult budgetary situation. This should be recognised by everyone in this House.

I also wish to draw attention to the increase of €100 in the annual respite care grant. In the case of a carer looking after more than one person, the proposed increase is €200. The plight of carers rightly receives much attention in this House. In particular, the Carers Association, which has been representing Ireland's family carers since 1987, has been effective in briefing Deputies and Senators on the issues and concerns of carers.

Six main requests were made by the Carers Association in the context of the 2004 budget. These were: parity of pay with that of foster carers who receive a higher payment for work of similar value and contribution to society; all family carers, whose income is equal to the average industrial wage, should be eligible for the full carer's allowance; carers in receipt of another social welfare payment should be eligible for carer's allowance; a payment of full carer's allowance in respect of each person being cared for; the carer's allowance to be the subject to the

same means-testing system as other allowances, for example, third level maintenance grants; and the development of a national strategy for family carers.

I fully understand the frustrations of carers who believe progress has been slow in implementing this programme of improvements. The complete abolition of the means test for the carer's allowance is not practicable at this time. However, I urge the Minister to increase the income disregards each year for qualification and implement the demands of the Carers Association in the shortest possible timeframe.

Will the Minister confirm recent reports that all babies born on 29 February 2004 will receive €100?

Mary Coughlan: Yes, they will.

Mr. Haughey: I congratulate the Minister on this initiative. For parents, it is a small amount of money but this recognition by the State will be greatly appreciated by them. I wonder if there will be an increase in elective births by induction on that date. In any event, it is good to see the Department of Social and Family Affairs being imaginative on the odd occasion.

Mr. Ring: That is unusual.

Mr. Haughey: Will the Minister give the House an up-to-date report on plans to extend the free travel scheme — another imaginative scheme? Luas will soon be up and running and the Minister for Transport has plans to privatise a number of bus routes. Will free travel apply in these cases and how will it operate?

In recent days, a debate has arisen regarding the position of immigrants from accession states after EU enlargement on 1 May. Ireland is not imposing any restrictions, at this time, on the number of people from the ten new member states who wish to come here to work, which is fine. However, this situation must be kept under constant review. In my experience, every citizen from central and eastern Europe with a work permit, has ten family members who would wish to come to Ireland to work if they had the opportunity. I hope the Department of Enterprise, Trade and Employment is not underestimating this.

In that context, the Minister announced yesterday that she will bring forward new social welfare code restrictions shortly, having regard to recent decisions in the UK. I welcome this because we must be sensible, practical and pragmatic about these issues.

On several occasions recently, the Minister highlighted the challenges facing us as a result of major changes taking place in society. Such changes include the increasing numbers of older people, single parent families, the number of children of divorced parents, increased migration of non-nationals and the need to tackle poverty and social inclusion. These issues will require

much debate in this House and elsewhere. Family policy will have to be examined. In this regard, I welcome the “families first” approach of the Department of Social and Family Affairs. While accepting these realities, we must continue to recognise the importance of marriage in society. Marriage is a good institution. Whatever about introducing measures to positively discriminate in favour of marriage, we should at the very least not allow Government policy to undermine it.

A major part of the Bill deals with equal treatment in regard to occupational pensions. The Bill states that occupational pension schemes will continue to be allowed to pay survivor's benefits to the legal spouse only. However, the practice of allowing schemes to pay to the legal spouse will be considered in the review of public sector schemes announced in budget 2004 in the context of the report of the commission on public service pensions. This could be a controversial issue which could cause difficulties. Any proposed changes and their implications should be fully debated in this House.

On occupational pensions and equal treatment, the Minister stated that occupational pension schemes will continue to be allowed to set ages for admission to the scheme or for entitlement to benefits, for example, normal retirement age. It will also be allowed to use age in actuarial calculations and to set aged based contribution rates in defined contribution schemes. The same applies to accelerated accrual based on age in defined benefit schemes and to pay enhanced benefits to persons retiring early on grounds of disability. These are sensible proposals from the Minister, which I welcome. Obviously the situation will be kept under review.

In the context of the Estimates for 2004, many speakers drew attention to changes in rent supplement and crèche supplement. This has caused concern in my constituency. I have received a lot of correspondence on these issues from interested groups. I accept the reality facing the Minister in regard to these matters. A situation developed in regard to these schemes which was unforeseen, but the people affected by these changes should not be abandoned. Other Departments such as the Departments of the Environment, Heritage and Local Government and Justice, Equality and Law Reform and the local authorities have a major role to play in solving the problems. I hope the Minister will bring about the much needed interdepartmental co-operation with a view to solving housing and child care issues.

I noted earlier in the debate that Deputy O'Connor drew attention to new facilities by the Department of Social and Family Affairs in Tallaght. Not to be outdone, I would like to draw attention to new facilities put in place by the Department of Family and Social Affairs in Coolock in my constituency. The Northside Civic Centre on Bunratty Road, Coolock, is now open and the Department has decentralised offices to that civic centre. These are ultra modern facilities

[Mr. Haughey.]

where the services are first class. The Department is continuing to improve services and facilities in a customer-friendly manner. The facility in Coolock is most welcome.

Mr. Carty: The Minister might back-date the payment of €100, which will suit Deputy Haughey.

I welcome the Social Welfare (Miscellaneous Provisions) Bill 2004, which represents a framework of positive structural changes such as increases in benefits to various groups of social welfare recipients, a review of the social welfare code and a number of new measures relating to the Pensions Act. Part 2 of the Bill is concerned with a range of benefits such as increases in child benefit, unemployment assistance, respite care grant, death benefit and maternity benefit. Other provisions apply such as after-death payment arrangements and various proposals relating to employers.

New measures in child benefit and unemployment assistance will take effect from April 2004. In the area of child benefit, there will be a €6 increase for the first and second child to €131.60 each and an €8 monthly increase for the third child and subsequent children, amounting to €165.30 each per month. Unemployment assistance in the context of a means assessment relating to parental income has increased from €31.80 to €40. Changes to the respite care grant and the death benefit-pension will take effect from May. The former allows for a €100 increase to €835 and from €1,470 to €1,670 for those who care for more than one person. From June 2004, the six-week death payment arrangements will be an all-inclusive measure covering all social welfare recipients.

I am pleased at the regulation whereby a woman is entitled to 14 weeks maternity leave and the requirement to take four weeks prior to the confinement has been reduced to two weeks. There is a provision to change maternity benefit arrangements by allowing postponement of maternity benefit in the case of the hospitalisation of an infant for a period after birth. Advancements made in the area of maternity benefit are reflected in the context of adoptive benefit where there will be an increase of two weeks in the adoptive benefit payment period. The former provision will take effect with the enactment of the Maternity Protection (Amendment) Bill 2003 by the Department of Justice, Equality and Law Reform. The latter measure will coincide with the implementation of legislation proposed by the Minister for Justice, Equality and Law Reform.

Another aspect of the legislation relates to the determining factor regarding claims of entitlement to short-term unemployment and disability benefits. The determining factor of this new proposal is that claims made from January 2005 will be based on the contributory year 2003.

Section 11 authorises additional agencies such as the Companies Registration Office, Enterprise Ireland, the Private Residential Tenancies Board and Coillte Teoranta to use the personal public service number as a public service identifier. The legislation lays down dual measures in respect of employers whereby there is a provision for social welfare inspectors to ensure employers meet their obligations in respect of employees' pension funds. The Bill permits the charging of PRSI, health contributions and training levy where the Revenue Commissioners reach a settlement with an employer in respect of benefit-in-kind payments or services to employees.

Part 3 addresses the issue of discrimination in the context of occupational benefit schemes. In the legislation, occupational pension schemes are defined in two contexts. First, they are defined in regard to self-employed persons in any type of self-employment within the State, excluding an individual contract made by or on behalf of a self-employed person, a scheme for a self-employed person which has just one member or a scheme where benefits are financed by contributions paid by the members on a voluntary basis. The schemes are also defined in regard to employed persons in any type of employment within the State, excluding an insurance contract made by or on behalf of an employed person to which the employer is not a party and a scheme where benefits are financed by contributions paid by the members on a voluntary basis.

Section 19 will be substituted for Part VII of the Pensions Act 1990 which already provides equal treatment for men and women in occupational benefit schemes. This stance on equality will be extended through the implementation of relevant Council Directives 2000/43/EC and 2000/78/EC which will level the playing field in the areas of discrimination on grounds of age, sexual orientation, religion, race and disability. This prohibition of discrimination also extends to marital or family status in accordance with a Sustaining Progress commitment.

There are some exceptions to this rule in a number of contexts which will not constitute discrimination in the area of occupational benefits schemes. One exception is the age context in that age is a criterion for admission to the scheme or entitlement to benefits and there are age-related contribution rates to defined contribution schemes or age-related rates in defined benefit schemes. In the context of marital or family status, there may be positive discriminatory factors allowed in regard to a member who has dependants, that is, survivor's benefit, and it may only be accrued to a member's widow or widowers. In the context of disability, this legislation allows for early retirement on health grounds.

It is generally believed that the Irish occupational benefits schemes are compliant with new legislation. However, in the event where a rule of a scheme is rendered unlawful in its stance

on equality, it will therefore be nullified and the more favourable treatment backdated from the date the rule is amended, which is 1990 in respect of employees on the gender ground; 1976 in the case of access to a scheme; 1993 being the date of the pension directive in respect of the self-employed on the gender ground; July 2003 being the date of the race directive in respect of the race ground; and December 2003 being the date of the employment directive for all other grounds. In regard to cases of discrimination arising in the area of occupational benefit schemes, the Office of the Director of Equality Investigations will act in a similar fashion, as it does for cases of discrimination in the employment sector.

Section 20 provides for miscellaneous amendments to the Pensions Act 1990. Some of these amendments are consequential on the revisions to Part VII and others are technical in nature designed to remove anomalies and correct a drafting error from the 2003 Social Welfare (Miscellaneous Provisions) Act.

This Bill contains new provisions that will benefit the aforementioned social welfare groups and also provides new regulations in regard to employers, and a progressive approach to occupational benefit schemes in the areas of discrimination and equality. I compliment the Minister on the Bill and I welcome it.

Mr. Morgan: I wish to share my time with Deputies McHugh and Sargent.

An Leas-Cheann Comhairle: That is agreed.

Mr. Morgan: I wish to comment on the proposals mooted by the Minister for Social and Family Affairs to restrict social welfare entitlements to migrant workers from accession states in a copycat act of the current British proposals. I thought that by now we would have learned to stop copying Britain in these foolish areas. These proposals are based on the misguided notion of what are referred to as welfare tourists and the right-wing, ideologically driven notion——

Mary Coughlan: The Deputy should not go too far from his party's perspective on this matter.

Mr. Morgan:——that people enjoy living on welfare. That view shows a blatant ignorance of the hardships faced by those living in poverty, unemployment and on low pay. Had even one member of the Government the slightest notion of what it is like to live in poverty in this State, the Government would soon cease believing in the concept of the so-called welfare tourists.

The imposition of restrictions by current member states against workers from the accession states is in contradiction to the European law which asserts that a worker from one member state cannot be treated differently from a worker from another member state because of his or her nationality.

Mary Coughlan: We are not going to change that.

Mr. Morgan: That was not changed; that is still the European law. At the very least such restrictions are contrary to the spirit of European Union membership, which is based on equality among member states. These restrictions create a second lower strata of membership where the citizens of some states have lesser rights than others, and it will further encourage the creation of a two-tier Europe. Does the Minister agree that the restrictions on workers from accession states by current member states is contrary to the Lisbon agenda goal of enhancing free movement for workers? Given that social cohesion, the eradication of poverty and modernising social protection systems are key to the Lisbon agenda, are the recent measures introduced by the British Government in regard to social welfare restrictions on workers from accession states contrary to that goal? I submit that they are.

Accession states have rightly expressed their annoyance about these restrictions, especially the recent U-turns by Britain, Sweden, Denmark and the Netherlands. It should not be forgotten that the accession states received assurances from many EU members during the accession negotiations in 2001 that restrictions on movement of workers from accession states would not be introduced. We are used to that here from treaties with Britain, but it is shameful for other European states to join in supporting the restrictions to which I referred.

I wish to make a few comments on the changes proposed to the respite care grant in section 4. This grant is very useful to the carers of Ireland in providing resources to provide alternative family or institutional care for a person with a disability in order that carers can take a break or enjoy a holiday. Every Member in this House knows the debt society owes to carers. They provide a 24 hour service and their lives are transformed by placing the needs of the person requiring care before their own.

There are severe emotional and physical demands placed on them as a result of providing long-term, high level care. It is estimated by the Carers Association that more than 120,000 carers save the State at least €2 billion per annum. Part of the problem in the way successive Governments have treated carers over the years is the failure to recognise their importance. Many Members on the Government side know from personal experience the value of the work carers do and the strain they are under, but how many, including Ministers, have contemplated the consequences for this State were carers to cease propping up our ailing and underfunded health system? We pay tribute to the work they do but do not recognise the massive importance of it to the State. Imagine the difference to our economy if the Minister for Social and Family Affairs no longer had to pay out carer's allowance or benefit, but the Minister for Health and Children

[Mr. Morgan.]

suddenly had tens of thousands more men, women and children seeking full-time medical care.

While the increases outlined in the legislation are welcome given the importance of the respite care grant, most carers will not benefit from it any more than they benefited from the increases in the carer's allowance and benefit announced in the budget. The Minister said that approximately 24,300 carers will benefit from the increase, but what about the other 100,000 carers who are not entitled to carer's allowance or a respite grant? An extra €100 in the grant, to which the majority of carers are ineligible, is not a serious attempt to provide support to carers. It will make no difference to the lives of the vast number of carers and will only serve to remind them again of what they are missing.

I wish to express my outrage at what the Minister for Social and Family Affairs has done with rent supplement. It is disgraceful that she chose to attack rent allowance for the second consecutive year. Nothing has been done about the housing crisis since the parties in Government came to power six years ago. These measures are beginning to bring about an increase in homelessness because vulnerable people find that they cannot get into private rented accommodation.

Mr. McHugh: I am pleased to speak on the Bill. I wish to address an issue not catered for in the Bill but which, I understand from what the Minister said, will be the subject of an amendment to the Bill, namely, the social welfare entitlements of immigrants from new member states after May of this year.

Although my colleague has left the Chamber, I regret I must disagree with *mo chara*, Deputy Morgan, on this matter. I want to set out clearly that my views are not based on any misguided misconception that all persons who wish to come to this country after May will attempt to defraud the system or will come here because of our generous welfare system. My views are based on the premise that we cannot afford the luxury of waiting to find out — and every responsible government has a duty to legislate in a manner which protects its welfare system from possible abuse. On that principle I support the Government's stated intention of introducing provisions to restrict social welfare entitlements to immigrants from other member states, and in the interest of fairness this restriction would have to apply to all member states outside Ireland rather than just the accession countries.

I do not support a blanket prohibition on Irish people returning to this country qualifying for social welfare entitlements. Exemptions would need to apply to Irish returning immigrants, many of whom may have left the country in times of depression when we as a nation had nothing to offer them. In the twilight of their years they may want to return home, and for various reasons may

be unable to find suitable work. In such a situation their motherland should not give them the cold shoulder, and again desert them in their hour of need. That kind of treatment of a returning Irish immigrant is not acceptable in our modern society. Equally, people returning to look after elderly relatives should not be penalised, because by their devotion to their loved ones. By their caring attitude they will save the Exchequer money by performing a function the State will have to perform in the event of them not returning.

The Minister should not take the easy option of wringing her hands or saying her hands are tied because of perceived guilt with regard to discrimination on grounds of nationality. For far too long we have treated poorly our own people who have had to emigrate, and some who have returned. Let us not continue that treatment by lumping them in with, and treating them the same as people who have not ever set foot in this country before.

I do not agree that any prohibition on entitlement to social welfare for immigrants from other EU countries is irresponsible, or shows unfriendliness towards them. It would be irresponsible not to take pre-emptive action and put provisions in place. Those provisions are required not alone to protect the recipients of social welfare but to protect the taxpayer who funds it.

Ireland has shown its generosity and its welcoming nature towards the accession countries by being the only country of the current member states which guarantees the right to work for anyone from the new member states from 1 May this year. While I have outlined my support in principal for such proposals as flagged by the Minister, the details need to be made available before a definitive judgment can be given.

Mr. Gogarty: The meagre increase in the respite care grant, bringing it up to €835, has already been mentioned. My colleague Deputy Boyle noted that the Government's 2003 and 2004 social welfare increases are much less than was promised before the general election. I have previously raised the issue of the back to education allowance which affects so many of my constituents and so many people around the country who are trying to improve their lives and join the ranks of higher tax payers. The Government is trying to stop them from doing that.

I will focus on the major issue raised by the Minister on radio this morning about what she might and might not say. Regarding what I have heard in the House not just in the past five minutes but throughout the day, I want to ask one question: who are these people coming to Ireland? One Deputy called them immigrants. They have also been called welfare tourists, as if huge hordes of hungry eastern Europeans will come to Ireland, drawn by our very generous system — let us admit that the Minister would

not have criticised for the past few hours if the system were that generous — and take all the goodies Ireland has to offer.

We became rich on the back of EU benefits. We are honour bound to ensure the accession countries get some of those benefits. At the moment if someone who will be a future EU citizen comes here to work and loses his or her job the next day, we do not know what measures the Minister will put in place. I presume the person who comes here, works short term and gets the boot will have to immediately travel back to the country of origin to get adequate benefits. A person is either an EU citizen or is not an EU citizen. Either that or we are returning to an Orwellian vision of a place where all animals are equal, but some more equal than others. This is not the sort of Europe I want to see. It is not the sort of Europe the Green Party fought for in both referenda on the Nice treaty. We were criticised. We were lumped together with the National Platform fascists as wanting to keep eastern Europeans out. We were saying we wanted a fairer, more equal Europe where every member state has an equal say.

This is something the Minister for Foreign Affairs, Deputy Cowen, echoes regularly at intergovernmental conferences and at the Forum on Europe. The Minister said earlier today that Ireland is in favour of EU enlargement. We are champions of enlargement, as we have experienced at first hand the opportunities that accession to a greater Europe represented for Ireland. In the same speech he said he would not allow our social welfare system to become overburdened. There is no evidence that eastern European accession citizens will overburden our social welfare system. If anything, they will come to Ireland and take the jobs that Irish people are now too proud or too lazy to do. This is already happening in a formal and informal way. There will be no massive horde of spongers. If there were, as my colleague Deputy Boyle said on RTE Radio this morning, the mechanisms can be put in place to stop that.

We are in danger of sending out quite the wrong message. The Government spun the anti-Nice treaty campaign as being anti-European, saying that if we voted “no” to a certain type of Europe we were saying “no” to the accession countries. Now it seems we are saying another sort of “no” to those countries. We are telling them they cannot have the same rights. We are closer to Berlin in that the German Government wants to protect its country's rights and have it both ways. I thought we were a country of higher standards, but it seems that in the face of the British capitulation we will now follow suit, just because the likes of *The Sun* and *The Mirror* and all the reactionary newspapers print stories of hordes of welfare spongers coming to Ireland. Yet the Government policies are all Bostonian policies in terms of encouraging enterprise, and not having the proper safety net that our society should have.

I agree with Deputy McHugh on the provision of proper measures so that Irish people returning to this country have the right to live out their lives in peace and in some form of prosperity. Proper measures are not being provided. I did not respond to the Minister for Justice, Equality and Law Reform, Deputy McDowell, who accused me of constituency envy some time ago, when I spoke of the false rumours about refugees and asylum seekers getting cars from the State. All of these rumours were spurious talk, which was being bandied about from door to door, and it is being perpetuated by Government policies. In the less advantaged areas in our society, competition, or the perception that there is competition, is being created between people born in Ireland and those who have come to Ireland for whatever reason.

The legislation has not yet been spelled out in detail so I plead with the Minister to make it as light as possible, or perhaps say she will reconsider it in six or twelve months. I ask her not to follow the line of *The Sun* newspaper in the UK. I am sure the Irish edition might be different, but *The Sun* in the UK is urging that east Europeans be kept out, saying they will sponge on the system. That will not happen. There will be fellow European citizens seeking similar employment opportunities to the ones we got around the world, and from which we prospered. We need a level playing field. If we are all good Europeans, then every good European should be able to come to Ireland to work. If such people lose their jobs, they should be able to benefit from a welfare system just like anyone else.

Mr. Ellis: The Social Welfare (Miscellaneous Provisions) Bill gives us an opportunity to talk about social welfare matters as well as about the increases proposed in this Bill. We all express our sincere thanks for the way social welfare offices treat their customers. In many cases, they are unfairly criticised by people who go in, do not provide the relevant information and who think those working the offices should be mind-readers. That is something people do not understand. In some instances, there may be genuine problems but in many cases, social welfare staff are wrongly blamed for some of the problems that arise and for which the customers are to blame.

Despite what the pundits in the media might say, the Department of Social and Family Affairs has proved that decentralisation works since it is probably the most decentralised Department. One finds the people in the offices in Longford, Sligo or Letterkenny are more than helpful and are able to help us as much from those locations as if they were operating in Dublin and for which they should be complimented. The managers and staff in the local social welfare offices have performed admirably in regard to the services they provide for their customers. They provide them with knowledge and information. I have come across cases, as I am sure my colleagues

[Mr. Ellis.]

have, where people have gone into social welfare offices not knowing their entitlements but have come out fully briefed on their entitlements. In many cases, they discovered they had more entitlements than they realised. That shows the positive approach taken by the Department.

This Bill will help people to see that the Department and the Minister have made enormous strides in improving our social welfare services. Our social welfare services, despite some of the criticisms, are probably the best in the world. Over the past four or five years, the British-Irish Interparliamentary Body has carried out research comparing the social welfare services in Ireland and the UK. Benefits accruing to senior citizens and other welfare recipients in Ireland were much greater than what they would hope to get under the UK system.

The majority of recipients of pre-1953 pensions, about which I will speak later, live outside the State in England or elsewhere. They were entitled to, and have been given, this pension because of their early contribution to the welfare of this State. In many cases, they made a tremendous contribution but many were forced to leave this country because of lack of employment opportunities. The opposite is the case now and we are heading into a labour shortage.

I listened to Deputy Gogarty talk about people here who do not want to do certain jobs. I do not believe Irish people do not want to work. They will seek the best possible job they can get in their own country, on which they are to be complimented. That may mean we cannot supply certain sections of the labour market from the national labour force, but we do not have to criticise our own people for not taking those jobs. If it were not for foreign labour, many of our industries would be in serious trouble. I refer in particular to the hotel and catering industry and to some skilled industries, which face a shortage of skilled people and must import labour. We should not criticise the people by saying they are not prepared to take whatever jobs are available. Unemployment is at its lowest level in living memory. That shows that the people are willing to work and do not want to be welfare dependent. As a nation we should be proud that we are now in a position to improve the lot of our people.

The increases proposed in the Bill are significant. While they may be criticised — it is the duty of the Opposition to criticise — they show how far we have moved in the welfare stakes. The increases for senior citizens are welcome. We are entitled to give the maximum support possible to our older citizens because they built this State. They made the contributions in work and made sacrifices to educate their children down through the years. They are now entitled to reap the benefit of the maximum allowances that can be paid. Given the increases in recent years, the Government's commitment that before the end of its lifetime the old age

pension will be €200, is well on the way to being fulfilled. I have no doubt the Minister will ensure it is fulfilled before the end of the lifetime of this Government.

When talking about senior citizens, we must also look at the other benefits, such as the free schemes, which are most important. At times we hear criticisms of some of these schemes. As far as I am concerned, these schemes are of enormous social benefit to older citizens. Free travel, for instance, is a major asset to older people. In many cases, they would not be able to travel to see their relatives throughout the country if it were not for the free travel scheme.

The free telephone rental allowance has been of enormous benefit. The people it has most benefited are those living in isolated rural areas. Many old age pensioners would not have installed telephones were it not for the fact they had free telephone rental. In many cases their bills would not be economically viable from the point of view of the service providers. If, for example, they were looked at by Eircom on the basis of economy, they would not have a telephone service.

As a nation, we are more caring than people think. As far as welfare is concerned, we probably have the best welfare system in the world. I heard a comment earlier about the threat of 1 May. I believe it is a real threat and it is a matter about which I will say more tomorrow.

The proposed increases are significant. The changes to some of the schemes, especially the increases in the carer's allowance, are ones we would never have dreamed possible ten years ago. If Members had talked about the carer's allowance at its current level, they would have been laughed out of this House. People forget these are new schemes which have been introduced to support people. The carer's allowance is an important element of keeping people out of public institutions. It definitely brings about a considerable saving for the Exchequer. I have no doubt but that the Minister would like to see the finances available for this scheme increased no end. However, one must remember this is not a bottomless pit; it is real money that must be collected by the Minister for Finance and made available to the Department of Social and Family Affairs. While we all see the merits of expanding the scheme, there are limits to the resources available to the Minister.

The rate of the old age pension is €167 per week but it is only seven years since the pension was €99 per week. That is enormous progress. The Minister has continued to make progress since she took office two years ago to ensure old age pensions are increased.

The changes to the child benefit are important and it is now three times what it was in 1997. People did not realise a threefold increase could be achieved by the Minister. It has been of enormous benefit. I agree with those who said this money is normally spent on children. Some people have called for child benefit to be means

tested, but it should not be. It is for the welfare of children, whether to provide facilities for them, and we must support it.

We must also look at a number of other schemes.

Debate adjourned.

Adjournment Debate.

Hospitals Building Programme.

Mr. McHugh: I thank the Ceann Comhairle for allowing me to raise this issue on the Adjournment. I welcome the Minister of State, Deputy Callely. I have sought this debate in an attempt to move forward the position concerning Tuam Health Campus. The hospital in Tuam was closed almost three years ago, on 6 April 2001. While it functioned as a hospital up to the day it closed, it has not been utilised since then for the delivery of health services to people in the catchment area, which comprises north-east Galway, south Mayo and west Roscommon. That was the area it serviced while it functioned as a hospital and that is the same area that is being deprived of proper health care services because it remains closed.

The saga has been continuing for three years since the Minister for Health and Children made money available to purchase the Grove Hospital in Tuam, which was being disposed of by the Bon Secours Sisters.

Unfortunately, that was the end of the action as far as the Government was concerned. Public money amounting to approximately €4 million was expended on the purchase but that asset, purchased with public money, has been allowed to remain idle since then. It has also been allowed to deteriorate, which is a terrible waste of taxpayers' money.

The Western Health Board has identified the need for a community hospital in Tuam and has prepared a planning brief, which identified the need for a community hospital comprising 60 beds, in addition to X-ray facilities, a GP unit, day care hospital, dementia day care, mental health day care, a hospital primary care unit, an ambulance base and a regional child and family care training centre.

That planning brief was submitted to the Department of Health and Children on 8 October 2002 and has been on the Minister's desk since then — that is, for the past 20 months. During that time nothing has happened and the fault clearly lies at the desk of the Minister for Health and Children. The blame also lies at the Government's door because the Taoiseach gave a guarantee that the Government would provide a hospital in Tuam. That guarantee was underpinned by a similar assurance from the Minister for Health and Children to the effect that a hospital would be provided in Tuam. It is

now past time for the Taoiseach and the Minister to honour their commitments and give approval to the Tuam health campus project, which encompasses a community hospital.

Since the Western Health Board made its submission to the Minister for Health and Children, the case for a hospital in Tuam has been further supported by the national spatial strategy, which was published in November 2002. That strategy designated Tuam as a hub town, the only town in county Galway to receive such a designation. The spatial strategy further outlined the characteristics of a hub town as including a local or regional hospital. This is an example of a national strategy supporting the case for a hospital in Tuam. Over a year has passed since this strategy was published and it is now time for the Government to give expression to this national policy and its associated aspirations by giving approval to the Tuam hospital project.

In recent days, the West Regional Authority published a document entitled Draft Regional Planning Guidelines for the West Region. This document identifies the need for the provision of health care services in Tuam to service the catchment area of north-east Galway, south Mayo and west Roscommon.

The case for improved health care services in Tuam was further underlined by the Western Health Board when, under a pilot scheme announced by the Minister for Health and Children regarding the delivery of primary health care, it identified two priority areas in Counties Galway, Mayo and Roscommon for the provision of primary care units. Tuam was one of those two priority areas, the other being in Erris, County Mayo. However, the Minister failed to sanction the Tuam application.

In a separate study on the siting of ambulance bases in the Western Health Board region, Tuam was again identified as a priority area for the provision of an ambulance base. This application has also gone separately to the Minister but, regrettably, the proposal has not been approved.

I am not asking that a hospital should be provided overnight in Tuam. What I am seeking is that finance be made available immediately to commence the planning of Tuam hospital and the Tuam Health Campus. Separate finance should be made available for the immediate establishment of the ambulance base and for the construction of the primary care unit. A timescale must be outlined for the completion of the entire health campus project.

Minister of State at the Department of Health and Children (Mr. Callely): I thank Deputy McHugh for raising this matter on the Adjournment and clarifying a number of related issues. Following the closure by the Bon Secours Order of the Grove Hospital in Tuam, the Western Health Board, which is responsible for the provision of health services in the Tuam area, took a decision to build a new 50-bed community hospital on the grounds and adjoining land. The

[Mr. Callely.]

new hospital will comprise a mix of up to 30 beds for continuing care and the remaining beds will be made up by direct access beds. In line with what is generally provided in the board's district hospitals, the service will have a significant mix of multi-disciplinary staff, as well as complementary therapists.

Coupled with this, the board envisages the Tuam hospital functioning at the hub of a comprehensive outreach service, providing home care programmes and associated programmes, as well as a flexible care package. The specialist care services will be supported by social support services, such as the community welfare and home advisory programmes. The project does not envisage the reopening of the old hospital for nursing care purposes.

The Government has made services for older people a priority and is fully committed to the development of a comprehensive health service, which is capable of responding quickly, fully and effectively to the health service needs of older people. In recent years, health and social services for older people have improved, both in hospitals and in the community. Since taking office, the Government has substantially increased the level of funding, both capital and revenue, in respect of services for older people. For example, the amount of additional revenue funding has increased from £10 million in 1997 to £57 million in 2001, over €87 million in 2002 and €23 million in 2003. A further €10 million was allocated this year. This serves to demonstrate the Government's ongoing commitment to improving services for our older population.

Significant capital funding for the health sector has been provided since the commencement of the national development plan in 2000. Total expenditure for the years 2000-03 was approximately €1.7 billion. Considerable progress has been made in addressing the deficits in health infrastructure and in improving the standards of facilities required for quality modern patient care.

The national development plan is providing considerable capital funding to services for older people. Nationally, this will enable a comprehensive infrastructure of community nursing units and day-care facilities to be put in place, as well as the refurbishment of existing extended care facilities and the replacement of old workhouse-type accommodation. Older people deserve first-class facilities and we intend to provide such facilities in appropriate locations.

My Department is currently examining the health capital programme for 2004 and beyond, to ascertain what new projects can be progressed through planning and construction stages, taking account of existing commitments and the overall funding resources available. In this context my Department will continue to liaise with the Western Health Board regarding the proposed development in Tuam, in light of the board's overall capital funding priorities. As soon as I have definite news about the Tuam project, which

I understand may be available in approximately 12 or 14 weeks, I will communicate further with the Deputy. The Department is waiting to hear from the Western Health Board regarding its priorities for its catchment area and we will be guided, accordingly, by the submissions received.

Mental Health Services.

Dr. Upton: I welcome the opportunity to raise this matter. A 19 year old man who suffers from Asperger's syndrome and from a serious eating disorder has been moved from one inappropriate treatment centre to another. He is currently at home and his condition continues to deteriorate rapidly. He weighs approximately six and a half stone. He is seriously under-weight and, despite the best efforts of his parents and family, he is not responding to their care. This young man needs specific and focused treatment. His parents were told by the specialist in St. Vincent's Hospital that no more could be done for him. This commentary issued from a unit that specialises in treatment of eating disorders. The young man stated that the treatment he received in the psychiatric unit of Tallaght hospital was of no benefit whatsoever. He described it as a negative experience.

There is no longer significant health board support for this young man and his family. His parents have become his carers and his therapist. They are not qualified nor do they have the expertise and they are extremely worried about their son. They are seeking support from the South Western Area Health Board to send their son to an appropriate treatment centre in the UK. Other health boards have funded individuals to attend such centres for treatment. The outcome for at least one patient was positive and that young person is in third level and making excellent progress.

The South Western Area Health Board has been dealing with this case for approximately three years. It refuses to fund the young man's treatment at the Huntercombe Manor centre in the UK, even though there is no equivalent facility in the State. His condition is deteriorating rapidly and his father described the situation earlier as "a matter of life or death." This young man, despite his numerous medical problems, has succeeded in completing and passing the leaving certificate. His parents are exhausted from the burden of caring for him in addition to their worry and concern for his future. He is an intelligent young man who has the ability to live independently but he will only be able to do so if he is given the appropriate medical support. No facility is available in the State to meet his needs. I ask the Minister of State to prevail on the health board to provide the resources necessary to give this young man and his family the opportunity to get on with their lives.

Mr. Callely: I thank the Deputy for giving me the opportunity to outline the position concerning this issue. I refer to the general policy of my Department in regard to the development

of services for persons with an eating disorder. The policy of my Department is that a broad range of appropriate support services should be developed in consultation with the health boards, other relevant service providers and people with mental illness, eating disorders and their carers, including those with anorexia and bulimia, throughout the State. These services should be person centred, should incorporate best practice norms and take account of internationally recognised advances in treatment or approaches to meeting individual needs.

Individuals are only placed in services outside the State in particular circumstances. Decisions relating to placements abroad are a matter for the relevant health board. With regard to the person referred to by the Deputy, it is not appropriate for me to comment on the individual circumstances. However, there has been significant contact between the family and the South Western Area Health Board with input from senior clinicians and health board management.

The Deputy asked me to prevail on the health board. However, she would not want me to prevail on senior clinicians and other professionals who have been involved in this case, unless she feels inappropriate decisions have been made. If so, I ask her to bring the details to my attention. I would be deeply concerned if that were the position and I give an undertaking to have the matter fully investigated if that is the case. I do not wish to comment on the individual's circumstances but various senior clinicians and health board management have had an input into this case and their decision stands. If there was a change in circumstances, I would be happy to prevail on the health board, as requested.

An expert group on mental health policy to prepare a national policy framework for the further modernisation of the mental health services, updating the 1984 policy document, *Planning for the Future*, was established in 2003. The expert group will examine, *inter alia*, models of care and treatment, and the development of psychiatric services for specialised groups such as those with eating disorders. The group requested submissions from interested organisations, individuals and the public in October 2003, and more than 140 submissions were received. Members of the group are considering these submissions.

The outcome of the review will assist in ensuring services are delivered in an appropriate, efficient and cost-effective manner and will identify targeted areas to be addressed in planning for the future. I expect the group to report in 2005. Substantial progress has been made in ensuring those in need of mental health services are receiving the best care and treatment available. However, much remains to be done and, during the period 1999-2004, an additional €80 million was invested in mental health services to develop and expand community services. Approximately €190 million will be provided

over the lifetime of the national development plan for further development of mental health services.

While I am pleased with the progress in many services, I accept that much remains to be done in providing a service that will enhance the quality of care for those suffering from mental illness.

Services for People with Disabilities.

Mr. Stanton: I thank the Ceann Comhairle for allowing me to raise the matter and I thank the Minister of State for coming to the House to debate it. The matter centres on a report commissioned by the National Disability Authority, which states that there have been significant failures in the provision of needs assessment, respecting the rights of patients and consulting family members regarding the care of relatives. I refer to the issue of standards of services for people with disabilities. I ask the Minister to publish the report as soon as possible.

The Minister of State will agree it is alarming that only 25% of service providers and health boards surveyed met the required standard. This issue must be addressed as a matter of urgency. What does the Minister of State plan to do about this? Has he obtained a copy of the report? What action does he intend to take?

According to the report, up to €1 billion will be made available for such services but the service providers and health boards are not subject to inspection. The NDA is doing a good job. It produced a draft national standard for disability services last April but, unfortunately, the promised expansion of the social services inspectorate has not taken place. I call on the Minister to expand the role of the social services inspectorate to ensure it can deal with adult as well as child services and report on them.

I have been trying for the last number of months to find out how the €50 million which the Minister made available to the disability sector last July was used. I am still waiting for that information. I ask the Minister of State to use his good offices to ensure that this information becomes available. I was told last November that it would become available as soon as possible and I am still waiting almost three months later. This is not good enough.

There is grave disquiet at the reported shortfall in standards, quality, equity, person-centredness and value for money in the provision of services to people with disabilities. The voluntary organisations are not subject to inspection, despite significant State funding. We must help the voluntary sector to come up to the standards the Minister of State's Department has set for them. The State is responsible for what takes place. The responsibility cannot just lie with the service providers. The State has a duty of care in this area, which it has ignored for many decades.

I remind the Minister of State of the various commissions which have been set up to examine such neglect in the past. We do not want to do

[Mr. Stanton.]

the same in the future. There is also a need to avoid duplication. Perhaps the Comptroller and Auditor General should be invited to look at this area and to see how money has been spent. The money has been voted by the Oireachtas and the public rightly expects that it will be spent on appropriate person-centred accessible services for people with disabilities. Many service providers have their own standards but many have none. This is not acceptable. I know the Minister of State is a man of action. I ask him to take action in this most important area, sooner rather than later.

Employees of the disability services and external consultants reported significant differences in the results of the assessments.

The disability Bill needs to be published and debated. It has been delayed since last November. If it were published people would have some recourse to the services they should be receiving. The standards set by the Minister of State's Department are not being met in as many as 75% of the cases surveyed. This is not good enough. Radical and urgent action by the Minister of State is demanded.

Mr. Callely: I thank my good friend and colleague, Deputy Stanton, for raising this matter. Deputy Stanton is ahead of the posse on this very important issue. I am happy to respond positively to him. However, it is important that I clarify some matters relating to this issue.

The standards to which Deputy Stanton refers are, at present, in draft stage and are part of a process in which my Department is engaged, in partnership with the National Disability Authority. The purpose of this process is to identify and develop standards appropriate to health services for people with disabilities, and rightly so.

This collaboration has been further enhanced by the support of the NDA standards advisory committee, people with disabilities, their families, carers, service providers, Government agencies, representative bodies and other stakeholders. The co-operation of all stakeholders demonstrates the significant commitment to improving services for people with disabilities.

The process began in 2002 with the commencement of a national consultation process. More than 500 submissions were received and these form the basis of the first draft standards.

Following these consultations, my Department and the NDA agreed to a pilot project to test and evaluate the application of the assessment process of the draft national standards for disability services, including the use of an audit tool. This evaluation process would include an internal and external assessment of the services. The external assessments were to be undertaken by an independent agency appointed by the NDA through a process of competitive tendering. This contract was awarded to Excellence Ireland.

The pilot project was undertaken in 20 participating organisations in the final quarter of 2003 and was followed by an evaluation by an independent assessor, also appointed by the NDA. The independent assessor was asked to deliver a report to the NDA. This report does the following: collates and analyses the experiences of the pilot participants consulted; identifies the strengths and weaknesses of the national standards for disability services monitoring system and tools in their current form with respect to the validity and reliability of the tools; and makes recommendations for future development.

The purpose of this exercise was not to evaluate the quality of services by any particular service provider but to evaluate the pilot project and the monitoring tool which would inform the ongoing process of developing national standards.

This pilot project looked at only 20 services and cannot be judged to be a true representative of the overall services. Any findings must be viewed with this in mind. This report cannot and did not, at any time, seek to give an evaluation at national level. Central to the evaluation was the pilot project, and it alone.

The report of the consultant has not yet been received by my Department. What we are discussing is a draft. Nonetheless, the present draft throws up, as Deputy Stanton rightly indicated, important data which will inform the process of developing national standards. Therefore, it must also be recognised for its successes. All of the 20 service providers completed the assessment. Data relating to evaluation of the assessment of the impact the draft standards will have on improving service delivery indicated that 96% of respondents considered that the draft standards will definitely impact or may impact on the quality of service. More than 605 of the respondents reported positive features of the standards process, including an identification of areas for improvement, raised awareness among staff and highlighting good practice. However, 36% of the respondents reported areas that needed to be improved, including the time involved and the danger of raising expectations. Three assessors commented that the system was unsuited for the purpose.

Some 34 internal assessors attended focus group meetings and identified a number of positive and negative features. These included: improve the quality of services, 56%; identifies gaps and improvements, 56%; involves all stakeholders, 53%; needs to take into account communication needs of people with an intellectual disability, 50%; emphasises service users rights and staff accountability, 47%; requires time and resources, 35%; and needs to take into account existing approaches and systems, 35%. A majority of interviewees were very happy with the interview process, including the way the interview was conducted, 90%, and the listening skills of the interviewer, 93%.

Once the formal evaluation is received it will provide useful data which is now being reflected as part of the next phase of developing national standards.

As the Deputy quite rightly states, considerable investment has been made in the provision of services for people with disabilities. The development of national standards for health services for people with disabilities is part of that investment.

Crime Levels.

Mr. Broughan: A few weeks ago the Fine Gael leader, Deputy Kenny, inadvertently misled the House when he stated categorically that the Minister for Justice, Equality and Law Reform is no fool. That proposition is debatable. The Minister has shown he is either a fool or recklessly incompetent by the way he has dealt with some of the most serious crime in the State.

This evening I raise the distressing and outrageous issue of car crime and joyriding for, perhaps, the 40th time since the 1997 general election. The communities of the northern fringe of my constituency of Dublin North-East are tormented by the plague of joyriding and car-related anti-social activity of the past three months. Night after night the old Belcamp Lane district is a scene of screaming, skidding cars as residents of nearby estates look on in horror at vehicle after vehicle being driven dangerously up and down this cul-de-sac. When a vehicle is wrecked it is set alight, and the road surface of Belcamp Lane is now totally blackened by the nightly fires. Over recent weeks these stolen cars have also been appearing during daylight throughout the north Coolock area and it can only be a matter of time before a child returning from school or a worker coming from work is killed. The long list of tragedies caused by this deplorable crime — some affecting Deputy Calley's constituents — is sad and depressing.

On many occasions in the past 20 months I have asked the Minister for Justice, Equality and Law Reform to take urgent action to end this plague. Gardaí from Coolock, Raheny and Santry stations have bravely tried to enforce the law but I am informed that significant additional resources of members and equipment are necessary. I am informed that in the J and R districts of the Dublin divisional area, up to 200 gardaí with appropriate equipment are required.

A standing invitation to visit the area was extended to the Minister for Justice, Equality and Law Reform more than a year ago, but so far Deputy McDowell has steadfastly refused to go. I have also asked repeatedly that he re-examine the Labour Party Bill making joyriding a specific serious crime, which I introduced twice but on both occasions it was defeated by Deputy Calley's party and the Progressive Democrats. It was part of a wide programme of education and prevention measures.

It was reported in the media that a dedicated car crime unit was set up in the Grosvenor Road

district of Belfast with a resulting decline in such crime in the past three months of 40% to 50%. The figures speak for themselves. On 27 January last, the Minister for Justice, Equality and Law Reform gave me a breakdown of the number of vehicles stolen for joyriding crime some of which were recovered in the operational areas of Coolock, Raheny and Santry Garda stations during the years 2000, 2001, 2002 and 2003. During 2000, there were 1,290 incidents of unauthorised taking of vehicles in total and 427 vehicles, many burnt out, were later located in these areas. In 2001, there were 1,271 incidents of unauthorised taking with 976 vehicles, again usually destroyed recovered in this Garda district. In 2002, 1,318 vehicles were taken in the Santry, Raheny Coolock Garda district with an astonishing 1,436 recovered vehicles, again usually vandalised and burnt. Last year 1,276 vehicles were taken and a similar astonishing 1,170 vehicle remains were recovered in the district. These are totally disgraceful figures. I regret that the Minister for Justice, Equality and Law Reform is not present to hear that more than three cars a day have been taken and driven to the point of destruction during the past four years. The only conclusion that can be drawn is that Deputy McDowell just like his predecessor Deputy "zero tolerance" O'Donoghue is soft on car related crime and does not want to know the appalling problems suffered daily and nightly by my constituents.

The great Fr. Peter McVerry said recently that the horrendous joyriding and car crime culture is the ultimate symbol of youth alienation. That is certainly true and shows the huge efforts that are necessary in socially deprived areas to bring this and related social problems to an end. We need a justice Minister who is actually tough on crime, and not the Minister for Justice, Equality and Law Reform who has time to talk about every problem under the sun, and express his views on the expansion of the European Union, or whatever one cares to mention, but does not have views on stopping very serious crime which occurs nightly in my constituency and also in the constituency of the Minister of State at the Department of Health and Children, Deputy Calley.

If the events I described happened in the constituency of the Minister for Justice, Equality and Law Reform, Deputy McDowell, there would be uproar in the media, consternation and revolution and we would soon have action to end it. We are not seeing such action from the Minister. I urge him to cease being soft on crime and to start taking his duty seriously. I urge him to take action or else allow somebody else do the job.

Mr. Calley: I am deputising this evening for the Minister for Justice, Equality and Law Reform. I thank Deputy Tommy Broughan for raising this matter on the Adjournment and acknowledge his longstanding interest in this

[Mr. Callely.]

subject. I assure Deputy Broughan that the Minister for Justice, Equality and Law Reform and I share his concern and that of the public in general regarding serious car crime and associated anti-social behaviour.

It is generally a hard core of youths who engage in this activity, many of whom are known to the Garda Síochána. The Minister has been informed by the Garda authorities that they are continually monitoring trends on car theft with a view to identifying and targeting both persistent offenders and areas prone to such activities, to which the Deputy referred. Persons serving sentences for persistent offences related to so-called joyriding are not granted early temporary release, except in the most exceptional circumstances.

The Garda Síochána continue to operate special foot and mobile patrols, targeting specific areas in response to identified local requirements. All vehicles taken without authorisation are technically examined when recovered, and known offenders are targeted for these offences. In addition, each division has a traffic unit, which targets incidents of joyriding and enforcement outside of peak traffic hours.

I understand special plain clothes Garda patrols which concentrate on identifying cars that could be seized under section 41 of the Road Traffic Act 1994 have shown some success. The Garda air support unit has also been particularly effective in this area. In 2002, the unit assisted in the recovery of 51 stolen vehicles, and the arrest of 172 persons.

The Garda Síochána and local authorities have made good progress in recent years in regard to estate management and are actively reducing the opportunities for so called joyriding. For example, physical changes, such as barriers and speed ramps, are being used to reduce access to areas frequented by youths engaged in anti-social activities. The gardaí are constantly liaising with community groups, and a number of projects are operating which have proved to be very valuable in dealing with offenders.

Deputy Broughan will be aware that in addition to targeted Garda operations in areas that have been identified as potential hot spots for joyriding, the Minister for Justice, Equality and Law Reform has provided funding to the Priorswood Task Force on Joyriding to tackle the causes of so-called joyriding. This strategy involves developing joint initiatives with local agencies and the community to prevent young people from joyriding; engaging with joyriders, including those in custody; developing alternatives in education, training and leisure and developing appropriate models of family support.

In addition, in the past seven years more than €320,000 has been provided from the Department of Justice, Equality and Law Reform for the Woodale Garda Youth Diversion Project in the

Darndale and Priorswood area, which has proved successful in diverting young people from involvement in criminal behaviour such as joyriding. Deputy Broughan has a great feel for the constituency and is very active in it and if these measures are not working as I am led to understand they are, will he take an initial step of meeting the Garda superintendent and the local authority manager—

Mr. Broughan: I met them at Priorswood.

Mr. Callely: —in round table talks and bring this issue to the table to see what additional steps can be taken.

Mr. Broughan: Will the Minister for Justice, Equality and Law Reform come out? He has been invited.

Mr. Callely: I know the Minister for Justice, Equality and Law Reform would be very happy to receive feedback on the proposal I have put if there is not an improvement in the Coolock, Raheny and Santry Garda district.

Deputy McDowell is as concerned as Deputy Broughan about serious car crime and associated anti-social activity. He has introduced legislation and has been assured by the Garda authorities that they are satisfied that the provisions of the Road Traffic Acts 1961 to 1993 are adequate to deal with situations where persons use or take possession of mechanically propelled vehicles without the consent of the owner. The legislation pertaining to the investigation of criminal damage, such as burning out cars is defined under section 2 of the Criminal Damage Act 1991.

Section 41 of the Road Traffic Act 1994 provides the Garda Síochána with the powers to stop and seize vehicles they believe to be driven by under age drivers. Any amendments to the existing body of road traffic legislation is a matter for the Minister for Transport, who is responsible for all road traffic legislation.

The Children Act 2001 makes a serious effort to tackle this problem by providing a number of measures. Other provisions include section 133, under which the court can order young offenders to be at a specified residence at any time between 7 p.m. and 6 a.m. the following day.

The Minister is satisfied these measures combined with the tough sanctions in the Intoxicating Liquor Act 2003 and the Criminal Justice (Public Order) Act 2003 are making a real impact.

This is a complex problem which, while requiring significant inputs from the criminal justice system, can only be tackled to lasting effect through a multi-faceted and multi-agency response, involving the community and relevant statutory bodies.

The Dáil adjourned at 10.40 p.m. until 10.30 a.m. on Thursday, 26 February 2004.

Written Answers

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

Questions Nos. 1 to 7, inclusive, answered orally.

Questions Nos. 8 to 94, inclusive, resubmitted.

Questions Nos. 95 to 104, inclusive, answered orally.

Tourism Industry.

105. **Mr. Sargent** asked the Minister for Arts, Sport and Tourism if the objectives set out in his Department's mission statement are being achieved in relation to the continued development of an environmentally sustainable and spatially balanced tourism sector, through formulating, monitoring and reviewing a range of supporting policies and programmes; the units of measurement to gauge progress being used; if these targets will be tangibly met by the end of 2005; and if he will make a statement on the matter. [6116/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The high level tourism goal referred to in the Deputy's question was designed to provide my Department, in the context of its overall mission, with an operational focus over the three years of its first statement of strategy. The Statement of Strategy 2003-05, which is available in the Oireachtas Library, also identifies: specific strategies for the achievement of this high level goal; specific outputs or objectives for the delivery of those strategies; and specific performance indicators to measure the outputs.

My Department's first annual report, which is expected to be published in April next, will detail progress during 2003 in regard to individual strategies and objectives. In the meantime, I am pleased to report that there has been good progress overall in respect of the tourism sectoral goal.

Two developments, in particular, are worth highlighting. The establishment of a new statutory National Tourism Development Authority was one of the main tourism priorities for, and achievements in, 2003. Working closely with the tourism industry, Fáilte Ireland now provides a one-stop-shop for strategic and practical support to develop and sustain Ireland as a high quality and competitive tourist destination. With its establishment we have, for the first time, an organisation dedicated to excellence in product and service delivery, the two key experiences of the tourist visitor to Ireland.

In terms of tourism marketing, both Tourism Ireland Limited and Fáilte Ireland regard environmentally sustainable and spatially balanced tourism as key components of their marketing strategies, with an appropriate emphasis on both seasonal and geographical spread of business. The annual reports of both bodies provide details on the outcome of their respective marketing strategies and are available in the Oireachtas Library.

The concepts of sustainability and regional spread are also reflected in the tourism product development scheme administered by Fáilte Ireland where the overall objective is to develop the tourism product in an environmental and sustainable way that widens the spatial spread of tourism, diverts pressure from highly developed areas and increases the Border Midland and Western Region's share of national overseas tourism revenue. Under the scheme, support will be concentrated on a limited number of new major visitor attractions, on marketable clusters of existing and new day visitor attractions and activities that have yet to achieve their full tourism potential, and on a series of special interest activities to meet identified niche markets. Progress is reported on a six-monthly basis to the relevant ERDF monitoring committee, in addition to which the Tourism Product Management Board publishes an annual report.

The other major highlight of 2003 was the completion of the first major review of tourism policy and performance in over a decade. The tourism policy review group report sets out a strategy for tourism that is comprehensive, coherent and challenging for both Departments and agencies and for the industry itself. It has put the emphasis on an agenda for action — highlighting 70 individual recommended actions that will support the development of the tourism sector over the next decade. While many of the actions proposed by the review group will have an impact on the sustainability and regional distribution of tourism, key actions in this regard include those relating to product development, tourism promotion, access transport and the appropriate infrastructure and arrangements for the delivery of tourism at regional level.

Work is already under way on a number of the key issues highlighted in the review, but it will fall to the implementation group established on foot of the report to help ensure that it is implemented in an integrated manner and that a partnership approach is adopted by the many actors whose co-ordinated efforts are required if the full potential of the industry is to be realised. In the years ahead, the tourism agenda is likely to be influenced heavily by developments in the wider economy and by concerted action on the part of the tourism industry itself. The new implementation group will be in a strong position to influence the wider agenda in favour of future sustainable tourism development.

National Stadium.

106. **Mr. Rabbitte** asked the Minister for Arts, Sport and Tourism the format, content and timescale of consultations that must now commence with Iarnród Éireann on the redevelopment of Lansdowne Road as the site of the new national stadium given the likely disruption to rail services it will involve; and if he will make a statement on the matter. [6128/04]

120. **Mr. Rabbitte** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to concerns expressed by residents living in the Lansdowne Road area of Dublin that the decision to redevelop the site as the new national stadium will deprive the area of the remaining piece of parkland adjacent to the River Dodder; if he plans to consult with the residents in advance of a planning application being submitted for the redevelopment of the stadium; and if he will make a statement on the matter. [6127/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 106 and 120 together.

As the Deputy is aware, the decision taken by the Government was to provide support for the joint FAI/IRFU proposal for the redevelopment of Lansdowne Road. Thus the responsibility for delivery of the project rests ultimately with the two sporting bodies who, I understand, have agreed to establish a special purpose company to oversee its delivery and to report to Government on progress. I have established a steering group, comprising representatives of FAI, IRFU, my Department and the Office of Public Works, to monitor overall progress with redevelopment. This steering group held its first meeting earlier this week.

While it is intended that the demolition of the current west stand and the construction of its replacement will take place without any interruption of the DART services, the detailed arrangements remain to be finalised.

Issues in regard to planning and the acquisition of additional land in the vicinity of the stadium are being dealt with by the IRFU and the FAI in consultation with the local authority and local residents. I understand that IRFU representatives have already met with local residents and that it is the intention of the IRFU and the FAI to maintain dialogue with interested parties as the project proceeds.

National Lottery Funding.

107. **Ms O. Mitchell** asked the Minister for Arts, Sport and Tourism if he will give preferential treatment to clubs and organisations that promote both female and male sports when allocating national lottery grants in 2004; and if he will make a statement on the matter. [6163/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports

capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country for projects which must be directly related to the provision of sport and recreation facilities. The programme is advertised on an annual basis.

The guidelines, terms and conditions of the programme clearly stipulate that "Applicants will have to submit rules and procedures as evidence of non discrimination on the grounds of sex, religion, ethnic origin etc." This emphasis on ensuring equality of treatment is reflected in the fact that grants allocated under the scheme are made available only to organisations whose membership is open to both sexes. It should, however, be borne in mind that in some situations patterns of participation may differ as between males and females.

Almost €267 million has been allocated under the programme since 1998 to more than 3,500 projects. As far as my Department is aware, allegations of discriminatory practices have not been made against any of the recipients of these grants.

The 2004 sports capital programme was advertised in the national newspapers on 30 November and 1 December 2003. The closing date for receipt of applications was 16 January 2004. A total of 1,302 applications were received before the closing date and these are currently being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

A review of the existing sports capital programme under the Department's expenditure review programme is currently being finalised. Following this it is my intention to establish an inter-agency steering group to commence work immediately on developing a long-term strategic plan for the provision of sports facilities. I can assure the Deputy that the issue of ensuring equality of access and opportunity will be examined by the inter-agency steering group which will oversee the preparation of the long-term strategy.

Question No. 108 answered with Question No. 101.

Tourism Industry.

109. **Mr. Quinn** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to a recent survey carried out by *Holiday Which?* magazine, showing the cost of holidaying in Ireland is well above the European average; if he has plans to address visitors to Ireland paying inflated prices for hotel accommodation, dining-out, and other holiday staples in comparison to other European countries; and if he will make a statement on the matter. [6126/04]

111. **Mr. Wal** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to recent comments from the chairman and chief executive of Fáilte Ireland that despite the optimistic outlook for tourist figures for 2004, consumer prices, especially for food and drink, represent the biggest area of complaint for tourists coming to the country; and if he will make a statement on the matter. [6118/04]

113. **Ms O'Sullivan** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to recent comments from the president of the Irish Tour Operators' Federation that high costs are forcing Irish families to holiday abroad rather than in Ireland; if his attention has further been drawn to the fact that this is unlikely to change in 2004; and if he will make a statement on the matter. [6123/04]

116. **Mr. Hogan** asked the Minister for Arts, Sport and Tourism the progress being made in the implementation of the recommendations contained in the report New Horizons for Irish tourism, an agenda for action, on the high absolute levels of and high rates of increase in insurance costs for tourism enterprises; and if he will make a statement on the matter. [6152/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 109, 111, 113 and 116 together.

I am aware of the survey and comments referred to in the Deputies' questions. Since my appointment as Minister for Arts, Sport and Tourism in June 2002, I have spoken of my concern regarding the increasing levels of dissatisfaction evident in visitor attitude surveys about the value for money offered by the overall tourism experience in Ireland. I welcomed the fact, therefore, that one of the strongest messages from the tourism policy review group was that restoring competitiveness is the major challenge facing the tourism sector and that the industry itself must offer better value to its customers if it is to maximise the opportunities for future growth.

Ireland has never been marketed as a low cost destination but, during the years of significant growth in the 1990s, it was competitive and was seen to be offering holidaymakers value for money. It has long been the case that inexpensive holidays have been available in other European destinations at certain times of the year. This may always be the case but the simple fact is that it is not comparing like with like.

Competitiveness is not exclusively about pricing. Competitiveness must be a function of the overall Irish tourism experience for customers relative to other competing locations, beginning with their initial inquiries about visiting Ireland through to their travelling here, where they go when they arrive, where they stay, who they meet, what they do, what they see, and their perceptions about price and quality.

In Chapter 4 of its report, the review group assessed tourism in Ireland today and confirmed

that there is no immediate, single or easy solution to addressing concerns about competitiveness. The group listed some ten specific actions that require responses from both the private and public sectors including proposals on taking responsibility for restoring competitiveness, inflation, benchmarking, customer relationship management, management capability, high standards for competitive advantage and training.

None of the ten listed actions is directed to me, or my Department. However, as I see it, my role is to ensure that a coherent action plan is implemented quickly and effectively. To this end, I have established the high level implementation group to advise and assist in driving forward and monitoring the recommended actions set out in the report.

The first report of the implementation group is due in six months time and we will have to await that report before we can assess the impact of the action plan on competitiveness and value for money. In the meantime, I am pleased to acknowledge certain developments in recent months that should result in tangible benefits for the tourism sector and make a difference to competitiveness and value for money such as minimal increases in the budget in indirect taxation and excise duties on products that are part and parcel of the tourism experience; the Fáilte Ireland initiative, in co-operation with the industry, to address the high cost of insurance for the sector and the accelerated implementation of the Government's own insurance reform package which is bringing tangible benefits in the form of reduced premiums; the fall in the cost of accommodation as reported by the CSO earlier this month; the significant drop in annual inflation, at 1.8% in January, which is a significant drop from the 3.5% in July 2003 when the review group was finalising its report, and much more in line with average EU rates.

Tourism Promotion.

110. **Mr. J. O'Keeffe** asked the Minister for Arts, Sport and Tourism the outcome of the review into the performance of Tourism Ireland; and the main changes proposed arising from the review. [5970/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): As there has not been a formal review into the performance of Tourism Ireland as mentioned by the Deputy, I assume that the Deputy is referring to the Tourism Ireland organisation review.

When the overall staffing structures of Tourism Ireland Ltd. were originally agreed, the company undertook to carry out an organisational review based on the experience of its first two years in operation. The stated aim of that review was to ensure that Tourism Ireland's organisation, structures and staffing were in line with its agreed strategy, policies and priorities. In that context, it has considered its structures, staffing and gradings including the number, location and staff

[Mr. O'Donoghue.]

complement of overseas offices. At its meeting in June 2001, the North-South Ministerial Council noted that this review would be undertaken.

It is clear, therefore, that the review, which, I understand, is in the process of finalisation, is an internal day-to-day issue for Tourism Ireland Ltd. Should there be outcomes from the review, which, to be implemented, would require the sanction of my Department and the corresponding Department in Northern Ireland, no doubt they will be put before the Departments in due course. As this is a day-to-day operational matter for the company in the first instance, I am not in a position to comment further at this stage.

Over the past two years, we have seen the bedding down of Tourism Ireland as a successful North-South body engaged in the international marketing of the island of Ireland as a tourism destination. Since taking up office I have lent my political weight to the overseas marketing effort and my experience on the ground, together with the overall tourism results in recent years, bears testimony to the professionalism and energy of Tourism Ireland's staff.

Question No 111 answered with Question No. 109.

Swimming Pool Projects.

112. **Mr. Gogarty** asked the Minister for Arts, Sport and Tourism if the guidelines on public private partnership in relation to swimming pools have been published; if they have been circulated to local authorities; if the restriction that existed for applications for funding for swimming pools under such guidelines has been withdrawn, as in the case of a proposed pool for Lucan; and if he will make a statement on the matter. [6106/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The closing date for receipt of applications under the current round of the local authority swimming pool programme was 31 July 2000. No application was made in respect of a swimming pool in Lucan before that date.

An interdepartmental working group was set up in August 1999, to develop guidelines and advise on the other key issues for the operation of a public private partnership, PPP approach in relation to swimming pools. The group was chaired by my Department and made up of members from the then Department of the Environment and Local Government, the Office of Public Works and representatives from three local authorities. The work of this group is now being used to assist my Department in formulating future policy on swimming pools in the context of an expenditure review of the local authority swimming pool programme, which is currently underway and due to be completed by the middle of this year.

This review is examining, among other things, how the programme has worked to date, the benefits which have accrued to the areas where

pools have been built and what changes, if any, are required to ensure the effective and efficient delivery of the programme. In that context, finite Exchequer resources and the potential of private sector involvement in the provision of swimming pool facilities will be considered. On completion of this review, the question of revising current guidelines and re-opening the local authority swimming pool programme will be considered. Should the programme be re-opened, all local authorities will be notified.

Government policy in regard to the public private partnership process is co-ordinated by the Department of Finance with advice on individual projects available from the National Development Finance Agency. In general terms, public private partnerships can be a useful vehicle in the provision of large scale infrastructure and amenities to address the needs of expanding communities. Co-operation between local authorities and private sector can act as a means of supplementing and expanding such facilities. However, while it is open to local authorities to pursue this process in regard to any project which they intend to promote, it is generally accepted that the scale of investment in a swimming pool project is not sufficiently large to support a formal PPP.

Question No. 113 answered with Question No. 109.

May Day Celebrations..

114. **Mr. Penrose** asked the Minister for Arts, Sport and Tourism if he will give details of the plans announced recently for a rock concert involving Irish and international musicians, to be held in O'Connell Street, Dublin, on 1 May 2004; and if he will make a statement on the matter. [6125/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): It is intended that a major concert will take place on 1 May to celebrate the enlargement of the European Union. Arrangements are in hand for the broadcasting of the event. Further details will be announced as soon as possible.

Question No. 115 answered with Question No. 101.

Question No. 116 answered with Question No. 109.

Museum Projects.

117. **Mr. Sherlock** asked the Minister for Arts, Sport and Tourism when he expects to receive the report from the board of the Hunt Museum in Limerick following his request for the board to investigate claims by the Simon Wiesenthal Centre that the museum's collection contained items obtained through business dealings with art dealers linked to the art agents for Adolf Hitler

and Herman Goering; and if he will make a statement on the matter. [6131/04]

128. **Ms Shortall** asked the Minister for Arts, Sport and Tourism if he has been given a copy of the letter sent to the President, Mrs. McAleese, by the Simon Wiesenthal Centre, expressing concern at some of the collection contained at the Hunt Museum in Limerick, particularly its connection to Nazi art dealers; and if he will make a statement on the matter. [6132/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 117 and 128 together.

I wish to confirm my receipt of the letter sent to the President by the Wiesenthal Centre regarding the Hunt collection and the Hunt Museum. While I have no statutory responsibility for the Hunt Museum, I have, on foot of receipt of this letter, asked the museum to take action to satisfy itself in regard to the allegations made in the letter in so far as they relate to the collections and have requested the chairman of the board to keep me informed of the outcome of the board's actions.

I understand that the Hunt Museum has established an independent review group to be chaired by Mr. Justice Donal Barrington to examine the allegations and to report to the museum as quickly as possible. The completed report will thereafter be forwarded for my consideration of what, if any, further action may be required.

Tourism Industry.

118. **Ms O'Sullivan** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the end of year statement from the Irish Tourist Industry Confederation; if his attention has further been drawn to the confederations concerns that not all businesses shared equally in the growth in tourist numbers in 2003; and if he will make a statement on the matter. [6119/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I have read and noted the contents of the press release issued by the Irish Tourist Industry Confederation on 30 December last.

Irish tourism has been faced with challenging conditions over the past few years but, with the combined efforts of the industry and the tourism agencies, it has weathered the storm better than many commentators had predicted.

I know that not all areas in Ireland, and not all sectors within the industry, have enjoyed the same rate of return from the growth in tourism generally. It is for this reason that achieving a better balance in terms of regional development remains one of the key objectives of Government macroeconomics policy one to which I am fully committed. One of the objectives of national tourism policy is to achieve as wide as possible a distribution of visitor numbers across the different regions. This is reflected in the

programmes and initiatives operated by Fáilte Ireland, Tourism Ireland and in the action plan set out in the recent report by the tourism policy review group.

Achieving this goal has long been a major challenge for the industry it requires co-operation from the public and private sectors alike and can only be delivered if the product offering concurs with the wishes, expectations and demands of holidaymakers.

Notwithstanding the fact that this remains a challenge, it is important to acknowledge the overall contribution of the tourism industry to national economic performance. The indications are that, last year, Ireland increased its share in many of its major tourism markets, despite intense international competition.

The CSO figures for the first nine months in 2003 showed a 5% increase in visitor numbers including increased numbers from Britain, where outbound tourism was very flat. Similarly, in mainland Europe, Ireland appears to have outperformed its main rivals in the German, French, Italian and Spanish markets, with mainland European visitor numbers up by over 8% on the same period last year. The North American market also appears to be turning the corner with strong growth achieved for the first time since 2000. If this level of growth is achieved for the full year, it would represent a good performance in a very difficult year and augurs well for 2004.

Government investment in support of tourism next year will be just under €115 million. Of this, almost €70 million will be spent in general support for the marketing and promotion activities of the tourism State agencies, including the largest ever provision for the tourism marketing fund of €31.5 million. This is both a reflection of the importance attached to marketing as a driver of growth and a strong endorsement of the performance of the two agencies in delivering value for this substantial Exchequer investment.

The two tourism State agencies, Fáilte Ireland and Tourism Ireland, have set an ambitious target of 4% growth in overseas visitor numbers to Ireland for 2004. They are undertaking a comprehensive suite of marketing activities, across all markets and product niches. I am confident that, with the support of the tourism State agencies, the industry can deliver on these ambitious targets, and I hope that one of the related outcomes will be a better spread of the benefits of tourism throughout the country.

National Conference Centre.

119. **Mr. Stagg** asked the Minister for Arts, Sport and Tourism when he expects a decision to be made on the four expressions of interest received for the provision of a national conference centre in the Dublin area; and if he will make a statement on the matter. [6135/04]

139. **Mr. R. Bruton** asked the Minister for Arts, Sport and Tourism the position regarding the provision of a national conference centre; and if he will make a statement on the matter. [6157/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 119 and 139 together.

As the Deputies are aware, the Office of Public Works received four submissions in response to its advertisement for expressions of interest in the provision of a national conference centre in the Dublin area. The closing date for receipt of submissions was 5 p.m. on Wednesday, 21 January 2004. Those submissions are currently undergoing detailed evaluation by an assessment panel representative of my Department, the Office of Public Works and its advisers, the Department of Finance, Fáilte Ireland and the National Development Finance Agency. A separate panel will subsequently evaluate the site proposals candidates were also required to put forward following which the next stage of the process will be initiated with a view to securing a final decision from Government in the autumn.

Subject to the acceptability of proposals, the national conference centre could, as envisaged in the expressions of interest notice, be constructed before the end of 2007.

Question No. 120 answered with Question No. 106.

National Concert Hall.

121. **Ms O. Mitchell** asked the Minister for Arts, Sport and Tourism the position regarding the relocation of the National Concert Hall to Grand Canal Harbour; and if he will make a statement on the matter. [6151/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): On foot of discussions which have taken place among my Department, the OPW and the Dublin Docklands Development Authority, it has been determined that the site on offer at Grand Canal Harbour is not capable of being developed to meet the accommodation brief for the National Concert Hall and would not offer any significant improvement over the present location given the expenditure that would be involved.

In these circumstances I am considering what other options may be available to me to address the needs of the National Concert Hall. I will report to Government on them in due course.

Departmental Strategy Statements.

122. **Mr. Gormley** asked the Minister for Arts, Sport and Tourism the units of measurement to gauge progress being used regarding his Department's mission statement in regard to increased participation in sport, improvement of standards of performance in sport and the development of sports facilities at national,

regional and local level; if these objectives will be tangibly met by the end of 2005; and if he will make a statement on the matter. [6113/04]

126. **Mr. Boyle** asked the Minister for Arts, Sport and Tourism if the objectives set out in his Department's mission statement are being achieved in regard to increased participation in sport, improvement of standards of performance in sport and the development of sports facilities at national, regional and local level, particularly in disadvantaged communities through the provision of an appropriate and effective policy and public funding context; and if he will make a statement on the matter. [6108/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 122 and 126 together.

My Department's Statement of Strategy 2003-2005, which is available in the Oireachtas Library and on my Department's website, identifies specific strategies for the achievement of the Department's goals for the sport sector, specific outputs or objectives for the delivery of those strategies and specific performance indicators to measure the outputs. My Department's first annual report, which is expected to be published in April next, will detail progress during 2003 in regard to individual strategies and objectives and will record satisfactory progress towards the achievement of the goals set out in the statement of strategy.

The overall public policy objective for Irish sport is to promote and encourage a vibrant and active sports sector, especially in areas of disadvantage, with increased participation, good quality, sustainable facilities and opportunities for people to play an active role in sport. Within this policy context the talents, potential and needs of competitive and the elite are also cherished and supported in their pursuit of excellence and success in top sport. As the Deputies will appreciate, there is a high correlation between active involvement in sport and healthy lifestyle. My Department's role is to provide the overall policy framework and the necessary funding to assist in the provision of sports facilities and to enable its state agency, the Irish Sports Council, ISC, to carry out its various functions. The ISC's role is to promote and develop sport and to liaise with and monitor the effective delivery of Government policy, adherence to Government financial requirements and standards of good governance by the ISC.

The departmental strategy for sport guides the actions of the ISC in its promotion and development of sport as outlined in the council's Statement of Strategy 2003-2005, Sport For Life. The ISC, in turn, publishes annual reports on its activities and has set out targets to be met by, for instance, national governing bodies of sport who, in order to attract additional challenge funding, must produce innovative strategic plans which will deliver clearly stated aims. Similarly, the carding scheme, under which special supports are

provided to high performance competitors, is based on established performance standards and criteria. Annual targets are also set and met by the ISC in regard to the number of doping tests carried out under its national anti-doping programme.

My Department's sport capital programme has been enormously beneficial to clubs, sports organisations and voluntary and community groups in every village, parish and town throughout the country. Since 1998 on the sports capital side alone my Department has allocated almost €267 million to over 3,500 projects. In addition, it should be noted the annual budget for the scheme was fully drawn down in 2003 and that the indicators outlined for the processing of assessments and allocations for the programme are on schedule to be met for the 2004 programme. A review of the existing sports capital programme for the period 1999 to 2002, under the Department's expenditure review programme, is currently being finalised. Following this, it is my intention to establish an inter-agency steering group to commence work immediately on developing a long-term strategic plan for the provision of sports facilities. One of the first tasks of this group will be to oversee the commencement of the audit of sports facilities.

In the course of the expenditure review, an analysis of the allocation of grants was carried out along with a survey to a proportion of applicants during this period. While not yet finalised, the preliminary findings of this review show that the funding provided to over 2,000 voluntary clubs and organisations in the period 1999 to 2002 has helped to build a variety of facilities which have helped increase participation in sport. The survey conducted as part of the review revealed that 64% of respondents, including those in disadvantaged areas, stated that the actual numbers of people using the facility had increased since completion of their project supported under the sports capital programme. Furthermore, 93% of respondents across a wide range of sports stated that support under the sports capital programme had made a difference in helping participants to achieve a higher standard. The review is expected to make recommendations in a number of areas involving the future operation of the sports capital programme including the need for up to date information on sporting participation rates and the need to monitor funded projects to assess impact of funding in the areas of participation and improved performance.

The tax relief on donations to certain sports bodies' scheme, established under section 847a of the Taxes Consolidation Act, came into effect on 1 May 2002. Since then 72 applications have been received by my Department from interested parties wishing to avail of the scheme. Of these, 64 have been given approved status with a total project cost of €56,810,595. Under the local authority swimming pool programme, my Department is committed to supporting 55 local

authority swimming pool projects throughout the country. Delivery of this programme is well under way. My Department also funded the 50 metre swimming pool at the University of Limerick and the National Aquatic Centre at Abbotstown which recently hosted the very successful European short course swimming championships. These are key facilities in the context of our high performance strategy for elite competitors as well as for clubs, learners and fun swimmers.

Sports Capital Programme.

123. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the number of applications his Department received under the 2004 sports capital programme; when a decision will be made on the exact amount to be available for allocation; and if he will make a statement on the matter. [6136/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis. The 2004 sports capital programme was advertised in the national newspapers on 30 November and 1 December 2003. The closing date for receipt of applications was 16 January 2004. As I recently informed the Deputy in my replies to previous questions, a total of 1,302 applications was received before the closing date. All applications are being evaluated against the programme's assessment criteria which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

I will decide soon the level of provisional grant allocations to be made this year having regard both to the quality of the applications received under the 2004 programme and the pattern of grant allocations and draw-downs on foot of earlier years' approvals.

National Stadium.

124. **Mr. Durka** asked the Minister for Arts, Sport and Tourism the extent to which agreement has been reached on the future development at Abbotstown, having particular regard to decisions already taken on the provision of a national sports stadium; and if he will make a statement on the matter. [6073/04]

141. **Mr. S. Ryan** asked the Minister for Arts, Sport and Tourism the way in which the Government intends to develop the Abbotstown venue now that it is not to be the venue of the new national stadium; the precise facilities he wishes to establish at the Abbotstown site; and if he will make a statement on the matter. [6129/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 124 and 141 together.

The Government has agreed to proceed with the development of state-of-the-art sporting infrastructure at Abbotstown. This initiative will be of lasting benefit to Irish sport. Over time, a network of much needed sports facilities can be built up for the benefit of future generations of sports persons whether amateur, professional or elite.

Earlier this month, I met with the board of Campus and Stadium Development Ireland Limited. I outlined the Government's views on the sports campus to it and asked members to provide me with a phased and prioritised proposal, a sporting and business case and annual budgets. The aim is to deliver the component elements of the campus within a realistic time-frame by building on and updating the existing framework plan for the site in consultation with the various interested parties and taking account of developments which have taken place in the meantime.

The scale of the campus is such that it can accommodate the requirements of sporting organisations for high quality pitches and training facilities for both amateur and ranking team sports. This should be of benefit not only to major sports organisations but also to some of our smaller sports whose need for modern facilities is important. I also see the merit in testing private sector appetite for developing an indoor sporting arena. I am aware that many sporting organisations may be interested in relocating offices to Abbotstown. The FAI has already made known its interest in selling its present headquarters in Merrion Square and moving there. There may also be considerable GAA and IRFU interest in exploiting what Abbotstown has to offer for the development of their sports.

The availability of centralised high quality sports facilities will appeal, in particular, to smaller sporting bodies, many of which depend largely on voluntary commitment. Medical and research facilities for elite athletes might be developed at Abbotstown in partnership with one or more of the third level education institutions and this would give a further impetus to the work that the Irish Sports Council is doing to support our elite sportsmen and sportswomen. Campus and Stadium Ireland Development Limited has been given the responsibility for translating this concept into an action plan for delivery and overseeing a programme of development which, over time, will be seen as accomplishing a major transformation in the quality of Ireland's sporting infrastructure.

Question No. 125 answered with Question No. 102.

Question No. 126 answered with Question No. 122.

Day of Welcomes.

127. **Mr. Penrose** asked the Minister for Arts, Sport and Tourism the events planned to take place in Dublin from 30 April to 1 May 2004 to mark the accession of the applicant countries to the European Union; and if he will make a statement on the matter. [6124/04]

136. **Mr. J. O'Keeffe** asked the Minister for Arts, Sport and Tourism if he will provide details of the 1 May 2004 celebrations to mark the accession of new states to the European Union; and the cost involved. [5971/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 127 and 136 together.

Under the cultural programme of the Irish Presidency of the EU, which I launched on 7 January 2004, each of the new member states will be officially welcomed into the EU by an Irish city or town during a special day of welcomes on Saturday, 1 May. The participating towns and cities are Bray, Waterford, Cork, Limerick, Killarney, Galway, Sligo, Letterkenny, Drogheda and Kilkenny. This day will be at the heart of the national celebrations and will involve each of the ten towns and cities hosting distinct and engaging European fairs. A fireworks extravaganza in Dublin will commence celebrations in the capital on Friday, 30 April.

Dublin will also see Merrion Square transformed into a colourful bazaar with marquees, stands and stages making up the European fair on Saturday, 1 May. It is expected that over 100,000 visitors will pass through the fair over the weekend to enjoy the experience of unique and interesting produce from the new EU member states and participate in this fun cultural activity. A major concert of Irish and international stars will take place in O'Connell Street in Dublin on the evening of 1 May and will be a highlight of the weekend. The concert will be produced by RTE and the BBC.

From 22 April to 3 May, there will be a presentation of Vectorial Elevation, a unique artwork which is the largest on-line. We will locate 24 searchlights on and over the buildings in O'Connell Street and every six seconds, from dusk to dawn, a new design will be rendered on the sky for all to see. A large screen will display the signature and comments of the author.

The total projected costs for these celebratory events is €2.144 million.

Question No. 128 answered with Question No. 117.

Tourism Industry.

129. **Mr. Naughten** asked the Minister for Arts, Sport and Tourism the plans he has to review the quality standards in tourism; and if he will make a statement on the matter. [5972/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I have no direct responsibility with

regard to conducting a review of quality standards in tourism, as these are a day-to-day function of the tourism State agencies. However, the Deputy may wish to note that, in policy terms, maintaining standards and quality in the tourism sector is clearly identified as a priority measure in An Agreed Programme for Government.

Since taking up office, I have consistently emphasised that the quality and levels of service offered by the tourism industry is critical to the successful development of the sector. Excellence in the physical design and quality of tourism products and good investment planning must be matched with equally good operational planning and delivery of services. If operational standards do not match the physical quality of facilities, the market potential of these facilities, for both overseas and domestic tourists, may not be fully realised.

Last May I established the new National Tourism Development Authority, Fáilte Ireland. This is a strong and well-resourced body, dedicated to the promotion of excellence in product and service delivery, the twin experiences of both the overseas and domestic tourist. It has a clear mandate to take whatever actions are appropriate to help the industry to hold and increase its market share in an increasingly competitive global marketplace. Fáilte Ireland is now up and running and is ideally placed to support the industry in addressing the new set of challenges facing tourism into the future, including issues such as value for money, competitiveness and quality.

Just over a year ago, I spoke about the tourism industry being at a cross-roads and the need for a major review of policy. That comprehensive review of policy has been completed with the publication last September of the Tourism Policy Review Group's report, *New Horizons for Irish Tourism — An Agenda for Action*. This report sets out a new vision for Irish tourism as a dynamic, innovative, sustainable and highly regarded sector, offering overseas and domestic visitors a positive and memorable experience beyond their expectations.

One of the key messages in the report is the need for the industry to restore competitiveness and ensure a high level of quality in the Irish tourism experience if it is to maximise the opportunities for future growth. There is no easy or single solution — the competitiveness of Irish tourism is influenced by a huge range of factors and experiences for customers, from initial inquiries about visiting Ireland through to travelling here, where they go when they get here, where they stay, whom they meet, what they do, what they see and their perceptions about price and quality.

Having identified competitiveness and value for money as one of the key strategic drivers of success for Irish tourism, the review group listed some ten integrated actions aimed at the industry, Government and State agencies, designed to translate the strategy into action. These actions

require a holistic approach to addressing the issue and focus, in particular, on acknowledging industry responsibility, measures to tackle inflation, benchmarking of the competition, building capability within the industry and upgrading standards as a competitive response.

Work is already under way on a number of the key issues but it will fall to the implementation group, established earlier this month in line with the recommendations of the report, to help ensure that it is implemented in an integrated manner and that a partnership approach is adopted by the many actors whose coordinated efforts are required if the full potential of the industry is to be realised.

Abbey Theatre.

130. **Mr. Gormley** asked the Minister for Arts, Sport and Tourism if there has been progress on the property acquisition issues in regard to the proposed refurbishment of the Abbey Theatre; if a timeframe for the development has been outlined; and if he will make a statement on the matter. [6112/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I refer the Deputy to my reply to a priority question on this matter earlier today.

EU Presidency.

131. **Mr. O'Shea** asked the Minister for Arts, Sport and Tourism his priorities for the remainder of the Irish Presidency of the European Union; the events that are arranged by his Department; and if he will make a statement on the matter. [6122/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): My main priority for the Presidency, in so far as arts, sport and tourism is concerned, is to ensure that normal EU business is conducted efficiently and effectively, particularly given the additional workload and complexities associated with the accession of ten new member states.

On 27 May, I will chair the Education, Youth and Culture Council for those items in the cultural and audiovisual spheres which fall under my remit. One of the main issues for discussion during our Presidency will be the Commission's proposals for post-2006 EU support programmes in the field of culture and film.

The main priority in the sports area is the European Year of Education through Sport which I launched, along with my colleague, the Minister for Education and Science, Deputy Noel Dempsey, in Dublin on 29 and 30 January in Croke Park. As part of our national programme in this regard, we will use this year to promote the importance of sport within the education system, particularly in promoting social inclusion. I also took the opportunity of this launch to host a Troika meeting of Sports Ministers in Dublin.

Just this morning I launched the LEAPS project, Learning and Education through Activity

[Mr. O'Donoghue.] and Participation in Sport, which aims to explore the benefits of using sport as a way of learning mainstream curriculum subjects. This initiative particularly targets potential early school leavers through the school completion programme. The project also heightens awareness and understanding of other cultures through a focus on multi-national sporting activities.

In advancing co-operation in the cultural field, there are three key events which I will be hosting as part of the Presidency: a seminar on cultural and linguistic diversity in Killarney on 11 and 12 March; a seminar on the music industry in Dublin on 19 and 20 April; and a meeting of the European Group on Digitisation of Heritage and Culture in Dublin which will be followed by a conference on digitisation on 28 and 29 June.

The key tourism event of our Presidency will be an international tourism conference on the theme of competitiveness and sustainability taking place on 5 April in Dublin Castle. The conference, entitled Charting Tourism Success, is being organised by Fáilte Ireland. It will bring representatives from the Irish and European tourism industry, together with representatives of the European Commission and other European policy makers, to identify and discuss issues of common interest which impact on the competitiveness and sustainability of the tourism sector in Europe and internationally.

In January, I formally launched the Presidency cultural programme. This extensive programme, which will see over 250 Irish artists and hundreds of European artists presenting work across the expanded EU, is one of the central features of the Irish Presidency. We have already had a very successful concert in Brussels to mark the start of the Presidency there.

The new member states will be officially welcomed into the EU by an Irish city or town in a special day of welcomes on Saturday, 1 May. This day will be at the heart of a national weekend of celebration that will involve each of the ten towns and cities hosting distinct and engaging 'European Fairs', while a fireworks extravaganza in Dublin from a leading European pyrotechnics company will commence celebrations in the capital on Friday, 30 April.

Dublin will also see Merrion Square transformed into a colourful bazaar with marquees, stands and stages making up 'The European Fair' on Saturday, 1 May. It is expected that over 100,000 visitors will pass through the fair over the weekend to enjoy the experience of unique and interesting produce from the new EU member states and participate in the fun cultural activity.

A major concert of Irish and international stars in the centre of Dublin will be a highlight of the weekend and will be produced by RTE and the BBC. It will be broadcast live throughout Europe. The line-up for this concert will be announced shortly.

From a cultural, sports and tourism perspective, the Irish Presidency promises to be both exciting and rewarding for all those involved.

Proposed Legislation.

132. **Mr. O'Shea** asked the Minister for Arts, Sport and Tourism if he will outline his legislative priorities for the new Dáil session; and if he will make a statement on the matter. [6121/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I do not have any legislative priorities for the current Dáil session.

Legislation to establish CSID, Campus and Stadium Ireland Development Limited, as a statutory agency is currently being drafted in light of the Government's decision of 27 January to proceed with development of a sports campus at Abbotstown. It is my intention to seek Government approval for the inclusion of this legislation in the legislative programme for the post-Easter Dáil session.

Swimming Pool Projects.

133. **Mr. McGinley** asked the Minister for Arts, Sport and Tourism the situation regarding the proposed swimming pool for Ballybofey, County Donegal; and if he will make a statement on the matter. [5974/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under the local authority swimming pool programme, administered by my Department, there are four principal stages in a swimming pool project, namely, feasibility study-preliminary report; contract documents; tender and construction. My Department's technical advisers, the Office of Public Works, evaluate each stage and local authorities cannot proceed to the next stage of a project unless prior approval issues from my Department.

The present position in regard to the Ballybofey-Stranorlar swimming pool project is that a feasibility study submitted by Donegal County Council was approved in 2001 and a preliminary report is in preparation. The project can be considered further on receipt of this report. My Department understands, however, that the full financing package for the project has yet to be finalised.

Question No. 134 answered with Question No. 100.

Decentralisation Programme.

135. **Mr. Gilmore** asked the Minister for Arts, Sport and Tourism his response to concerns expressed by senior and mid-ranking officials in his Department concerning plans for decentralisation of the Department to Killarney; and if he will make a statement on the matter. [6120/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I am confident that any of the

concerns expressed by officials of my Department regarding decentralisation to Killarney can be addressed. I have established a decentralisation committee in my Department to assist me in driving forward the programme of decentralisation in respect of my Department and its agencies and to ensure that the programme is managed in a way that will be sensitive to the needs of all staff, whether they chose to decentralise or not.

As I see it, one of the main priorities of the decentralisation committee, while implementing Government policy in regard to decentralisation, will be to keep staff informed on an ongoing basis as important issues are clarified and decisions are made. In the meantime, any concerns that staff in my Department may have may be raised through the partnership structures, at departmental council or with any member of my Department's decentralisation committee.

I am aware that decentralisation will change the way in which the public service operates in the future. The new programme will create a wider range of work and career opportunities for individuals working outside Dublin than currently. Public servants who aspire to senior management positions will no longer have to migrate to the capital, although many may well continue to do so. Similarly, individuals serving in Dublin will be able to pursue their careers within Dublin but many may chose to avail themselves of promotion opportunities in decentralised offices.

I must again remind the Deputy that the decentralisation programme will operate on a voluntary basis. Civil and public servants who do not wish to transfer to Killarney or any other decentralised location will be assigned to alternative posts in Dublin. The exact procedures, which will apply in such cases, will be dealt with as part of the implementation process and will, of course, be discussed with the public service unions.

I can assure the Deputy that while I am committed to implementing the programme of decentralisation in so far as my Department and agencies under its aegis are concerned, I also have the utmost regard for the legitimate expectations and views of staff members of my Department and I will do my very best to proceed with the task in a spirit of openness and understanding.

Question No. 136 answered with Question No. 127.

Swimming Pool Projects.

137. **Mr. Stanton** asked the Minister for Arts, Sport and Tourism when he will announce the public swimming pool programme for 2004; and if he will make a statement on the matter. [6100/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): As I indicated in my reply to the

Deputy on 18 December 2003, the closing date for receipt of applications under the current round of the local authority swimming pool programme was 31 July 2000. Of the 55 applications for funding, 11 projects have been completed, seven are under construction and 37 are at one of the three principal pre-construction stages of the approval process. Of these 37, two are at tender stage, 20 are at contract document stage and 15 are at the preliminary report stage. Three projects under the programme were recently approved to go to construction, in Churchfield, Cork City, Tuam, County Galway and Ballymun in Dublin city.

Because of the large number of applications still being processed, it is not proposed to re-open the pool programme at present. However, an expenditure review is being carried out on the programme and this review is examining, among other things, how the programme has worked to date, the benefits which have accrued to the areas where pools have been built through the existing programme and what amendments, if any, are required to ensure the effective and efficient delivery of the programme. It is envisaged that the review will be completed by mid-2004.

Sports Capital Programme.

138. **Mr. Crowe** asked the Minister for Arts, Sport and Tourism when he will announce the grants made under the sports capital programme 2004; and if he will consider the application for Templeogue United FC for refurbishment and extension of facilities. [6058/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

The 2004 sports capital programme was advertised in the national newspapers on 30 November and 1 December 2003. The closing date for receipt of applications was 16 January 2004. A total of 1,302 applications were received before the closing date, including one from the organisation in question. All applications are being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

Question No. 139 answered with Question No. 119.

Departmental Requests.

140. **Ms Shortall** asked the Minister for Arts, Sport and Tourism if he intends requesting the Heritage Council to suspend the Museum of the Year Award currently held by the Hunt Museum in Limerick given the concerns that surround the

[Ms Shortall.]
Museum's collection and the links it may have with Nazi art dealers; and if he will make a statement on the matter. [6133/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I have no statutory function in this matter. The Heritage Council, which is an independent body, does not operate under the aegis of my Department.

Question No. 141 answered with Question No. 124.

Ministerial Appointments.

142. **Ms Burton** asked the Taoiseach the

appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6267/04]

The Taoiseach: The bodies under the aegis of my Department are: the National Statistics Board; the National Economic and Social Council, NESC; the National Economic and Social Forum, NESF; the Information Society Commission; the National Centre for Partnership and Performance, NCPP; the Law Reform Commission; and International Financial Services Centre groups.

The appointments made by me to these bodies since June 2002 are set out in the following table.

Body	Appointments	Date of Appointment
National Economic & Social Council	Mr. Jack O'Connor (SIPTU) Ms Aileen O'Donoghue (IBEC) Ms Deirdre Garvey (The Wheel) Mr. John Mark McCafferty (St. Vincent de Paul) Mr. John Dolan (Disability Federation of Ireland) Mr. Niall Callan (Dept of Environment Heritage & Local Government) Mr. Colin Hunt (Goodbody Stockbrokers) Prof. Brigid Laffan (UCD) Prof. John Fitzgerald (ESRI) Prof. Eithne McLaughlin (Queens University) Mr. Peter Bacon (Economic Consultant)	All made in Sept/Oct 2003
National Centre for Partnership & Performance	Mr. John Walsh (Dept. Enterprise, Trade & Employment)	July 2002
IFSC Clearing House Group	Mr. Fergus Whelan (ICTU) Mr. Walter Brazil (AIB Capital Markets) Mr. Gavin Caldwell Mr. Denis Casey (Irish Life & Permanent) Mr. Brian Collins (Bank of Ireland Security Services) Mr. Peter Coyne (Dublin Docklands Development Authority) Mr. Colm Doherty (AIB Capital Markets) Mr. Brian Goggin (Bank of Ireland) Mr. John Larkin (William Fry Solicitors) Ms. Aileen O'Donoghue (Financial Services Ireland) Mr. Michael Ryan (Merrill Lynch Capital Markets Bank Ltd) Mr. Willie Slattery (State Street International Ireland Ltd) Mr. Pat Wall (PriceWaterhouseCooper)	November 2003 Reconstituted November 2002
National Economic & Social Forum	Of the 62 NESF members, 50 are appointed by nominating bodies, 5 members are ex-officio and 5 independent members are appointed by the Government. The 5 NESF independent appointments are: Dr Mary P Corcoran (NUI, Maynooth) Cáit Keane (South Dublin Co Council) Dr Colm Harmon (UCD) Dr Brian Nolan (ESRI) Mr Paul Tansey (Economist) The Government also appoints the Chair and Deputy Chair.	Reconstitution of the NESF has recently been finalised. Members appointed during January/February 2004.
National Statistics Board	Professor Brendan Walsh (UCD) Chair, Dr. Patricia O'Hara (Western Development Commission), Ms. Mary Doyle (Assistant Secretary, Department of the Taoiseach),	Reconstituted with effect from 09 February 2004.

Body	Appointments	Date of Appointment
National Statistics Board — <i>contd.</i>	Mr. Derek Moran, (Assistant Secretary, Department of Finance), Ms. Paula Carey, (ICTU Trade Union Pillar nominee), Mr. Ciaran Dolan, (ICMSA, Farming Pillar nominee), Mr. Frank Cuneen, (Business Pillar nominee), Mr. Donal Garvey, Director General of the CSO is a member of the Board ex-officio	

Community Employment Schemes.

143. **Ms O'Sullivan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reason community employment participants did not receive a rise in income in January 2004 while jobs directive participants, social welfare recipients and workers all qualified for increases; and if she will make a statement on the matter. [6202/04]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Fahey):

An increase in grant aid for community employment participants was sanctioned with effect from 1 January 2004. The rate payable to community employment participants without dependants increased from €149.20 to €159.20 and the rate for participants with an adult dependant increased from €232 to €248.60. The new rates are in line with the increases provided for in the budget for social welfare recipients.

Immigration Policy.

144. **Mr. R. Bruton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the analysis which she has undertaken of the likely inflow of persons from the new members of the EU; the proportion of these whom she estimated may take up employment here; the proportion who may become dependant on social welfare; if she has put in place a response mechanisms to ensure that there is not an excessive inflow; and if she will make a statement on the matter. [6227/04]

Tánaiste and Minister for Enterprise, Trade and Employment (Ms Harney): Under the accession treaties, which were signed on 16 April 2003, member states have the option of restricting access to their labour markets to nationals of the newly acceded states during a transition period of up to seven years. Ireland made a decision to grant full access to its labour market to nationals of the accession states from the date of accession.

In making this decision, migration from the accession states in recent years was taken into account, together with our likely needs in the years ahead. Furthermore, the Government had regard to the findings of a number of studies carried out on the likely impact of enlargement on EU labour markets. These included studies by Brueker & Boeri for the EU Commission — 2000, Sinn — 20010 and Salt — 1999. Predictions vary, depending on methodology used, but research in general suggests that there will be no

sizeable disruptions to EU wages or employment after accession. Most studies estimate an annual flow of workers to the present EU member states of 70-150,000 per year, with some forecasting a drop in the rate of immigration after one decade, and others predicting that the annual flow of migrants will remain high over the whole period of time.

The studies generally pointed to the fact that wage differentials between the host country and country of origin are only one reason that would encourage labour migration. Other factors to be taken into account include proximity, tradition and networks and linguistic barriers. Also, accession itself, or the prospect of it, may have an important influence on expectations and might even reduce the perceived need to migrate in EU accession countries. In Ireland's case, few of these factors, except for higher wages, are present. One can conclude that, all other things being equal, potential migrants from the candidate countries would be less likely to wish to migrate to Ireland and more likely to migrate to neighbouring countries with a long-established tradition of receiving such migrants, and where an established network of their nationals already exists. Austria and Germany alone were expected to receive in the region of 70% of all those moving. However, these countries have opted to retain their current work permit regimes during the transition period following accession.

After accession, it is expected that the majority of Ireland's continuing overseas labour needs will be met from within the expanded EU, thus greatly reducing the need for labour from the rest of the world. Were the Irish labour market to suffer a serious disturbance to the labour market during the transition period following accession, potentially up to seven years, Ireland retains the option of re-introducing an employment permit requirement for nationals of the newly-acceded member states under a provision contained in the Employment Permits Act 2003. The presence of this provision in no way means that an unmanageable influx of migrant workers from the new member states is expected. It is, however, a prudent measure as we move into a new phase in EU enlargement and an uncertain economic climate. The case for such a re-introduction would have to be based on quantitative labour market and unemployment data.

The question relating to the proportion of accession country nationals who may become dependent on social welfare is one that falls within the remit of my colleague, the Minister for Social and Family Affairs.

Ministerial Appointments.

145. **Ms Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the appointments made by her to all companies, boards or agencies operating under the aegis of her Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6268/04]

Tánaiste and Minister for Enterprise, Trade and Employment (Ms Harney): The information sought is as follows:

National Standards Authority of Ireland

Persons Appointed	Date of Appointment
Ms Rose Hynes	21 May 2003
Mr. Des O'Loughlin	21 May 2003
Mr. Niall Fitzsimons	21 May 2003
Mr. Páraig Hennessy	4 September 2003
Mr. Edmond Stack	19 November 2003

Shannon Development

Persons Appointed	Date of Appointment
Mr. Brian O'Connell	6 June 2002

Nitrigin Eireann Teoranta (NET)

Persons Appointed	Date of Appointment
Mr. Conor O'Mahony	29 September 2003

Enterprise Ireland

Persons Appointed	Date of Appointment
Mr. Gus Fitzpatrick (re-appointed)	24 July 2002
Mr. Brian Kearney (re-appointed)	24 July 2002
Mr. Pat Molloy — Chairperson (re-appointed)	24 July 2003
Ms Veronica Perdisatt (re-appointed)	28 July 2003
Mr. Kieran McGowan (re-appointed)	28 July 2003

Crafts Council of Ireland

Persons Appointed	Date of Appointment
Ms Mary Anne O'Brien (Chairperson)	9 April 2003
Mr. Martin Walsh (Chairperson)	17 June 2003
Ms Cathy Honan (re-appointment)	17 June 2003

IDA Ireland

Persons Appointed	Date of Appointment
Ms Loretta Brennan-Glucksman	5 March 2003
Mr. Kieran Corrigan (re-appointed)	5 March 2003
Mr. Brian Whitney	19 September 2003
Mr. Paul MacKay	15 January 2004
Mr. Nial Ring (re-appointed)	15 January 2004

Forfás

Persons Appointed	Date of Appointment
Mr. Martin Cronin	6 August 2002
Mr. Peter Cassells	1 January 2003
Dr. Don Thornhill	18 June 2003
Dr. William Harris	11 September 2003
Mr. Frank Ryan	12 November 2003
Mr. Paul Haran	1 January 2004
Mr. Rody Molloy	1 January 2004

Labour Court

Persons Appointed	Date of Appointment
Mr. Kevin Duffy (Chairman)	17 December 2003
Mr. Finbarr Flood (Deputy Chairman)	1 February 2004
Mr. John Doherty (Member)	27 July 2003
Mr. Noel O'Neill (re-appointed as Member)	28 July 2003
Mr. Robert Grier (Member)	1 March 2003
Mr. Jimmy Somers (re-appointed as member)	1 February 2003
Mr. Patrick Pierce re-appointed as a member	5 Oct 2002 — 31 Dec 2002

Labour Relations Commission

Persons Appointed	Date of Appointment
Mr. Tom Wall (Ordinary Member)	1 April 2003 replaced by
Mr. Peter Bunting (Ordinary Member)	10 February 2004
Mr. Peter McLoone (Ordinary Member)	1 April 2003
Mr. Liam Downey (Ordinary Member)	1 April 2003
Mr. Brendan McGinty (Ordinary Member)	1 April 2003
Mr. Maurice Cashell (Chairman)	1 April 2003
Ms Breege O'Donoghue (Ordinary Member)	1 April 2003
Ms Josephine Feehily (Ordinary Member)	1 April 2003

Rights Commissioners Service of the Labour Relations Commission

Persons Appointed	Date of Appointment
Mr. Michael Rooney	23 September 2002
Ms Janet Hughes	26 August 2003
Mr. David Iredale	1 September 2003
Mr. Tony Bregazzi	5 December 2003
Mr. Mark A. McGrath	1 February 2004

National Competitiveness Council

Persons Appointed	Date of Appointment
Mr. Martin Cronin	21 June 2002
Mr. Kevin Bonner (re-appointed)	21 June 2002
Mr. William Burgess (Chairman)	21 June 2002
Ms Aine Mizzoni (re-appointed)	21 June 2002
Mr. Neil Ormonde (re-appointed)	21 June 2002
Mr. John Fingleton	1 June 2003
Mr. Peter McLoone	1 June 2003
Mr. Willy Slattery	1 June 2003
Mr. Seamus O'Morain	1 June 2003
Mr. Rory Ardagh (re-appointed)	1 June 2003
Ms Jane Williams (re-appointed)	1 June 2003
Mr. John Travers (re-appointed)	1 June 2003
Mr. Brendan Butler	30 September 2003

Science Foundation of Ireland

Persons Appointed	Date of Appointment
Dr. Pat Fottrell (Chairperson)	25 July 2003
Mr. Frank McCabe (Deputy Chairperson)	25 July 2003
Dr. Don Thornhill (Board Member)	25 July 2003
Mr. Erich Bloch (Board Member)	25 July 2003
Dr. Kristina Johnson (Board Member)	25 July 2003
Mr. John Travers (Board Member)	25 July 2003
Dr. Jane Grimson (Board Member)	25 July 2003
Dr. Jim Mountjoy (Board Member)	25 July 2003
Dr. Martina Newell McGloughlin (Board Member)	25 July 2003
Mr. Ned Costello (Board Member)	25 July 2003
Dr. Anita Jones (Board Member)	25 July 2003
Dr. Jacqueline Hunter (Board Member)	25 July 2003

Skillnets

Persons Appointed	Date of Appointment
Mr. Denis Colfer	3 October 2002
Mr. John Daly	9 February 2004

Company Law Review Group

The following appointments were made by the Tánaiste and Minister for Enterprise, Trade and Employment in December 2003: membership is from 1 January 2004 — 31 December 2007: Mr. Thomas B. Courtney (Chairman); Mr. Michael Halpenny; Mr. Enda Twomey; Ms Muriel Hinch; Mr. Conall O'Halloran; Ms Deirdre Somers; Ms Marie Daly; Mr. Ralph MacDarby; Ms Fiona Delahunty; Mr. Jonathon Buttimore; Mr. William Johnston; Mr. Paul Appleby; Mr. Paul Egan; Mr. Paul Farrell; Ms Nora Rice; Mr. Vincent Madigan; Ms Tanya Holly; Ms Marie O'Connor; Mr. Lyndon McCann.

Company Law Consolidation

The following appointments were made to the Interim Board of the Irish Auditing and Accounting Supervisory Authority:

Persons Appointed	Date of Appointment
Mr. Paul Appleby	11 July 2002
Mr. Ronald Long	18 July 2003
Mr. Michael Deasy	16 February 2004

Health and Safety Authority

Persons Appointed	Date of Appointment
Mr. Martin Lynch	16 September 2002

Employment Appeals Tribunal

The following appointments were made by the Tánaiste and Minister for Enterprise, Trade and Employment on 30 January 2004 for a three year term of office to expire on 29 January 2007.

Vice-Chairmen

Mr. Kieran Buckley; Mr. Con Guiney; Mr. Leachlain S. Ó Catháin; Ms Dymrna Cusack; Mr. Mark O'Connell; Ms Penelope McGrath; Mr. Emile Daly; Mr. Thomas O'Donoghue; Ms Catherine Egan; Ms Elva Kearney; Mr. Peter J. O'Leary; Mr. Patrick G. Goold; Ms Marian Petty; Mr. Kevin P. Kilrane; Ms Margaret Levey; Mrs. Moya Quinlan; Mr. Fergal T. Fitzgerald Doyle; Mr. James Flanagan; Mr. Sean Mahon; Mr. Joe Revington; Mr. Myles Gilvarry; Mr. Eoin Martin; Mr. Tom Ryan; Ms Clodagh Gleeson; Ms Bernie Glynn; Mr. Dermot MacCarthy; Mr. Jeremiah Sheedy; Ms Geraldine Small

Trade Union Members

Mr. Frank Barry; Mr. Ben Kearney; Mr. Michael McGarry; Ms Rita Bergin; Ms Hilary Kelleher; Mr. Bernard McKenna; Ms Eveta Brezina; Mr. Tony Kennelly; Mr. George Hunter; Mr. Nick Broughall; Mr. George Lamon; Mr.

[Ms Harney.]

Owen Nulty; Mr. Brendan Byrne; Mr. Sean Mackell; Ms Clare O'Connor; Mr. Paddy Woods; Ms. Mary Maher; Mr. Kevin O'Connor; Dr. Anne Clune; Mr. Des Mahon; Mr. Seamus O'Donnell; Mr. James Dorney; Ms Alice Moore; Ms Emer O'Shea; Ms Breda Fell; Mr. Jim Moore; Mr. Ciaran Ryan; Ms Kay Garvey; Ms Rita McArdle; Mr. Tom Wall; Ms Noirin Greene; Mr. John McDonnell; Ms Catherine Warnock; Mr. Dominic McEvoy.

Employer Members

Mr. Patrick Bracken; Mr. Richard Keating; Mr. Neil Ormond; Mr. Joe Browne; Mr. James O'Neill; Mr. Gerry Phelan; Mr. William Brown; Mr. Pat Pierce; Mr. Gerry McAuliffe; Mr. Pat Casey; Mr. Cyril McHugh; Mr. Peter Pierson; Mr. Frank Cunneen; Mr. Don Moore; Mr. William Power; Mr. Robert D. E. Prole; Ms Ann Delahunt; Mr. Desmond Morrison; Mr. Moss Flood; Mr. Jim Redmond; Mr. Michael J. Murphy; Mr. Michael Forde; Mr. Roger Murphy; Mr. John Reid; Mr. Tom Gill; Mr. Eamon Ryan; Mr. Billy O'Carroll; Mr. James Goulding; Ms Marie Sweeney; Mr. Terence O'Donnell; Mr. John Guinan; Mr. Paul O'Leary; Mr. John Walsh; Mr. Ben Kealy; Mr. Declan F. Winston.

The following were appointed between 6 June 2002 and 29 January 2004, and re-appointed on 30 January 2004.

Vice-Chairmen

Mr. Dara Hayes appointed on 2 September 2002; Mr. John Fahy appointed on 24 June 2003.

Ordinary Members

Mr. Mel Kennedy (Employer Panel) appointed on 2 April 2003; Mr. Paul Clarke (Trade Union Panel) appointed on 2 April 2003; Mr. Sam Nolan (Trade Union Panel) appointed on 2 April 2003.

Joint Labour Committees of the Labour Court

Persons Appointed	Date of Appointment
Mr. Colin Walker (Chairman Catering JLC)	5 July 2002
Mr. Colin Walker (Chairman Hotels JLC)	20 October 2003
Mr. Des Casey (Chairman Hotels JLC)	12 November 2003
Ms Patricia McCarthy (Chairman Provender Milling JLC)	20 October 2003

Ms Patricia McCarthy (Chairman Aerated Waters 20 October 2003 and Wholesale Bottling JLC)

Work Permits.

146. **Mr. Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of work permit holders formerly employed in an ineligible occupational sector which have successfully obtained work permits in an eligible occupational sector since the ineligible categories were introduced. [6353/04]

Tánaiste and Minister for Enterprise, Trade and Employment (Ms Harney): Applications for work permits are considered on the basis that an employer certifies to my Department that she or he is unable to recruit a suitable employee from among the EU workforce. It is the employer who is granted the permit and no records are kept tracking employees who have been employed in an occupational sector which subsequently became ineligible and who have been the subject of a successful application for another occupational sector.

Ministerial Appointments.

147. **Ms Burton** asked the Minister for Defence the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6269/04]

Minister for Defence (Mr. M. Smith): I have, as Minister for Defence, made the following appointments since 6 June 2002:

	Name	Date Appointed
Coiste an Asgard	Mr. Sean Flood; Mr. Gerard O'Donnell; Dr. Roy Brown; Mr. Michael Murphy; Ms Joannes Berkery; Ms Kalanne O'Leary; Mr. Patrick O'Hara; Mr. Seamus McLaughlin. Commodore Frank Lynch Mr. Gerry Donnelly	31 July 2002 09 August 2002 09 August 2002 09 August 2002 09 August 2002 24 September 2002 30 September 2002 09 October 2002 05 October 2003 11 February 2003

	Name	Date Appointed
Army Pensions Board	Commandant John Tobin.	24 October 2002

Animal Welfare.

148. **Mr. F. McGrath** asked the Minister for Agriculture and Food the reason fur farms are legal here; and if he has proposals to change the legislation in order to ensure that these animals are treated humanely. [6389/04]

Minister for Agriculture and Food (Mr. Walsh): Fur farming is a legitimate farming activity in this country. Under the Musk Rats Act, 1933 (Application to Mink) Order 1965 the keeping of mink is prohibited except under licence from my Department. Licences are issued under this legislation only if the applicant, following an inspection carried out by officials from my Department, is found to be compliant with a number of key conditions.

Licensed fur farms are also inspected by my Department to assess compliance with Council of Europe recommendations concerning fur animals and Council Directive 98/58/EC concerning the protection of animals kept for farming purposes. These inspections have found that the licensed fur farms have been operating in compliance with

current legislation. Inspections have also found that the slaughter methods employed by the licensed fur farms are permitted under the Sixth Schedule of the European Communities (Protection of Animals at Time of Slaughter) Regulations 1995.

I have no plans to ban fur farming in Ireland. My Department will continue to monitor the operation of the licensed fur farms under the relevant legislation.

Ministerial Appointments.

149. **Ms Burton** asked the Minister for Agriculture and Food the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6270/04]

Minister for Agriculture and Food (Mr. Walsh): The information requested by the Deputy is outlined in the following Schedule. Some of these appointments are made from nominations by the farming organisations.

SCHEDULE

Company/ Board /Agency	Name	Date of Appointment
Teagasc	Dr. Tom O'Dwyer	15-09-2003 (Re-appointment)
	Mr. Michael O'Dwyer	15-09-2003 (Re-appointment)
	Mr. Patrick Kelly	15-09-2003
	Mr. Jerry Hency	12-10-2003
	Prof. Patrick Fottrell	24-09-2002 (Re-appointment)
	Mr. Ruaidhri Deasy	24-09-2002 (Re-appointment)
	Mr. Jim Beecher	24-09-2002 (Re-appointment)
	Ms Gina Quin	24-09-2002
An Bord Bia	Ms Mary J. Byrne	04-12-2002
	Mr. John Dillon	04-12-2002
	Mr. Dan Lenihan	04-12-2002
	Mr. Michael Kilcoyne	04-12-2002
	Mr. Noel Cawley	09-07-2003
	Ms Brid Rodgers	31-12-2003
	Mr. Dan Browne	31-12-2003
	Mr. Pat O'Rourke	31-12-2003
	Ms Gina Quin	31-12-2003 (Re-appointment)
	Mr. Dan Lenihan	23-12-2002 (All Re-appointments)
An Bord Glas	Mr. Tom Ambrose	23-12-2002 (All Re-appointments)
	Mr. John Barry	23-12-2002 (All Re-appointments)
	Ms Angela Binchy	23-12-2002 (All Re-appointments)
	Mr. Liam Butterly	23-12-2002 (All Re-appointments)
	Mr. Kieran Dunne	23-12-2002 (All Re-appointments)
	Ms Bridie O'Neill	23-12-2002 (All Re-appointments)
	Mr. Jeremiah O'Shea	23-12-2002 (All Re-appointments)
	Mr. Tom Power	23-12-2002 (All Re-appointments)
	Mr. Michael Slattery	23-12-2002 (All Re-appointments)
	Mr. Jerry Sweetman	23-12-2002 (All Re-appointments)

Company/ Board /Agency	Name	Date of Appointment
National Milk Agency	Mr. George Kearns	16-09-2002
	Mr. James Murphy	16-09-2002
	Mr. George Kearns	09-12-2003 (Re-appointment)
	Mr. James Murphy	09-12-2003 (Re-appointment)
	Mr. Pat Brophy	09-12-2003
	Mr. John O'Callaghan	09-12-2003
	Mr. Michael Kilcoyne	09-12-2003
	Mr. Walter Maloney	09-12-2003
	Mr. Richard Donoghue	14-01-2004
	Mr. John Foster	14-01-2004
	Mr. John Osborne	23-07-2002
Irish National Stud	Mr. Jim Beecher	13-11-2002
	Lady O'Reilly	07-08-2003
	Mr. Tony Smurfit	07-08-2003

Grant Payments.

150. **Mr. Murphy** asked the Minister for Agriculture and Food if all payments can be made in 2004 immediately to a person (details supplied) in County Cork. [6287/04]

Minister for Agriculture and Food (Mr. Walsh): The person named applied for 2003 slaughter premium only and did not apply under any other 2003 livestock scheme. He has been paid the 2003 slaughter premium less an amount deducted in respect of a penalty.

To date, the person named has submitted one application under the 2004 livestock schemes, i.e. a special beef premium application in respect of 14 animals. Applicants may lodge up to 12 applications during 2004 at times of their own choosing.

Under the relevant EU regulations, the person named cannot be paid the initial 60% of estimated entitlement until on or after 16 October 2004. The balance plus any 2004 extensification premium due shall be paid in 2005 after it has been established whether or not the regional beef quota has been exceeded and after the expiry of any relevant retention period(s) and completion of all checks.

EU Directives.

151. **Mr. McHugh** asked the Minister for Agriculture and Food if he will review the draft nitrates directive action programme as proposed by the Government in order to remove any dates applicable to chemical fertiliser applications to grassland and other lands and to manure or slurry applications to land, in view of the fact that such requirements to adhere to the proposed dates will impose crippling and unaffordable costs on farmers. [6340/04]

Minister for Agriculture and Food (Mr. Walsh): The nitrates directive, which is the responsibility of the Minister for the Environment, Heritage and Local Government, requires that an action programme which in turn must include a measure relating to periods when

the land application of fertiliser is prohibited. The dates proposed in the draft action programme which was submitted for consultation were selected having regard to the length of the growing season, soil types and weather conditions in Ireland. The application of nutrients during the winter period can present a risk to the environment and is considered to be an inefficient way of utilising valuable plant nutrients.

In 1996 my Department and the then Department of the Environment, in consultation with the farming organisations, published the code of good agricultural practice to protect waters from pollution by nitrates. The dates proposed in the draft action programme for limitations on land application of fertiliser are in general agreement with those identified for this purpose in the 1996 code.

In Sustaining Progress, the Government stated that “recognising the importance of the Nitrates Directive and its impact on certain farmers, a number of initiatives shall be taken in the context of optimising the use of available EU and national budgetary resources”. These initiatives included a review of REPS with higher payment rates, and changes to the terms and conditions of the farm waste management scheme and dairy hygiene scheme in particular increasing the income and eligible investment ceilings. The improvements in the farm waste management scheme and dairy hygiene scheme have already been delivered, and proposals for REPS, including an average 28% increase in payments, are with the Commission.

Grant Payments.

152. **Mr. Neville** asked the Minister for Agriculture and Food when compensation payment for two tuberculosis reactors will be made to a person (details supplied) in County Limerick. [6352/04]

Minister for Agriculture and Food (Mr. Walsh): Appropriate valuation payments for two

tuberculosis reactor animals have been processed and payment will be made shortly.

Disabled Drivers.

153. **Dr. Cowley** asked the Minister for Finance when the recommendations of the review of the disabled drivers and disabled passengers concessions scheme will be available; and if he will make a statement on the matter. [6205/04]

Minister for Finance (Mr. McCreevy): As I have said in a reply to a previous parliamentary question, the Interdepartmental Report of the Review Group on the Disabled Drivers' and Disabled Passengers' (Tax Concessions) Scheme is under consideration in my Department. The report is a substantive one and needs to be studied carefully. On completion of this process, I envisage that the report will be made available publicly.

Kilkenny Castle.

154. **Mr. McGuinness** asked the Minister for Finance the demand which exists within the tourism market to have Kilkenny Castle open in the month of December 2004; and if the general maintenance of the castle can be programmed in such a way that it does not prevent the castle from opening. [6206/04]

Minister of State at the Department of Finance (Mr. Parlon): Essential maintenance, including painting, decorating and heating, has traditionally been carried out during the month of December at Kilkenny Castle when demand for visitor access is at its lowest, at about 2,000 visitors. In the past the castle was closed on Mondays in December to allow for these works but more recently the maintenance works programme has been compressed into the period contiguous to Christmas.

However, the Office of Public Works is reviewing the opening arrangements with a view to ensuring that visitors are facilitated to the greatest extent possible, consistent with good health and safety practice.

Stamp Duty.

155. **Mr. Crawford** asked the Minister for Finance when a person (details supplied) will be dealt with; if his attention has been drawn to the fact that the refund on the stamp duty due to them for almost two years has not been paid; if he can expedite this as a matter of urgency; and if he will make a statement on the matter. [6232/04]

Minister for Finance (Mr. McCreevy): I am informed by the Revenue Commissioners that they received the original stamped instrument of transfer from the Land Registry on Monday, 23 February 2004. The refund application is being processed at present and payment will issue within five working days.

Disabled Drivers.

156. **Cecilia Keaveney** asked the Minister for Finance the concessions that are available in regard to buying a car for a family (details supplied) who live in a remote area; and if he will make a statement on the matter. [6233/04]

Minister for Finance (Mr. McCreevy): The disabled drivers' and disabled passengers' (tax concessions) scheme is open to people with disabilities that meet the specified criteria and have obtained a primary medical certificate to that effect. The senior area medical officer attached to the local health board is responsible for the medical assessment and the issue of the medical certificate.

The medical criteria for the purposes of the tax concession under this scheme are set out in the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994. Six different types of disablement are listed under the regulations and a qualifying person must satisfy one or more of them. The six types of disablement are as follows: persons who are wholly or almost wholly without the use of both legs; persons who are wholly without the use of one of their legs and almost wholly without the use of the other leg such that they are severely restricted as to movement of their lower limbs; persons without both hands or without both arms; persons without one or both legs; persons wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg; and persons having the medical condition of dwarfism and who have serious difficulties of movement of the lower limbs.

Only an individual who qualifies under the medical criteria as set out above may be issued with a primary medical certificate. Possession of a primary medical certificate provides for remission or repayment of vehicle registration tax, VRT, plus a repayment of value added tax, VAT, on the purchase of the vehicle, plus a repayment of VAT on the cost of adaptation of that vehicle. Repayment of the excise duty on fuel used in the motor vehicle, and exemption from payment of annual road tax to local authorities are also provided for.

The Revenue Commissioners are unable to consider an application for the relief without the issue of a valid primary medical certificate.

Application for the primary medical certificate should be made in the first instance to the appropriate health authority. In the event that a certificate is issued, application for relief should then be made to the Revenue Commissioners, Central Repayments Office, Coolshannagh, Monaghan, Phone (047) 82800.

Tax Code.

157. **Mr. Wall** asked the Minister for Finance the recourse open to a person (details supplied) in County Kildare who has been unable to obtain

[Mr. Wall.]
a P60 from their employer; and if he will make a statement on the matter. [6235/04]

Minister for Finance (Mr. McCreevy): I am informed by the Revenue Commissioners that the taxpayer is not obliged to receive a form P60 from his former employer, as he was not in the employment on 31 December 2003. He correctly received a Form P45 from his former employer on cessation of the employment in 2003. The taxpayer subsequently submitted an unemployment repayment claim to the Inspector of Taxes and this claim was processed on 23 January 2004, by issue of a PAYE balancing statement 2003.

I am advised by the Revenue Commissioners that the taxpayer requires a form P60 for 2003, as part of a shared ownership application for local authority housing purposes and that the balancing statement issued on 23 January 2004, by the Inspector of Taxes, will suffice for such purpose. The Inspector of Taxes has arranged

that a duplicate PAYE balancing statement 2003 issues to the taxpayer, in the event that the original has been mislaid. The Inspector of Taxes has also arranged that a letter, showing the taxpayer's earnings from each employment in 2003, issues to the taxpayer.

Ministerial Appointments.

158. **Ms Burton** asked the Minister for Finance the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6271/04]

Minister for Finance (Mr. McCreevy): The following table sets out the appointments made since 6 June 2002 to various companies, boards and agencies operating under the aegis of my Department. My aim in making such appointments is to select people with the required qualities, expertise and experience to make a contribution to the body in question.

Company/Board/Agency	Names of people appointed since 6 June 2002	Date on which appointments were made
National Development Finance Agency	Dr Michael Somers Mr Jim Farrell Ms Ann Fitzgerald Mr Anthony Jones Mr Peter McManamon Ms Ann Counihan	January 2003 December 2003
National Lottery Board	Mr Kieran McGowan Mr John Hynes Mr Eamonn Ryan Mr Donal Curtin Mr Ray Bates Mr Micheal Ó Muircheartaigh	November 2002 July 2003 November 2003 November 2003
Central Bank & Financial Services Authority of Ireland (1)	Mr Gerard Danaher Ms Deirdre Purcell Mr David Begg Mr Friedhelm Danz Mr John Dunne Mr Roy Donovan Mr Martin O'Donoghue	May 2003 May 2003
Irish Financial Services Regulatory Authority(2)	Mr Brian Patterson (Chair) Mr Alan Ashe Mr Friedhelm Danz Mr Gerard Danaher Mr John Dunne Mr Jim Farrell Ms Deirdre Purcell Mr Dermot Quigley	 May 2003
Revenue Powers Group	Mr Justice Francis Murphy, (Chair) Ms Julie Burke Mr James Jennings Ms Suzanne Kelly Mr Sean Moriarty Mr Michael Mullins Mr Roderick Ryan	March 2003

Company/Board/Agency	Names of people appointed since 6 June 2002	Date on which appointments were made
Decentralisation Implementation Committee	Mr Phil Flynn (Chair) Mr Eddie Sullivan Mr Sean Benton Ms Jane Williams Mr Dermot Quigley Mr Fred Devlin	December 2003
Valuation Tribunal	Ms Mairead Hughes	September 2003
Interim Board of the Civil Service Childcare Agency	Mr John Bradshaw Ms Marie McLaughlin Mr Ernan Tobin	April 2003 June 2003 February 2004
Disabled Drivers Medical Board of Appeal	Dr Angela McNamara Dr Austin O'Carroll Dr Frank X Keane	June 2002
Central Steering Committee for Expenditure Reviews	Mr John Hynes	June 2002
Independent Estimates Review Committee	Ms Julie O'Neill Mr Kevin Bonner Mr Maurice O'Connell Mr Dermot Quigley	October 2002 July 2002
Committee for Performance Awards	Ms Ann Fitzgerald	January 2003
Civil Service Arbitration Board	Mr Gerard Durcan S.C. (Chairperson) Mr Derek Hunter Mr Tom Wall	July 2002
Adjudicator for the Civil Service and Teachers C&A Schemes	Ms Niamh Stewart B.L.	July 2002
Permanent Defence Forces Arbitration Board	Mr Gerard Durcan S.C. (Chairperson) Mr Derek Hunter (as member nominated by Government) Mr George Maybury (as member nominated by the representative associations)	January 2004
Adjudicator for Defence Forces C&A Scheme	Ms Niamh Stewart B.L.	January 2004
Independent Mediation Officer for the Civil Service Grievance Procedure	Mr Kieran McGovern	March 2003
Chairperson of the Civil Service Disciplinary Code Appeals Board	Ms Inge Clissmann	April 2003
Alternate Director at the European Bank for Reconstruction and Development	Mr Desmond O'Malley	July 2003
Alternate Director of the International Monetary Fund	Mr Charles X O'Loughlin	May 2003
Board of Directors of the European Investment Bank	Mr Noel O'Gorman	March 2003

Finally, in addition to the appointments outlined in the above table, the President, on the advice of the Government following a resolution passed by both Houses of the Oireachtas, appointed Ms Emily O'Reilly as Ombudsman and Freedom of Information Commissioner with effect from June 2003.

Footnotes:

(1) In addition to the persons named above the following are *ex officio* members of the board; the Governor and Director General of the Bank, the Secretary General of the Department of Finance, the Chairperson of the Irish Financial Services Regulatory Authority and the Chief Executive of that Authority.

(2) In addition to the persons named above the chief executive and the consumer director of the Authority are *ex officio* members of the board.

Tax Regimes.

159. **Mr. R. Bruton** asked the Minister for Finance if he has acted on the recommendations of the OECD reports on harmful tax competition; if he has satisfied himself that no provisions of Irish tax law fall foul of the criteria set out by the OECD; and the extent to which Ireland participates in the various fora of the OECD on harmful tax competition. [6310/04]

Minister for Finance (Mr. McCreevy): The OECD report, Harmful Tax Competition: An Emerging Global Issue, published in 1998 established an international framework to counter the spread of harmful tax competition. The report focused on geographically mobile activities, such as financial and other service

[Mr. McCreevy.]

activities. It adopted certain criteria for determining whether preferential tax regimes in OECD member countries were harmful as well as guidelines for addressing such harmful preferential regimes. Under the guidelines, member countries were asked to refrain from adopting new measures or extending the scope of or strengthening existing measures that constitute harmful tax practices; review existing measures for the purpose of identifying those that constitute harmful tax practices; and remove the harmful features of any harmful preferential regimes within five years.

To carry out its work on identifying harmful preferential tax regimes, the OECD requested that each member country perform a self-review of its preferential tax regimes by reference to the relevant criteria.

Ireland has participated fully in the OECD harmful tax competition project and has completed a self-review of the four relevant regimes: international finance services centre, the Shannon Airport zone, foreign dividend exemption and foreign branch profit exemption. There are no outstanding issues in regard to these regimes.

Finally, the harmful tax competition work is carried out principally through the forum — working group — on harmful tax practices, a subsidiary body of the Committee on Fiscal Affairs. Officials from the Department of Finance and the Revenue Commissioners serve on the steering group of the forum, along with Government representatives of France, Japan and the United States.

160. **Mr. R. Bruton** asked the Minister for Finance if the EU has adopted position papers on the harmonisation of corporate tax regimes; if the Government has carried out an evaluation of the regime here as a basis for defending the rights of member states to develop their own corporate tax regimes; and if he will make a statement on the matter. [6311/04]

Minister for Finance (Mr. McCreevy): In 2001, the European Commission issued a communication setting out its strategy in the company taxation area. Its strategy is a twin track approach of targeting particular obstacles in the short to medium term by taking a direct approach to each of the issues and finding a specific answer to the problem; and adopting a longer term comprehensive measure, a proposal for a common consolidated corporate tax base for companies for their EU-wide activities. In 2003, the Commission issued a communication which updated developments on the 2001 communication.

We have no particular difficulty in addressing the removal of tax obstacles to trade where these are shown to exist. We do not go along with tax harmonisation or with proposals for a consolidated tax base. In our evaluation, and in

my experience, the best way to defend a member state's right to pursue its own tax policies appropriate to its needs is to retain the requirement for unanimity on all tax issues when they come before Council.

161. **Mr. R. Bruton** asked the Minister for Finance if he has conducted an evaluation of the corporate tax regimes of the new entrants to the EU; the key areas in respect of which they differ from the regime here; and his views on whether any of these provisions constitute harmful tax competition. [6312/04]

Minister for Finance (Mr. McCreevy): During the accession negotiations, the accession states committed themselves to the principles of the code of conduct, adopted in December 1997, and to introducing only new measures that are in conformity with those principles. The Deputy will recall that the code of conduct is a political agreement designed to curb harmful competition in business taxation. Once measures were identified as being harmful under the code, then the measure had to be rolled back subject to an agreed time frame for transitional arrangements.

As part of the accession process the EU Commission reviewed the corporate tax regimes of the ten accession states. In doing so, the Commission used the same criteria as that applied when the corporate tax regimes of the existing member states were reviewed under the code of conduct process. The findings of the Commission were then considered by the member states and Council agreed that a number of the 30 regimes identified have harmful features which must be rolled back.

From 1 May 2004, the accession states as full members of the Union will be members of the code of conduct group. It is anticipated that work will continue in that group.

What is clear is that each member state as well as the accession states has different corporate tax regimes. One of the key areas in which they differ is in their corporate tax rates. While we have always played our part in the evaluation of other corporate regimes we have also stated that the rate of tax applying is not a valid criteria. We believe that the issue of all tax rates is a sovereign matter for each member state to decide, so long as the underlying regime is not harmful. This has long been Ireland's position and will remain so.

Tax Code.

162. **Mr. Cregan** asked the Minister for Finance the situation in relation to inheritance tax from parents of three children; the details of the exemption thresholds; if the family home in which one single working child lives with parents is valued and included in the estate; the situation if the house, for example, of €500,000 is to go to such a child and the balance of, for example, €400,000 is to be divided equally, if this would push one person over the threshold; if not, if the estate and exemption limits are tested in totality;

if it is advisable to share the estate equally and allow the siblings make private arrangements to settle the house transfer; and if this is in order. [6394/04]

Minister for Finance (Mr. McCreevy): For the purpose of gift and inheritance tax, the

relationship between the person who provided the gift or inheritance, i.e. the disponer, and the person who received the gift or inheritance, i.e. the beneficiary, determines the maximum tax-free threshold. The group thresholds are indexed by reference to the consumer price index. The current year thresholds are as follows:

Group	Relationship to Disponer	Group Threshold 2004
A	Son/Daughter	€ 456,438
B	Parent*/Brother/Sister /Niece/Nephew/Grandchild	45,644
C	Relationships other than Group A or B	22,822

*In certain circumstances, a parent taking an inheritance from a child can qualify for group A threshold.

Estates and exemption limits are not tested in totality rather each beneficiary is entitled to the thresholds outlined and inheritance or gift tax is imposed on each individuals benefit from an estate.

In regard to the example outlined by the Deputy, a child inheriting under €456,438 would be exempt from inheritance tax provided there were no prior benefits received from this individual falling into the same group threshold. All benefits taken within the same threshold since 5 December 1991 are aggregated in calculating tax due.

Where a benefit inherited by a child includes property valued over €456,438 there would normally be a tax liability attached to the benefit exceeding that sum, calculated at the rate of 20%. However, in circumstances where a child is resident in that property, section 86 of the Capital Acquisitions Consolidation Act 2003 may apply. This section provides that gifts or inheritances of a dwelling-house taken on or after 1 December 1999 will be exempt from capital acquisitions tax provided the following conditions are complied with: the recipient has occupied the dwelling house continuously as his or her only or main residence for a period of three years prior to the date of the gift or inheritance; at the date of the gift or inheritance of the dwelling-house the beneficiary must not own any other dwelling-house or any interest in any other dwelling house; and the beneficiary must occupy the dwelling house as his or her only or main residence for a period of six years after the date of the gift or inheritance. This will not apply where a beneficiary is 55 years or over on the date of the gift or inheritance.

In regard to subsequent or additional inheritances taken by an individual benefiting from the dwelling house exemption above, the full tax-free thresholds apply before they become liable to inheritance tax.

With regard to sharing an estate equally and allowing siblings to make private arrangements for settling the house transfer, I would refer to the threshold for group B above and point out

that gifts over this amount would have a liability to gift tax.

Foreign Honours.

163. **Mr. Morgan** asked the Minister for Foreign Affairs the full details of each occasion in the past ten years on which the Government has consented or objected to the receipt of titles of nobility or of honour by citizens of this State with reference to Article 40.2.2 of the 1937 Constitution; and if he will make a statement on the matter. [6285/04]

Minister for Foreign Affairs (Mr. Cowen): The prior approval of the Government, as provided for in Article 40.2.2 of the Constitution of Ireland, has been required by an Irish citizen on two occasions in the past ten years and this approval was given.

This prior approval was given in December 2000 on the awarding of a knighthood to Dr. A.J.F. O'Reilly by the United Kingdom and in July 2001 for the awarding of the Darhaji Panglima Jasa Negara, PJN, Kerhormat, to Mr. John F. Coyne by Malaysia.

Ministerial Appointments.

164. **Ms Burton** asked the Minister for Foreign Affairs the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6272/04]

Minister for Foreign Affairs (Mr. Cowen): In August 2002, the Minister for Foreign Affairs appointed the following to the board of the Fulbright Commission for a two year term: Prof. Patrick Fottrell, former president, NUI Galway; Prof. Brian Hillery, emeritus professor, graduate school of business, UCD; Prof. Joyce O'Connor, president, National College of Ireland; and Dr. Don Thornhill, chairperson, Higher Education Authority.

On the recommendation of the report of the Ireland Aid review committee, the Government

[Mr. Cowen.] decided to establish the advisory board of Ireland Aid, ABIA, subsequently changed to the advisory board for development co-operation. The Minister appointed the following persons to the advisory board for a three year period with effect from 1 August 2002: Mr. Desmond O'Malley, chairperson, who resigned on 16 July 2003; Mr. David Andrews; Mr. David Begg; Mr. Howard Dalzell; Mr. Jerry Liston; Fr. Gerard O'Connor; Mr. Larry O'Loughlin; Ms Morina O'Neill; Ms Sally O'Neill; and Ms Lorraine Sweeney.

On 6 March 2003, the Minister appointed Mr. Pádraig McManus to the advisory board and on 4 September 2003, Mr Chris Flood was appointed to succeed Mr O'Malley as chairperson.

On the recommendation of the report of the Ireland Aid review committee, the Government decided to establish the Development Education Advisory Committee, DEAC. The following were appointed to DEAC for a two year period with effect from 1 January 2003: Mr. Peadar Cremin, chairperson; Ms June Barry; Mr. Michael Doorly; Fr. P.J. Gormley; Ms Jacqui Harrison; Ms Annette Honan; Ms Alisa Keane; Ms Frances Leahy; Mr. Hugh O'Neill; and Rev. Sahr Yambasu. On 28 March 2003, Ms Honan resigned and was replaced by Ms Morina O'Neill on 8 May 2003. Also in May, Mr. O'Neill was replaced by Mr. Robert Kirkpatrick. Ms Frances Leahy resigned from DEAC on 12 August 2003 and was replaced by Mr. Peter Johnson on 24 October.

Since 6 June, 2002, the following appointments have been made to the board of the Agency for Personal Service Overseas, APSO: 1 August 2002, Mr. Joe O'Hara and Mr. John Murphy; 20 January 2003, Ms Catherine Boylan; 29 April 2003, Ms Helen Browne; 1 August 2003, Mr. Aidan O'Connor 12 September 2003, and Mr. Pat Bourne, to replace Ms Browne who resigned in September 2003. Since 1 January 2004, APSO has been integrated into Development Co-operation Ireland. It is expected that the board of APSO will be wound up shortly.

Special Educational Needs.

165. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science the details of all schools in County Kerry which have applied for special educational resources; the number of children in each school awaiting these services; when the application was made in each case; the status of each application; and if he will make a statement on the matter. [6183/04]

Minister for Education and Science (Mr. N. Dempsey): My Department has received in the region of 140 individual applications for special educational resources, SER, from primary schools in County Kerry between 15 February 2003 and 31 August 2003 and approximately 50 individual applications after 1 September 2003.

SER applications received between 15 February and 31 August 2003, are being considered at present. In all, more than 5,000 such applications were received. Priority was given to cases involving children starting school last September and all these cases were responded to before or soon after the commencement of the current school year.

The balance of more than 4,000 applications has been reviewed by a dedicated team comprising members of my Department's inspectorate and the National Educational Psychological Service, NEPS. These applications are being further considered in the context of the outcome of surveys of SER provision conducted over the past year or so. Account is also being taken of the data submitted by schools as part of the recent nationwide census of SER provision.

The processing of the applications is a complex and time-consuming operation. However, my Department is endeavouring to have this completed as quickly as possible and my officials will then respond to all applicant schools. Pending a response, schools are advised to refer to circular 24/03, which issued in September 2003. This circular contains practical advice on how to achieve the most effective deployment of resources already allocated for special educational needs within the school.

The arrangements for processing applications received after the 31 August 2003 will be considered in the context of the outcome of discussions on a weighted system of allocation of resource teaching support. A further communication will be sent to schools in this regard.

School Staffing.

166. **Mr. McGuinness** asked the Minister for Education and Science if he will examine again the number of pupils who attend and who will attend the Johnswell NS, Kilkenny to determine if a teacher can be retained; and if a decision will be expedited. [6184/04]

Minister for Education and Science (Mr. N. Dempsey): The staffing of a primary school for a school year is determined by reference to the enrolment of the school on 30 September of the previous school year. The staffing schedule governing the appointment and retention of mainstream class teachers is finalised for a particular year following discussions between officials from my Department and the education partners. The staffing schedule for the current school year issued to the boards of management of all primary schools in February 2003 and is also available on my Department's website.

The mainstream staffing of Johnswell NS for the current school year is a principal and two class teachers, based on an enrolment of 54 pupils on 30 September 2002. It is hoped that the staffing schedule for the 2004/05 school year will

be finalised and the necessary circular issued to the relevant school authorities shortly.

Schools Building Projects.

167. **Ms Enright** asked the Minister for Education and Science the expected time-scale before St. Manchan's national school, Tubber, Moate, County Westmeath will be progressed to stage four and five; and if he will make a statement on the matter. [6185/04]

Minister for Education and Science (Mr. N. Dempsey): The proposed large-scale building project for St. Manchan's national school, Tubber, Moate, County Offaly is listed in section 8 of the 2004 school building programme which is published on my Department's website at www.education.ie. This proposed project is at stage 3 — developed sketch scheme — of architectural planning. It has been assigned a band 2 rating by my Department in accordance with the published criteria for prioritising large-scale projects.

The proposed project will be authorised to progress to advanced architectural planning during 2004. Indicative timescales have been included for large-scale projects proceeding to tender in 2004. The budget announcement regarding multi-annual capital envelopes will enable me to adopt a multi-annual framework for the school building programme which in turn will give greater clarity regarding projects that are not progressing in this year's programme. I will make a further announcement in that regard during the year.

168. **Ms Enright** asked the Minister for Education and Science when it is expected that St. Manchan's national school, Tubber, Moate, County Westmeath will hear from his Department authorising their design team to go ahead to advanced architectural planning; and if he will make a statement on the matter. [6186/04]

Minister for Education and Science (Mr. N. Dempsey): The proposed large-scale building project for St. Manchan's national school, Tubber, Moate, County Offaly is listed in section 8 of the 2004 school building programme which is published on my Department's website at www.education.ie. This proposed project is at stage 3 — developed sketch scheme — of architectural planning. It has been assigned a band 2 rating by my Department in accordance with the published criteria for prioritising large-scale projects.

The proposed project will be authorised to progress to advanced architectural planning during 2004. Indicative timescales have been included for large-scale projects proceeding to tender in 2004. The budget announcement regarding multi-annual capital envelopes will enable me to adopt a multi-annual framework for

the school building programme which in turn will give greater clarity regarding projects that are not progressing in this year's programme. I will make a further announcement in that regard during the year.

School Accommodation.

169. **Ms O'Sullivan** asked the Minister for Education and Science if his attention has been drawn to the shortage of primary school places in Portlaoise and to the fact that parents in Portlaoise are being told that their children must wait until they are six before they will receive school places; the plans he has to provide additional primary places in Portlaoise for September 2004; and if he will make a statement on the matter. [6187/04]

Minister for Education and Science (Mr. N. Dempsey): The Deputy will be aware that a facilitator, Dr. Tom McCarthy, was appointed to assist in the development of a long-term plan for the provision of primary and post-primary school accommodation in the Portlaoise area.

Following receipt of his recommendations it was decided that the educational provision at post-primary level required to be addressed as a matter of urgency. As this has now been finalised, officials in the school planning section of my Department are examining the educational provision at primary level with a view to establishing the best way forward. The school authorities will be kept informed of the situation.

School Staffing.

170. **Ms O'Sullivan** asked the Minister for Education and Science the action his Department can and does take when a school employs an untrained teacher in a situation in which a trained teacher is available for the post concerned; and if he will make a statement on the matter. [6188/04]

Minister for Education and Science (Mr. N. Dempsey): My Department's position is that, as far as possible, fully qualified teachers should be employed in primary schools. While there is a shortage of trained teachers and it is not always possible, as a result, to secure the services of a trained teacher, school authorities are expected to make reasonable efforts to ensure that any vacancy which may arise is filled by a fully qualified teacher.

If my Department becomes aware of a situation where an unqualified teacher is employed in preference to a fully qualified teacher, the matter will be taken up with the school authorities concerned.

Special Educational Needs.

171. **Mr. Ellis** asked the Minister for Education and Science if his Department will provide cover

[Mr. Ellis.]
for a person (details supplied) which was applied for in 2003. [6189/04]

Minister for Education and Science (Mr. N. Dempsey): I can confirm that my officials have recently written to the board of management of the school referred to by the Deputy approving special needs assistant support for the pupil in question.

Departmental Appointments.

172. **Ms Burton** asked the Minister for

Education and Science the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6273/04]

Minister for Education and Science (Mr. N. Dempsey): The information requested by the Deputy is contained in the following tabular statement.

Department of Education and Science —
Ministerial Appointments to State board,
agencies and companies since 6 June 2002.

Board/Company	Name	Date of Appointment
Higher Education Authority	Mr. Colm Jordan	01 July, 2002
	Dr. Maurice Bric	11 February, 2003
	Prof. Ciaran Murphy	11 February, 2003
	Prof. Sarah Moore	11 February, 2003
	Mr. Colm Jordan	11 February, 2003
	Ms. Prisca Grady	11 February, 2003
	Cllr. Maria Corrigan	11 February, 2003
	Ms. Carol M. Herron	11 February, 2003
	Mr. Will Priestley	01 July, 2003
National University of Ireland	Mr. Benedict Reid	11 February, 2003
	Ms. Cathy Honan	11 February, 2003
	Mr. Chris Flood	11 February, 2003
	Ms. Tina Roche	11 February, 2003
University of Limerick	Mr. Don O'Malley	14 February, 2003
	Ms. Kaye Doyle	14 February, 2003
	Mr. Michael Ryan	14 February, 2003
National College of Art and Design	Mr. Charlie Hennessy	14 February, 2003
	Dr. Fionnuala Doyle-O'Neill	14 February, 2003
	Ms. Mairín Quill	14 February, 2003
	Mr. Ciaran Mac Gonigal	14 February, 2003
	Ms. Patricia Oliver	14 February, 2003
	Mr. Frank Bissette	14 February, 2003
	Dr. Niamh O'Sullivan	14 February, 2003
	Mr. Robert Corish	14 February, 2003
	Mr. John Brennan	14 February, 2003
	Ms. Betty Newman Maguire	12 May, 2003
School of Celtic Studies, Dublin Institute for Advanced Studies	Prof. Máire Herbert Prof. Ruairí hUiginn	11 September, 2003 11 September, 2003
Léargas — The Exchange Bureau	Two vacancies	Under consideration at present
Residential Institutions Redress Board	Dr. Helen Cummiskey	25 June, 2002
	Prof. Desmond Greer	25 June, 2002
	Dr. Ruth Pilkington	10 October, 2002
	Mr. Richard O'Connell	2 December, 2002
	Judge Sean O'Leary	5 December, 2002
	Ms. Ann O'Brien	May, 2003
	Mr. John O. Mason	23 September, 2003
	Ms. Mary Concannon Bleutt	25 September, 2003
	Ms. Darina Conlon	January, 2004
	Judge John Buckley Mr. Colm Gaynor	16 December, 2002 23 May, 2003
National Educational Welfare Board	Mr. Brendan Callaghan	February, 2003
	Mr. Richard Dooley	May, 2003

Board/Company	Name	Date of Appointment
An Chomhairle um Oideachas Gaeltachta	Seán O Floinn Nóra Ni Loingsigh	March, 2003 March, 2003
TRBDI Ltd	Mr. Michael Bulfin Mr. Seamus O'Keefe Mr. Michael Bulfin Mr. Seamus O'Keefe Ms. Fionnuala McGeever Mr. Luke Murtagh Mr. Conor Morris Ms Maeve O'Sullivan Ms. Sheila Hctor Mr. Tim Looby Mr. David Hough Mr. Padraig Culbert Ms. Elaine Gleeson Ms. Frances Fogarty Mr. James Murphy	19 June, 2002 17 December, 2002 25 April, 2003 (reappointed) 25 April, 2003 (reappointed) 25 April, 2003 25 April, 2003 25 April, 2003 25 April, 2003 25 April, 2003 25 April, 2003 25 April, 2003 25 April, 2003 20 June, 2003 26 November, 2003 26 November, 2003
National Council for Special Education	Tom Murray Christy Lunch Mary Grogan Mary Keane Maisie Dooley Gearoid O'Conluain Daraine Mulvihill Brendan Ingoldsby Antoinette Buggie PJ Gannon Dr. Michael Shelvin Frankie Berry	24 December, 2003 24 December, 2003 24 December, 2003 24 December, 2003 24 December, 2003 24 December, 2003 24 December, 2003 24 December, 2003 24 December, 2003 24 December, 2003 24 December, 2003 24 December, 2003
National Centre for Technology in Education	John Fanning Dr. Gerard McNamara Dr. Sarah Fitzpatrick Ms. Una Halligan Ms. Eileen Ward Jerome Morrissey Bill Morrissey	1 October, 2003 1 October, 2003 1 October, 2003 1 October, 2003 1 October, 2003 1 October, 2003 1 October, 2003
Advisory Council for English Language Schools ACELS	Anne Murray Margaret Kelly	February, 2003 October, 2003
Integrate Ireland Language Training Ltd (Board of Directors)	Emer Egan Tom Plunkett Paul Caffrey	28 February, 2003 28 February, 2003 12 December, 2003 (replacing Emer Egan)
National Council for Curriculum and Assessment (NCCA)	Sr. Catherine Prendergast Dr. Catherine O'Brien Doreen McMorris	January 2003 January 2003 January 2003
State Exams Commission	Mr. Jimmy Farrelly M.B. O'Hara Barra O'Briain	March 2003 March 2003 March 2003

Board/Company	Name	Date of Appointment
Commission to Inquire into Child Abuse	Dympna Glendunning	March 2003
	Dr. Martin Newell	March 2003
	Judge Sean Ryan	December 2003

Schools Building Projects

173. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science if funding will be provided under the summer works scheme 2004 for the provision of work on the playground and boundary wall at Holy Cross Mercy School, Killarney, for safety purposes; and if he will make a statement on the matter. [6286/04]

Minister for Education and Science (Mr. N. Dempsey): The scope of the works required at the school referred to by the Deputy is appropriate for consideration under the summer works scheme which was announced in December last.

Officials in the school planning section of my Department are currently in the process of registering and assessing all applications received for the summer works scheme 2004. Details of the result of this assessment and the schools which will receive funding will be published no later than 27 February 2004.

174. **Mr. O'Connor** asked the Minister for Education and Science the status of the building programme at St. Killian's national schools, Castlevew, Kingswood Heights, Tallaght, Dublin 24; the action proposed in respect of the ongoing roof problem; and if he will make a statement on the matter. [6317/04]

Minister for Education and Science (Mr. N. Dempsey): The proposed large-scale building project for St. Killian's national school is listed in section 8 of the 2004 school building programme which is published on my Department's website at www.education.ie. This proposed project is at stage 4/5, detail design/bill of quantities, of architectural planning. It has been assigned a "band 3" rating by my Department in accordance with the published criteria for prioritising large-scale projects.

Indicative timescales have been included for large-scale projects proceeding to tender in 2004. The budget announcement regarding multi-annual capital envelopes will enable me to adopt a multi-annual framework for the school building programme which in turn will give greater clarity regarding projects that are not progressing in this year's programme, including St. Killian's national school. I will make a further announcement in that regard during the year.

With regard to the roof problem, a member of my Department's staff has visited the school and has reported that the roof has now been repaired. The school were also advised to complete an

application under the summer works scheme for roof replacement, however, according to my Department's records, no application for these particular works has been made.

A consultant working for the Office of Public Works has also visited the school to prepare a report on the asbestos. The air tests carried out were clear and the OPW will continue to monitor this situation.

Special Educational Needs.

175. **Mr. F. McGrath** asked the Minister for Education and Science if the process for the urgent need of 4,000 special needs assistants will be accelerated in order to assist children with disabilities; and if he will make a statement on the matter. [6393/04]

Minister for Education and Science (Mr. N. Dempsey): I take it that the Deputy is referring to the balance of 4,000 applications for special education resources, SER, received from schools between 15 February 2003 and 31 August 2003.

SER applications received in my Department in that period are being considered at present. In all, more than 5,000 such applications were received. Priority was given to cases involving children starting school last September and all these cases were responded to before or soon after the commencement of the current school year.

The balance of more than 4,000 applications has been reviewed by a dedicated team comprising members of my Department's inspectorate and the National Educational Psychological Service, NEPS. These applications are being further considered in the context of the outcome of surveys of SER provision conducted over the past year or so. Account is also being taken of the data submitted by schools as part of the recent nationwide census of SER provision.

The processing of the applications is a complex and time-consuming operation. However, my Department is endeavouring to have this completed as quickly as possible and my officials will then respond to all applicant schools. Pending a response, schools are advised to refer to Circular 24/03, which issued in September 2003. This circular contains practical advice on how to achieve the most effective deployment of resources already allocated for special educational needs within the school.

Departmental Appointments.

176. **Ms Burton** asked the Minister for

Communications, Marine and Natural Resources the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6274/04]

Minister for Communications, Marine and Natural Resources (Mr. D. Ahern): The material requested by the Deputy is provided in the following table.

State Body	Name of Appointee(s)	Date of Appointment
An Post	Ms Margaret McGinley (Chairperson)	04.02.2003
	Mr. Donal Curtin (Chief Executive)	14.07.2003
	Ms Cathy Herbert	04.02.2003
	Mr. Peter Wyer	04.02.2003
	Mr. James Quinlivan	09.05.2003
	Mr. James Hyland	11.12.2003
	Mr. James Alan Sloane*	01.01.2004
	(*elected Postmaster Director: appointment requires Minister's approval)	
Commission for Communications' Regulation	Mr. John Doherty (Chairperson)	02.01.2003
	Ms. Isolde Goggins (Commissioner)	30.11.2004
RTE	Mr. Des Geraghty	22.10 2002
Broadcasting Authority of Ireland	Mr. Conor J. Maguire (Chairperson)	02.12 2003
	Mr. John Waters	"
	Ms. Mary Davis	"
	Ms. Angela Kerins	"
	Ms. Kay McGuinness	"
	Mr. Tom Collins	"
	Ms. Vivienne Jupp	"
	Mr. John O'Brennan	"
	Ms Mary Kerrigan	"
	Mr. Joe Griffin	"
	Mr. William Burgess (Chairperson)	21.07.2003
	Mr. Philip Flynn (Chief Executive)	31.07.2003
Digital Hub	Dr. Don Thornhill	"
	Mr. Dan Flinter	"
	Mr. John Fitzgerald	"
	Mr. Sean Dorgan	"
	Mr. Paul Kavanagh	"
	Mr. Peter Cassells	"
	Ms Jackie Harrison	"
	Mr. Paul McGuinness	"
	Mr. Padraig McManus (Chief Executive)	17.02.2002
	Mr. Joe Lacumbre* (Deputy Chairperson)	01.01.2003
	Mr. John McGinley*	"
	Mr. Pat Smith*	"
ESB		

State Body	Name of Appointee(s)	Date of Appointment
	Mr. Eamonn Connelly*	01.01.2003
	(*elected Worker Directors: these appointments require the Minister's approval)	
Bord na Móna	Mr. Donagh O'Donoghue (Chairperson)	13.11.2002
	Mr. Fergus McArdle	"
	Mr. Paschal Campbell	"
	Ms. Johanna Downes	"
	Mr. P.J. Coghill	19.05.2003
Bord Gáis Éireann	Mr. Pearse O'Hanrahan	19.12.2002
	Mr. Tom Donlon	26.03.2003
	Mr. Micheal O'Faolain	19.05.2003
Sustainable Energy Ireland	Mr. Martin Finucane	24.10.2003
Coillte Teoranta (appointments made up to transfer of responsibility to Minister for Agriculture on 01.01.2004)	Mr. Brendan McKenna (Chairperson)	26.06.2002
	Ms. Sinead Leech	"
	Mr. Martin Lowery (Chief Executive)	"
	Mr. Breffni Byrne	07.08.2002
	Mr. Richard Howlin	14.05.2003
	Mr. Frank Toal	29.07.2003
Irish National Petroleum Corporation	Mr. Edmund O'Connell (Chairperson)	22.06.2002
	Mr. Seamus Ó Scolláin	25.09.2003
	Ms. Mary Austin	"
	Mr. Vincent Caffrey	"
Mining Board	Mr. Philip O'Brien (Chairperson)	21.07.2003
	Mr. John Shackleton	04.12.2003
	Mr. Eoin Ó Buachalla	"
Port of Cork Company	Cllr. Tim Falvey	14. 02.2002
	Mr. Paul Millard	15.10.2002
	Mr. David Doolan	"
Dublin Port Company	Ms. Brenda Daly	22.09.2002
	Mr. Seamus Martin	"
Dún Laoghaire Harbour Company	Mr. Thomas Quinn	05.12.2002
	Mr. Don McManus	05.02.2004
Drogheda Port Company	Mr. Tom O'Reilly	24.01.2003
	Mr. Frank Maher	"
	Cllr. Jacqui McConville	21.12.2003
Galway Harbour Company	Mr. Robert Molloy	10.02.2003
	Mr. Martin Connolly	04.12.2003
New Ross Port Company	Ms. Rosie Kehoe	17.02.2004
	Cllr. Sean Connick	"
Shannon Foynes Port Company	Mr. Gerard Reidy	17.02.2002
	Mr. Joe Treacy	"
Port of Waterford Company	Ald. Thomas Cunningham	19.08.2002
	Mr. Ben Gavin (Chairperson)	05.02.2004
	Ms Fiona Robbins	"
	Mr. Pádraig Ó Grófa	"

State Body	Name of Appointee(s)	Date of Appointment
	Mr. Maurice Lonergan	”
	Mr. Michael Flynn	”
	Mr. Patrick Murphy	”
	Mr. Derek Donnelly	”
Marine Institute	Dr. J.P. Crowley (Chairperson)	11.04.2003
	Mr. Joey Murrin	28.11.2003
Bord Iascaigh Mhara	Mr. Patrick Gallagher	06.06.2002
	Mr. Hugh Byrne (Chairperson)	08.07.2003
Loughs' Agency	Mr. Jack Allen	13.12.2002
	Mr. Keith Anderson	”
	Mr. Francis Feeley	”
	Mr. Dick Blackiston-Houston	”
	Dr. Patrick J. Griffin	”
	Lord Cooke of Islandreagh	”
	Ms. Siobhán Logue	”
	Ms. Jacqui McConville	”
	Mr. Joseph Martin	”
	Mr. Tarlach Ó Crosáin	”
	Mr. Peter Savage	”
	Mr. Andrew Ward	”
	(these appointments were made jointly with the Secretary of State for Northern Ireland)	
Eastern Regional Fisheries' Board	Ms. Betty Hayes	08.12.2003
National Salmon Commission	Dr. Philip McGinnitty	31.01.2003
	Mr. Brendan O'Rourke	19.08.2003
	Mr. Brian Sheerin	31.01.2003
		20.08.2003

Sports Capital Programme.

177. **Dr. Cowley** asked the Minister for Arts, Sport and Tourism if there are grants or plans to make moneys available to establish a gymnasium in the area of Louisburgh, County Mayo; and if he will make a statement on the matter. [6208/04]

179. **Dr. Cowley** asked the Minister for Arts, Sport and Tourism if there are grants available to establish a gymnasium in a rural area of west Mayo; and if he will make a statement on the matter. [6203/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 177 and 179 together.

The national lottery funded sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications are considered which have been submitted by or on behalf of voluntary and community organisations, including sports clubs; in certain circumstances, schools, colleges and local authorities; and national governing bodies of sport and third level education institutions, where it is evident that the proposed facility will contribute to the regional and-or national sporting infrastructure.

The 2004 sports capital programme was advertised in the national newspapers on 30 November and 1 December 2003. The closing date for receipt of applications was 16 January 2004. No application for funding was received under the programme for a gymnasium in the Louisburgh area. No further applications can now be made in 2004.

It remains open for the group behind this project to submit an application under a future round of the sports capital programme. The application can then be evaluated against the programme's assessment criteria to determine its suitability for funding. The assessment criteria of

[Mr. O'Donoghue.] the sports capital programme are outlined in the guidelines, terms and conditions of the programme. I have arranged for officials within my Department to send on a copy of the current guidelines, terms and conditions to the Deputy for his information.

178. **Mr. Deenihan** asked the Minister for Arts, Sport and Tourism the timescale nor the commencement of work on the new stadium at Lansdowne Road; and if he will make a statement on the matter. [6170/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Preparatory work leading to the construction of a new stadium at Lansdowne Road is already under way. Since the Government's decision of 27 January to support a joint IRFU-FAI proposal to redevelop Lansdowne Road into a 50,000 all seated stadium, my Department has been in regular contact with both the IRFU and FAI to plan for project implementation. A steering group has been established to advance the project, which includes representatives of the IRFU, FAI, my Department and OPW. Its first formal meeting was held last Monday morning, 23 February. A priority for the steering group will be to ensure that all the legal, financial, planning and procurement requirements are met in an efficient and timely manner so that the work on the project can commence at the earliest possible date.

Actual construction, which is expected to take 29 months, is scheduled to commence in 2006 and be completed by the end of 2008. The delivery of the project will be undertaken by a special purpose vehicle to be set up by the IRFU and FAI. Discussions leading to the establishment of such a vehicle are at an advanced stage.

Question No. 179 answered with Question No. 177.

EU Presidency.

180. **Caoimhghín Ó Caoláin** asked the Minister for Arts, Sport and Tourism the details of the programme for marking the access of new EU member states in Dublin on 1 May 2004; the time, nature and location of events; the projected cost; and if he will make a statement on the matter. [6204/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under the cultural programme of the Irish Presidency of the EU, which I launched on 7 January last, each of the new member states will be officially welcomed into the EU by an Irish city or town in a special day of welcomes on Saturday, 1 May. The participating towns and

cities are Bray, Waterford, Cork, Limerick, Killarney, Galway, Sligo, Letterkenny, Drogheda and Kilkenny. This day will be at the heart of the national celebrations that will involve each of the ten towns and cities hosting distinct and engaging 'European Fairs'. A fireworks extravaganza in Dublin will commence celebrations in the capital on Friday, 30 April.

Dublin will also see Merrion Square transformed into a colourful bazaar with marquees, stands and stages making up 'The European Fair' on Saturday, 1 May. It is expected that over 100,000 visitors will pass through the fair over the weekend to enjoy the experience of unique and interesting produce from the new EU member states and participate in this fun cultural activity.

A major concert of Irish and international stars will take place in Dublin on the evening 1 May and will be a highlight of the weekend. The concert will be produced by RTE and the BBC.

From 22 April until 3 May, there will be a presentation of Vectorial Elevation, one of the most unique and the world's largest on-line artworks. Some 24 searchlights will be located on and over the buildings in O'Connell Street. Every six seconds, from dusk to dawn, a new design will be rendered on the sky for all to see while a large screen will display the signature and comments of the author.

The total projected costs for these celebratory events is €2.144 million.

Ministerial Appointments.

181. **Ms Burton** asked the Minister for Arts, Sport and Tourism the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6275/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The information requested by the Deputy is set out below:

Arts Council

Name of Appointee — Date of Appointment

Philip King — 14 August 2003

Jerome Hynes — 14 August 2003

John McGahern — 14 August 2003

Patrick Sutton — 14 August 2003

Willie Doherty — 14 August 2003

Theo Dorgan — 14 August 2003

Orlaith McBride — 14 August 2003

Noelle Campbell Sharp — 14 August 2003

Emer O'Kelly — 14 August 2003

Úna Ó Murchú — 14 August 2003

Rosaleen Linehan — 14 August 2003

Mary Nunan — 14 August 2003
Olive Braiden — 14 August 2003

Abbey Theatre

Name of Appointee — Date of Appointment
Philip King — 26 May 2003
Jerome Hynes — 26 May 2003

Fáilte Ireland

Name of Appointee — Date of Appointment
Mary McKeon — 28 May 2003
Patrick O'Donoghue — 28 May 2003
Gillian Bowler — 28 May 2003
Dominic Dillane — 28 May 2003
John McDonnell. — 28 May 2003
Catherine Reilly — 28 May 2003
Noel McGinley — 28 May 2003
Pádraig Ó'Céidigh — 28 May 2003
Maureen Cairnduff — 28 May 2003
Eithne Scott-Lennon — 28 May 2003
Noel O'Callaghan — 28 May 2003
Páidí Ó Sé — 28 May 2003
Brian Dowling — 28 May 2003

Tourism Ireland *

Name of Appointee Date of Appointment
Gillian Bowler — 28 May 2003
Shaun Quinn — 28 May 2003

*There are currently 12 members on the board of Tourism Ireland. By virtue of being a North-South body, appointments to the Board of Tourism Ireland are made on a joint North-South basis by the North-South Ministerial Council. The period of appointment of the first Board has been extended by the North South Ministerial Council for a further year to December 2004.

Campus & Stadium Ireland Development Ltd. (CSID)
Name of Appointee — Date of Appointment
No appointments — N/A

National Concert Hall

Name of Appointee — Date of Appointment
No appointments — N/A

National Museum of Ireland Caretaker Board

Name of Appointee — Date of Appointment
No appointments — N/A

Irish Film Board

Name of Appointee — Date of Appointment
No appointments — N/A

Music Board Of Ireland

Name of Appointee — Date of Appointment
No appointments — N/A

National Museum of Ireland and Botanic Gardens Board of Visitors

Name of Appointee — Date of Appointment
No appointments — N/A

Irish Museum of Modern Art

Name of Appointee — Date of Appointment
Gerard Mannix Flynn — 20 January 2004

Chester Beatty Library

Name of Appointee — Date of Appointment
Madeline O'Sullivan — 7 May 2003

Marsh's Library

Name of Appointee — Date of Appointment
Patrick Kilroy — 30 October 2002
Marilyn Taylor — 30 October 2002

National Library

Name of Appointee — Date of Appointment
John Gray — 29 November 2002
Jim O'Shea — 17 December 2003
Irish Manuscript Commission
Name of Appointee — Date of Appointment
Prof. JFM Lydon — 27 May 2003
Prof. DW Harkness — 27 May 2003
Dr. Mary Daly — 27 May 2003
Dr Anngret Simms — 27 May 2003
Dr Mary O'Dowd — 27 May 2003
Prof Nicholas Canny — 27 May 2003
James McGuire — 17 June 2003

National Archives Advisory Council

Name of Appointee — Date of Appointment
His Honour Judge Bryan McMahon — 21 November 2002
Dr. John Bowman — 21 November 2002
Kathleen Browne — 21 November 2002
Dr. Maurice Bric — 21 November 2002
Christopher O'Connell — 21 November 2002
Máire MacConghail — 21 November 2002
Prof Eunan O'Halpin — 21 November 2002
Carol Quinn — 21 November 2002
Dr. Raymond Refaüssé — 21 November 2002
Joan Johnson — 21 November 2002
John Wilson — 21 November 2002
Prof. Mary E Daly — 21 November 2002

National Gallery

Name of Appointee — Date of Appointment
Lochlann Quinn — 10 July 2002
Bruce Arnold — 10 July 2002
Anthony Cronin — 10 July 2002
The Duke of Abercorn K.G. — 21 May 2003
Pauline Bewick — 18 December 2003
Bernard McNamara — 18 December 2003
Dr. Abdul Bulbulia — 18 December 2003

Bord Fáilte (Ceased to Exist in May 2003 — became Fáilte Ireland)

Name of Appointee — Date of Appointment
Noel McGinley — 9 December 2002
Patrick O' Donoghue — 9 December 2002
Páidí Ó' Sé — 9 December 2002
Séan Dunne — 9 December 2002

CERT (Ceased to Exist in May 2003 — became Fáilte Ireland)

Name of Appointee — Date of Appointment
No appointments — N/A

[Mr. O'Donoghue.]

Irish Sports Council

Name of Appointee — Date of Appointment

Mick O'Dwyer — 20 September 2002

Brian Mullins — 20 September 2002

Ronnie McBrien — 20 September 2002

Sheila Dickson — 4 November 2002

Sheila Dickson — 1 July 2003

Niall Quinn — 29 September 2003

Marian McGennis — 29 September 2003

Born Na gCon

Name of Appointee — Date of Appointment

Cathal Curley — 24 January 2003

John Hegarty — 24 January 2003

Helen Nugent — 24 January 2003

Tony McKenna — 29 January 2004

Pádraic Feeney — 29 January 2004

Helen Nugent — 29 January 2004

Horse Racing Ireland

Name of Appointee — Date of Appointment

John Kidd — 18 December 2002

Jerry L. Desmond — 18 December 2002

William Flood — 18 December 2002

Jessica Harrington — 18 December 2003

Cahir O'Sullivan — 18 December 2003

Frank Clarke — 18 December 2003

Access to Sporting Facilities.

182. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism if, arising from his sporting and recreational responsibilities, he has proposals to meet the requirements of various groups attempting to provide playing areas in respect of both active and passive pursuits in various towns and villages throughout the country, where such a requirement exists; and if he will make a statement on the matter. [6296/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports capital programme, which is administered by my Department, is the major source of funding available for the provision of sporting facilities for sporting and community organisations at local, regional and national level throughout the country. Only projects with a clearly defined sporting aspect are considered eligible for the purpose of securing recommendation for grant funding. The programme is advertised on an annual basis. The types of projects funded include indoor sports halls, community sport facilities and sports playing surfaces, changing rooms and shower facilities available for the usage of individual clubs and community organisations.

Since 1998, under the sports capital programme, almost €267 million has been allocated to over 3,500 sport or recreation projects in clubs and community facilities in villages and towns throughout the country.

The 2004 sports capital programme was advertised in the national newspapers on 30 November 3 and 1 December 2003. The closing date for receipt of applications was 16 January 2004. A total of 1,302 applications were received before the closing date and these are currently being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

This Government intends, as it committed to do in An Agreed Programme for Government, to put in place a long-term strategic plan to ensure the development of sports facilities throughout the country. The first step in this process has commenced with a review of the existing sports capital programme under the Department's expenditure review programme, which is currently being finalised. The purpose of this review is to establish what has been achieved under this programme over recent years with a view to identifying gaps in the existing provision and procedures and setting priorities for the future.

Artefacts Displays.

183. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism the number of artefacts in storage due to lack of display space; and the extent to which he can arrange for the display of such items either through schools or various local museums. [6297/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): It is assumed that the Deputy's questions relate to artefacts in the care of the National Museum of Ireland. The national museum is responsible for the care and protection for posterity of Ireland's portable heritage, which comprises a vast number and variety of objects. As a collecting agency with responsibility for their preservation and conservation as well as display, the museum will never be able, nor would it be appropriate for it, to place all of the national collection on display.

The national museum has an ongoing policy of exhibition development at each of its four sites to facilitate greater access and interpretation of the collection. In furtherance of this policy it places the most significant and relevant objects on display to the public in a context that adds to their understanding of the material.

The national museum's active education and outreach programme endeavours to make the collections as accessible, as possible, to schools.

The National Museum of Ireland has a policy of lending material to appropriate museums nationwide, and also has material on loan to most designated county museums.

Arts Funding.

184. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism if he sees circuses as an art form eligible for grant aid; and if he will make a statement on the matter. [6299/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): "Circus" is included in the definition of "arts" contained in the Arts Act 2003. It is therefore eligible to be considered by the Arts Council for funding in accordance with the provisions of Section 24 of the Act.

Arts Plan.

185. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism the role he intends to play in the promotion of the arts; and if he will make a statement on the matter. [6300/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The Arts Act 2003 gives me, as Minister, responsibility for the promotion of the arts within and outside of the State.

In the main, promotion and funding of the arts is delegated to the Arts Council, which is funded by my Department, but operates independently in accordance with the provisions of the Arts Act 2003. I was delighted to be able to increase funding for the council in 2004 by 19% on the 2003 figure, and I will continue to make the best possible case for funding of the arts in the context of annual Estimates processes.

The Arts Act 2003, while giving legislative backing to the independence of the Arts Council in the context of funding decisions, provides mechanisms whereby the Minister of the day can address issues of broad arts policy. In this context, under section 21 of the Act I have directed the council to establish a special committee to advise it on the support of the traditional arts; this special committee is scheduled to report to the council by September 2004.

Under a scheme of capital grants entitled ACCESS, the arts and culture capital enhancement support scheme, my Department has approved capital grants totalling €45.71 million for various kinds of cultural infrastructure including museums, theatres, art centres to the refurbishment of existing performance spaces.

This scheme is designed to lead to the provision of high standard arts and culture infrastructure around the country and it is my hope that it will lead to greater participation in the arts.

The ACCESS scheme placed particular emphasis on community based projects, and 17 such projects are to receive grant aid out of the 44 projects selected.

Tourism Promotion.

186. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism the steps he proposes to take

to boost tourism in 2004; and if he will make a statement on the matter. [6301/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): This year Tourism Ireland and Fáilte Ireland have once again set an ambitious target of 4% growth in visitor numbers to Ireland. In this regard the state agencies have set out a very comprehensive suite of marketing and other activities during 2004 across all product niches and markets, which I am confident, can deliver on these ambitious targets.

Also this year, Exchequer investment in support of tourism services will be just under €115 million. Of this, almost €70 million will be spent in support of the marketing and promotion activities of the tourism State agencies, including the largest ever provision for the tourism marketing fund of €31.5 million. This is both a reflection of the importance attached to marketing as a driver of growth and a strong endorsement of the performance of the two agencies in delivering value for this substantial Exchequer investment.

For the first six months of 2004 Ireland will be hosting the Presidency of the EU and this will provide us with a range of opportunities to heighten awareness of the country and give an associated boost to our tourism prospects. During our Presidency we will play host to around 25 ministerial meetings as well as about 160 meetings and conferences throughout the country with the Presidency touching each of the regions providing invaluable associated exposure and publicity.

The key event for our Presidency will be enlargement which will take place on 1 May the formal date of accession for the ten new member states. To celebrate this historic occasion, Ireland will play host to a day long carnival involving cultural and artistic performances from all the accession countries in an Irish setting, to be broadcast throughout Europe. A day of welcomes will involve a day long series of events throughout the country which will culminate in major outdoor concerts both in Dublin and in Belfast.

This event will provide us with a window into millions of homes as the festivities are due to be broadcast in Europe and the United States.

As part of our Presidency programme, Fáilte Ireland is organising an international tourism conference entitled Charting Tourism Success on the theme of competitiveness and sustainability in Dublin Castle on 5 April. This will be the key tourism event in Ireland's Presidency programme and will serve to enhance the reputation of Ireland in a tourism context and is likely to attract a number of international delegates as well as positive media attention across Europe.

National Sports Stadium.

187. **Mr. Durkan** asked the Minister for Arts,

[Mr. Durkan.]

Sport and Tourism the extent to which he foresees co-operation between the various sporting organisations in regard to the sharing of their respective national stadia; and if he will make a statement on the matter. [6302/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Over recent months I have had ongoing contact with the three main field sports bodies. In my meetings with the IRFU, the FAI and the GAA, I found broad support among them about the need for a second stadium in the Dublin area to complement the existing facilities at Croke Park, which can accommodate 80,000 spectators. There was a consensus that the second stadium should have a capacity of about 50,000.

I was also much encouraged to note that the concept of the new Lansdowne Road stadium, which will be delivered with financial support from the Government, and will be capable of hosting rugby, soccer and Gaelic games was welcomed by all the sports bodies.

The new stadium will meet all the current international standards for rugby and soccer and the pitch area will be of sufficient size to accommodate Gaelic games. The GAA has indicated that it may, in the future, be interested in the use of the stadium for smaller matches for which the large capacity of Croke Park would not be an economic proposition.

Under the current rules of the GAA, Croke Park is not available to host rugby or soccer fixtures. It is expected that this matter will be discussed at the GAA's next Congress in April 2004. The Government recognises that the opening up of Croke Park is a matter for the GAA alone.

Sports Funding.

188. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism if he or his Department has offered directly or through the allocation of national lottery funds, grant assistance to sporting, recreational or theatrical groups; and if he will make a statement on the matter. [6303/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under a scheme of capital grants entitled ACCESS, the arts and culture capital enhancement support scheme, my Department provides national lottery funded capital grants for various kinds of cultural infrastructure including museums, theatres, art centres and the refurbishment of existing performance spaces. The scheme is designed to lead to the provision of high standard arts and cultural infrastructure throughout the country and it is my hope that it will lead to greater participation in the arts. The ACCESS scheme places particular emphasis on community based projects and 17 such projects

are to receive grant aid out of 44 selected during the lifetime of the scheme, 2001 to 2004.

The national lottery-funded sports capital programme, which is administered by my Department, provides funding to voluntary sporting and community organisations at local, regional and national level throughout the country towards the provision of sport and recreational facilities. The programme is advertised on an annual basis. A total of 1,302 applications were received before the closing date for the current round of allocations of 16 January 2004. These applications are currently being evaluated against the assessment criteria outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the 2004 programme as soon as possible after the assessment process has been completed.

The Irish Sports Council is also allocated national lottery funds to provide general assistance to sports organisations and to meet other expenditure on sports activities.

Arts Funding.

189. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism if he has received correspondence from the promoters of the Anna Livia Opera Festival, Dublin; and if he will make a statement on the matter. [6307/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I refer the Deputy to my reply to Question No. 374 of 7 October 2003. The position has not changed since.

Question No. 190 answered with Question No. 103.

Health Services.

191. **Dr. Cowley** asked the Minister for Health and Children when personal assistance will be provided for a person (details supplied) in County Mayo to enable them to attend play school and eventually national school; and if he will make a statement on the matter. [6174/04]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The provision of health related services, including personal assistants for people with a disability, is a matter for the Eastern Regional Health Authority and the health boards in the first instance. The chief executive officer of the Western Health Board has been requested to examine the matter and to reply directly to the Deputy, as a matter of urgency.

192. **Mr. Crawford** asked the Minister for Health and Children when a person (details supplied) in County Monaghan can expect to receive an eye appointment with the North

Eastern Health Board; and if he will make a statement on the matter. [6175/04]

Minister for Health and Children (Mr. Martin): Responsibility for the provision of optometric services to eligible persons in County Monaghan rests with the board. My Department has asked its CEO to investigate the matter and to reply directly to the Deputy.

Organ Transplants.

193. **Mr. S. Ryan** asked the Minister for Health and Children if he will report on the provision of a transplant unit at the Mater Hospital, Dublin 7; when it will open; and if it is intended to extend or alter the search for donors. [6176/04]

Minister for Health and Children (Mr. Martin): Final arrangements are being put in place to facilitate the commencement of the surgical component of the lung transplant programme in the near future. Considerable preparatory work has already been completed including the provision of appropriate assessment facilities required to support the development of the service and the appointment of key transplant personnel at the Mater Hospital, Dublin. It has been designated as the surgical site. This year Revenue funding of €7.9 million was provided to support the programme. The transplant unit at the Mater hospital expects to be on-call for its first lung transplant from 1 April.

Ireland has traditionally had a high rate of organ donation. Part of it is due in to the annual donor awareness campaign. It is promoted by the Irish Kidney Association on behalf of the Irish Donor Network and supported by my Department.

International experience has shown that the rate of lung donation is likely to increase with the inception of a national programme. The proximity and interaction of the retrieval and transplant teams has also been shown to maximise the retrieval rate.

In the near future I shall establish an expert group to examine organ donation, procurement and utilisation policy in Ireland. It will be done as part of the national health strategy's commitment to develop organ transplantation services with a view to increasing donation and utilisation rates. In April the Irish Transplantation Society, in conjunction with the Irish Nephrological Society, is organising a consensus conference to discuss the issues associated with a living donor transplantation programme.

Medical Cards.

194. **Mr. McGuinness** asked the Minister for Health and Children if an application will be expedited for a medical card in the name of a

person (details supplied) in County Kilkenny. [6177/04]

Minister for Health and Children (Mr. Martin): Responsibility for the provision of a medical card is, by legislation, a matter for the CEO of the relevant health board or authority. My Department has asked the CEO of the South Eastern Health Board to investigate the matter and to reply directly to the Deputy.

Health Board Services.

195. **Mr. McGuinness** asked the Minister for Health and Children if a bath lift will be provided without delay to a person (details supplied) in County Kilkenny; the reason this person was told it would take two years to provide this aid; if there is a waiting list for aids and appliances; and if he will make a statement on the matter. [6178/04]

Minister of State at the Department of Health and Children (Mr. Callely): The provision of health services in Kilkenny is, in the first instance, the responsibility of the SEHB. My Department has asked its CEO to investigate the matter and to reply directly to the Deputy, as a matter of urgency.

Hospital Services.

196. **Mr. McGuinness** asked the Minister for Health and Children if rehab care will be provided at the national rehab unit, Dún Laoghaire in the case of a person (details supplied) in County Carlow; if it will be expedited in view of the length of time they have waited, both in Beaumont Hospital, Dublin and St. Luke's Hospital, Kilkenny; and if he will make a statement on the matter. [6179/04]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): My Department has made inquiries. Recently the National Rehabilitation Hospital confirmed that the individual is on its waiting list and cannot indicate an admittance date. The scheduling of hospital admissions is a matter for the consultant concerned and is determined solely on the basis of medical priority.

Housing Aid for the Elderly.

197. **Mr. McGuinness** asked the Minister for Health and Children the status of an application under the housing aid for the elderly scheme in the name of a person (details supplied) in County Kilkenny; if the application can be expedited; and if he will make a statement on the matter. [6180/04]

Minister of State at the Department of Health and Children (Mr. Callely): The provision of health services in Kilkenny is, in the first instance, the responsibility of the SEHB. My Department

[Mr. Callely.]

has asked its CEO to investigate the matter and to reply directly to the Deputy, as a matter of urgency.

198. **Mr. McGuinness** asked the Minister for Health and Children the status of an application under the housing aid for the elderly scheme in the name of a person (details supplied) in County Kilkenny; if the application can be expedited; and if he will make a statement on the matter. [6181/04]

Minister of State at the Department of Health and Children (Mr. Callely): The scheme in the Kilkenny area is operated by the SEHB, on behalf of the Department of the Environment and Local Government. My Department has asked the board's CEO to investigate the matter and to reply to the Deputy, as a matter of urgency.

Health Board Services.

199. **Dr. Cowley** asked the Minister for Health and Children if he will give further details to those given in Parliamentary Question No. 363 of 17 February 2004; if a person (details supplied) in County Mayo with aniridia is entitled to replacement lenses as required; if their medical circumstances come within this category; and if he will make a statement on the matter. [6207/04]

Minister for Health and Children (Mr. Martin): Responsibility for the provision of optometric services to eligible persons in County Mayo rests with the Western Health Board. My Department has asked the chief executive officer to investigate the matter raised by the Deputy and to reply to him directly.

Board	Routine	Urgent
ERHA	4-16 weeks	1-3 weeks
NEHB	8-9 weeks	Under 1 week
NWHB	16 weeks	4 weeks
SHB	3 weeks — 29 days	2 days — 1 week
WHB	5 weeks	Under 3 weeks

I should point out that phase one of the national cervical screening programme has been up and running in the Mid Western Health Board since October 2000. Under the programme, cervical screening is being offered at five year intervals to approximately 74,000 women in the 25-60 age group, free of charge.

The national health strategy includes a commitment to extend the programme to the rest of the country. The Health Boards Executive, HeBE, has initiated an examination of the

Hospital Services.

200. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called for cataract surgery. [6239/04]

Minister for Health and Children (Mr. Martin): The provision of hospital services for people living in County Mayo is a matter for the Western Health Board. My Department has, therefore, asked the chief executive officer of the board to reply directly to the Deputy in regard to the matter raised.

Ministerial Appointments.

201. **Ms Burton** asked the Minister for Health and Children the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6276/04]

Minister for Health and Children (Mr. Martin): This information is currently being compiled by my Department and will be forwarded directly to the Deputy as soon as possible.

Health Board Services.

202. **Ms McManus** asked the Minister for Health and Children the longest waiting time for women to receive results of their cervical cancer smear tests in each health board area; his views on evidence of delays of up to four months being experienced by women; and if he will make a statement on the matter. [6283/04]

Minister for Health and Children (Mr. Martin): Having made inquiries of the Eastern Regional Health Authority and those health boards in which there are laboratories undertaking the analysis of cervical smears, I am advised that the position with regard to turnaround times is as follows:

feasibility and implications of a roll-out of the national programme which is a major undertaking with significant logistical and resource implications. The work currently being undertaken as part of the roll-out includes an evaluation of phase one, policy development and the establishment of national governance arrangements. This work has regard to both the experiences gained from the phase one programme and other international programmes as well as current best practice.

The evaluation of phase one is a key element in informing the development of a high quality cervical screening model for Ireland. The evaluation is currently under way and it is anticipated that it will be completed within the next few months. Once completed, HeBE has advised that it will be in a position to prepare a draft roll out plan.

On the issue of resourcing of cervical cytology laboratories, it is the case that over the last number of years my Department has allocated additional funding to support the ongoing development and enhancement of cervical cytology services including the achievement of a reduction in waiting times for smear test results. The funding has facilitated the employment of staff, provision of training, introduction of new technologies such as liquid-based cytology, investment in new equipment and upgrading of facilities. Further additional funding amounting to €0.500 million was allocated in 2004 as part of a programme of continued investment in cervical cytology and coloscopy services.

Health Board Services.

203. **Mr. R. Bruton** asked the Minister for Health and Children if the Eastern Regional Health Authority have brought forward specific proposals for developments in the context of his proposals to develop new facilities and centres of excellence for the care of Alzheimer's patients; and if the Eastern Regional Health Authority have assessed the opportunity to develop such facilities at a location (details supplied) in Dublin 3. [6313/04]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): As the Deputy will be aware, the provision of health services in the Dublin 3 area is, in the first instance, the responsibility of the Northern Area Health Board acting under the aegis of the Eastern Regional Health Authority. My Department has, therefore, asked the chief executive of the authority to investigate the matter raised by the Deputy and reply direct to him as a matter of urgency.

The Deputy might be interested to note that I have met with both the Eastern Regional Health Authority and the Northern Area Health Board concerning the future use of this facility for the delivery of health related services. I acknowledge the need for specialised care for dementia and Alzheimer patients in this area of North Dublin. I have also met with the Alzheimer Society and the Sybil Hill day centre to explore the use of Verville nursing home as a centre of excellence for Alzheimer and dementia services in North Dublin. I also visited Verville nursing home with an Alzheimer Society representative and representatives of Sybil Hill day centre. I can assure the Deputy that I will continue to work

closely with the authority, the area board and agencies to ensure the most appropriate use of this facility by the health services.

Hospital Accommodation.

204. **Mr. O'Connor** asked the Minister for Health and Children if he has had contacts with regard to reports of discussions in respect of a merger between Tallaght Hospital and St. James's Hospital; if his attention has been drawn to reports of concerns of staff representatives in the matter; and if he will make a statement on the matter. [6318/04]

Minister for Health and Children (Mr. Martin): Officials of my Department have received a preliminary briefing on discussions which are ongoing between representatives of the hospitals mentioned by the Deputy and the Faculty of Health Sciences at TCD in regard to future governance arrangements. I would anticipate that any concerns raised by staff will be taken in account in the formulation of any proposals for change.

Smoking Ban.

205. **Mr. O'Connor** asked the Minister for Health and Children the position regarding actions proposed in respect of the implementation of the smoking ban; the consultations proposed in the matter; and if he will make a statement on the matter. [6319/04]

Minister for Health and Children (Mr. Martin): My Department and the relevant agencies have developed a national public information campaign, entitled "Smoke-Free at Work", which will be rolled out across TV, radio and print media. In addition, a series of print materials for workplaces, employees and the general public will be available over the coming weeks and these will be available on line at the new "Smoke-Free at Work" website. The campaign will provide guidance and information to all sectors of society in preparation for 29 March.

Information will also be available on line from the Office of Tobacco Control and the Health and Safety Authority websites. A memorandum of understanding has been agreed by the two agencies which will help to ensure compliance with the new measure. Workplace locations traditionally visited by the Health and Safety Authority will now also have to comply with the new smoke-free measure as part of their general compliance with health and safety requirements. Monitoring compliance with the smoke-free requirements in the food and hospitality area will be carried out by officers from health boards and the Office of Tobacco Control. The emphasis of the campaign will be on compliance building and in harnessing the widespread public support and

[Mr. Martin.] goodwill that exists for a smoke-free environment.

Adapting to the new measure will require some adjustment, particularly for those in workplaces which, up to now, have not benefited from the existing statutory controls on the smoking of tobacco products. I am confident that people will adjust, just as they did when cinemas, theatres, hairdressing salons, aeroplanes and numerous other settings went smoke-free. The trade union movement is strongly supportive and I am encouraged by the willingness shown by employer's organisations in the various sectors in recommending compliance with the new measure to their members. Most people are law abiding and responsible and I expect that the vast majority of employers, employees and the public will respect this important new public health measure.

Pharmacy Regulations.

206. **Mr. O'Connor** asked the Minister for Health and Children the status of the Mortell report; the action he proposes to take to respond to the report's reference to the subsidisation of pharmacy services in disadvantaged circumstances; and if he will make a statement on the matter. [6320/04]

Minister for Health and Children (Mr. Martin): I established the pharmacy review group in November 2001 to examine the pharmacy issues raised in the OECD report on regulatory reform in Ireland. The group submitted its report on 31 January 2003. I have been examining the complex legal and other issues surrounding the group's recommendations. Deputies will appreciate that it would not be appropriate for me to comment on the report's recommendations before completion of this examination. I intend to publish the report shortly.

Hospitals Building Programme.

207. **Mr. McHugh** asked the Minister for Health and Children if he has completed his consideration of the planning brief for Tuam health campus; if he will meet a cross community deputation from Tuam to discuss the project; and the date of such a meeting. [6337/04]

208. **Mr. McHugh** asked the Minister for Health and Children if he will approve the submission from the Western Health Board of the planning brief for Tuam health campus submitted to his Department on 8 October 2002; and if he will make the finance available to allow planning of the Tuam health campus to commence. [6338/04]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I propose to take Questions Nos. 207 and 208 together.

As the Deputy will be aware, the provision of health services in the Galway area is, in the first instance, the responsibility of the Western Health Board. The board has submitted to my Department a proposal to develop a health campus in Tuam, County Galway.

My Department is at present examining the health capital programme for 2004 and beyond to ascertain what new projects can be progressed through either planning or construction stages, taking account of existing commitments and overall funding resources available. It is in this context that my Department will continue to liaise with the Western Health Board regarding the proposed development in Tuam in the light of the board's overall capital funding priorities.

Pending clarification of the position relating to the capital programme, I am of the view that there would be little point in meeting a deputation from the local group at this stage. I will, however, keep the request in mind for the future.

Pharmacy Regulations.

209. **Mr. McHugh** asked the Minister for Health and Children if he will introduce legislation to ensure that pharmacies stays in the hands of pharmacists; and if he will legislate for a one pharmacist, one pharmacy model. [6339/04]

Minister for Health and Children (Mr. Martin): The opening and operation of retail pharmacies in Ireland is governed by the Pharmacy Acts 1875 to 1977, subject to restrictions imposed by non-pharmacy legislation such as the Planning Act. Pharmacies have not been exclusively pharmacist controlled since 1890. Any individual or company may open a pharmacy providing that the shop and the dispensing and compounding of medical prescriptions are personally supervised by a person who is a pharmacist and is employed in a full-time capacity and is not acting elsewhere in a similar capacity. I have no plans to legislate for a one pharmacist, one pharmacy model.

Penalty Points System.

210. **Mr. Connaughton** asked the Minister for Transport if a member of the fire brigade who is driving a fire appliance going to or from a fire or other such emergencies will be liable for penalty points if the speed limit is exceeded; the position if such a member is involved in a traffic accident; and if he will make a statement on the matter. [6196/04]

Minister for Transport (Mr. Brennan): Regulations made under the Road Traffic Acts

exempt the drivers of ambulances, fire brigade vehicles and Garda Síochána vehicles, while being used in the course of duty, from all speed limits with the exception of the motorway speed limit. Therefore, save in respect of a breach of the motorway speed limit, drivers of such emergency service vehicles cannot be charged with an offence of exceeding a speed limit and accordingly penalty points do not arise.

However, all drivers on the public roads are required under regulations to observe a general obligation regarding speed which requires that a vehicle shall not be driven at a speed exceeding that which will enable its driver to bring it to a halt within the distance which the driver can see to be clear.

The question of the determination of the causes and contributory factors of a traffic accident, including decisions on the charging of any road user involved in an accident with an offence under the Road Traffic Acts, is a matter for the investigating member of the Garda Síochána.

Departmental Appointments.

211. **Ms Burton** asked the Minister for

Transport the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointment were made.

Minister for Transport (Mr. Brennan): The information requested by the Deputy is in the attached table.

The appointments made by me include worker directors to the boards of State agencies under the aegis of my Department, where this is required in section 15 of the Worker Participation (State Enterprises) Act 1977, and chief executives of such agencies where legislation specifies that they become, *ex officio*, a director of the company.

Appointments to the Board of the Irish Aviation Authority are made by my colleague, Deputy James McDaid, under the powers conferred on him by S.I. No. 402 of 2002; Transport (Delegation of Ministerial Functions) Order 2002, for example, the IAA.

In other cases my appointments are made on the nomination of outside bodies, for example, the DTO and the Advisory Council to the Commission for Taxi Regulation.

Board	Appointments made since 6 June 2002	Relevant Experience/Position
Aer Lingus	William Clarke — 01.07.2002 Frank Cox — 01.07.2002 Sean Murphy — 01.07.2002 Nora O'Reilly — 01.07.2002 John Sharman — 21.03.2003 (UK) Chris Wall — 23.12.2003 (Re-appointment)	Worker Director Worker Director Worker Director Worker Director
Aer Rianta	Joe Gantly — 28.07.2003 Patrick Shanahan — 28.07.2003	Director on the Board of Aer Rianta and Chairperson-designate of proposed Cork Airport Authority Director on the Board of Aer Rianta and Chairperson-designate of proposed Shannon Airport Authority
Coras Iompair Éireann (CIÉ)	None	
Board Designate of Proposed Dublin Airport Authority	Gary McGann — 28.07.2003	Chairperson-designate of proposed Dublin Airport Authority
Board Designate of Proposed Shannon Airport Authority	Patrick Blaney — 16.10.2003 Tadhg Kearney — 16.10.2003 Rose Hynes — 16.10.2003 Michael B. Lynch — 16.10.2003 Padraic Burke — 16.10.2003 Reg Freake — 16.10.2003 Olivia Loughnane — 16.10.2003	
Dublin Transportation Office	Andy Cullen — 19/11/02 (re-appointed 9/1/04) Kevin Ring — 19/11/02 (re-appointed 9/1/04) Bill Lilley — 19/11/02 (re-appointed 16/1/04) Frank Allen — 19/11/02 (re-appointed 9/1/04)	Assistant Secretary, Dept. of Transport Dept. of Environment, Heritage & Local Govt. Managing Director, Bus Éireann Chief Executive, Rail Procurement Agency

Board	Appointments made since 6 June 2002	Relevant Experience/Position
Irish Aviation Authority (By Minister of State, Dr James McDaid)	Conor Mc Carthy — 19/11/02 (re-appointed 9/1/04)	Chairman, Dublin Transportation Office
	Owen Keegan — 19/11/02 (re-appointed 9/1/04)	Director of Traffic, Dublin City Council
	Derek Brady — 19/11/02 (re-appointed 9/1/04)	County Manager, Dun Laoire/Rathdown Co Co
	William Soffe — 19/11/02 (re-appointed 9/1/04)	County Manager, Fingal County Council
	Joe Horan — 19/11/02 (re-appointed 9/1/04)	County Manager, South Dublin County Council
	Alan Westwell — 19/11/02 (re-appointed 16/1/04)	Managing Director, Dublin Bus
	John Henry — 19/11/02 (re-appointed 9/1/04)	Director, Dublin Transportation Office
	Michael Tobin — 19/11/02 (re-appointed 9/1/04)	Chief Executive, National Roads Authority
	Michael Reidy — 19/11/02 (re-appointed 9/1/04)	Represents Iarnrod Eireann
	Niall Bradley — 19/11/02	County Manager, Kildare Co. Council
	Tom Dowling — 9/1/04	County Manager, Meath County Council (replaced Niall Bradley)
	Tony Hickey — 19/11/02 (re-appointed 9/1/04)	Assistant Commissioner, An Garda Síochána
Medical Bureau of Road Safety	Eamonn Brennan — 12.05. 2003	Chief Executive Officer, IAA.
	Neill Branagan — 17.06.2003	Air Traffic Controller
	Denis Cusack — 01.07.2002	Professor of Forensic Medicine, UCD.
	Bernadette Herity — 01.04.2003	Former Professor of Public Health Medicine & Epidemiology, UCD
National Safety Council	Brendan Gogarty — 01.04.2003	Barrister
	Fenton Howell — 01.04.2003	President of the Irish Medical Organisation
	Hilary Dalton — 01.04.2003	Assistant Principal, Dept. of Transport.
	John Weafer — 18.09.2003	Principal Officer, Department of Transport
National Roads Authority	Brian Huston — 31.01.2004	
	Bernard McNamara — 20.03.2003 (re-appointment)	
Railway Procurement Agency	Connie Ní Fhatharta — 20.03.2003 (re-appointment)	
	Brendan O'Mara — 03.04.2003	
	Hamid Foroughi — 27.11.2002	Worker Director
	John Maguire — 20.03.2003	
Advisory Council to the Commission for Taxi Regulation	Frank Allen — 6.08.2002	Chief Executive, RPA
	Pat Byrne — 04.11.2003	Former Garda Commissioner
	Denis Fitzpatrick — 04.11.2003	Chief Supt. An Garda Síochána
	Noreen Mackey — 04.11.2003	Competition Authority
	Sadie Doherty — 04.11.2003	Consumer & Community interests
	Jerry Brennan — 04.11.2003	SIPTU
	John Ussher — 04.11.2003	Irish Taxi Drivers Federation
	Deirdre Power — 04.11.2003	Irish Hotels Federation
	Deirdre O'Keeffe — 04.11.2003	Faite Ireland
	Michael Kilcoyne — 04.11.2003	Consumer Association of Ireland
	Vincent Kearns — 04.11.2003	National Taxi Drivers' Union
	Denise Kinahan — 04.11.2003	Taxi Company Owners Association
	Tom Fannin — 04.11.2003	National Chauffeur Drive Association
	Brian Killeen — 04.11.2003	Transport Logistics
	Mary Keogh — 04.11.2003	National Disability Authority
	Vincent Thornton — 04.11.2003	Irish Motor Industry
	Carmel Mulroy — 04.11.2003	Chambers of Commerce of Ireland
	Christopher Humphrey — 04.11.2003	National Private Hire & Taxi Association
	Joe Gavin — 04.11.2003	County & City Managers' Association

Aer Rianta.

212. **Ms B. Moynihan-Cronin** asked the Minister for Transport if employees of the Great Southern Hotel Group will be dealt with in the same manner as Aer Rianta workers regarding pensions and guaranteed employment; and if he will make a statement on the matter. [6309/04]

Minister for Transport (Mr. Brennan): As I stated in my reply of 17 February 2004 to Question No. 434 from the Deputy, the issue of Aer Rianta's main subsidiaries, including the Great Southern Hotels Group, is being carefully examined in the context of the ongoing work in my Department on the implementation of the Government decision to restructure Aer Rianta. It would not be appropriate for me to pre-empt the outcome of this work.

In regard to the restructuring of Aer Rianta, I would like to clarify that I have not provided guaranteed job security for workers in the company or jobs for life as it has been misrepresented in parts of the media.

Public Transport.

213. **Mr. O'Connor** asked the Minister for Transport if assistance is being given to Dublin Bus to deal with the difficult problems it is encountering with regard to smoking on buses; if he will seek a report on the matter; and if he will make a statement on the matter. [6329/04]

Minister for Transport (Mr. Brennan): I wish to advise the Deputy that this is an operational matter for the company concerned. However, Dublin Bus has informed me that Dublin Bus Byelaws 1996 and the Tobacco (Health, Promotion & Protection) Regulations 1995 prohibit smoking on buses. In an effort to address the issue of smoking generally on buses, Dublin Bus has introduced the use of plain clothes inspectors who exclusively target incidents of smoking, thereby securing the evidence required for a successful prosecution. This has resulted in a number of persons having been brought before the courts. The detection programme is ongoing and offenders will be prosecuted.

Light Rail Project.

214. **Mr. O'Connor** asked the Minister for Transport his plans and proposals to deal with the challenge of the Red Cow roundabout in respect of the Luas project; and if he will make a statement on the matter. [6332/04]

Minister for Transport (Mr. Brennan): The position in regard to the N7-M50 junction, Red Cow roundabout, is that it is part of the plans for the upgrade of the M50 overall. The National Roads Authority and South Dublin County

Council are currently preparing plans, including a motorway order and environmental impact statement, for the N7-M50 — Red Cow — junction. The upgrade works at the Red Cow interchange are intended to remove as much traffic as possible from the signal controlled environment through the provision of additional structures and free flow slips that are separated from other traffic movements. This will significantly increase the overall capacity of the interchange and reduce the Luas/car interface so that both the road and Luas network will have increased capacity. The proposed works will reduce the volume of traffic interfacing with Luas, i.e. traffic crossed by Luas, by more than half. Subject to satisfactory progress in planning and design and securing An Bord Pleanála approval, it is expected that work on upgrading the Red Cow interchange will commence in spring 2005 and be completed by spring 2007.

In the meantime, both the Railway Procurement Agency, RPA, and the Dublin Transportation Office, DTO, are satisfied that Luas, despite the current unsatisfactory traffic conditions at the Red Cow junction, will be able to operate satisfactorily using existing traffic signal sequences, pending the upgrade of the junction as part of the M50 upgrade project. The trams are driven in much the same way as a car or a bus in that tram drivers yield to other traffic if they are confronted with a red light.

Public Transport.

215. **Mr. F. McGrath** asked the Minister for Transport the reason the cost of the Dublin Port tunnel has risen from €440 million in October 2000 to €680 million in 2004; and if he will clarify other difficulties in relation to this project. [6392/04]

Minister for Transport (Mr. Brennan): The contract for the port tunnel, which is a design and build contract, was awarded in December 2000. The contract was awarded, excluding provision for price variation, in the sum of €448 million. At that time, when land acquisition, construction supervision etc. were included, it was anticipated that the all-in cost, including construction, would be in the region of €580 million. The construction period will extend to mid-2005 and allowing for the operation of the price variation clause over that five year period, it is currently estimated that the final out-turn cost, including price variation, will be in the region of €715 million — current prices. The cost increase between the all-in cost at 2001 prices and the all-in cost prices in 2004 is attributable to the price variation clause which takes account of construction cost inflation over the period concerned including both the costs of labour and materials.

[Mr. Brennan.]

The position on the height of the tunnel is that my Department engaged Atkins to review the feasibility, safety implications and cost of raising the height of the Dublin Port tunnel. They were requested to review a range of options for increasing the operational height of the tunnel, their feasibility, having regard to the state of implementation of the current design and build contract, and the likely additional costs and impact on the project completion date.

The final report was received from Atkins on 8 December 2003. I am currently reviewing the findings of the report and have sought further information from the NRA pertaining to its conclusions.

Registration of Title.

216. **Mr. Crawford** asked the Minister for Justice, Equality and Law Reform when the case of a person (details supplied) will be dealt with; if it will be expedited as a matter of urgency; and if he will make a statement on the matter. [6209/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for a transfer order which was lodged on 2 September 2002. Dealing Number D2002CS007672M refers.

I am further informed that the application is receiving attention in the Land Registry and, subject to no queries arising, will be completed within the next few weeks.

217. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform if the issue of a map to a person (details supplied) in County Mayo will be expedited. [6243/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for a special features folio file plan which was lodged on 10 February 2004. Application Number P2004SM011381C refers.

I am further informed that the application is receiving attention in the Land Registry and will be completed within the next few weeks.

218. **Mr. Crawford** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) will be dealt with; if his attention has been drawn to the fact that the refund on the stamp duty due to them for almost two years has not been paid; if he will expedite this case as a matter of urgency; and if he will make a statement on the matter. [6245/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an request from the Revenue Commissioners to review the Revenue stamp duty on a deed of transfer in regard to Instrument Number D2001CS006741J. I am also informed that this deed of transfer was forwarded to the Revenue Commissioners on 23 February 2004.

219. **Mr. Ellis** asked the Minister for Justice, Equality and Law Reform if his Department will complete a dealing on land registry (details supplied). [6246/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for a transfer which was lodged on 11 December 2003. Dealing Number D2003CS012725Y refers. I am further informed that this application is receiving attention in the Land Registry and will be completed as soon as possible.

Departmental Appointments.

220. **Ms Burton** asked the Minister for Justice, Equality and Law Reform the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6278/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out in the following tabular statement:

Name of Company/ Board/Agency	Name of Person Appointed	Date of Appointment
Solicitor's Disciplinary Tribunal	Sean Mc Clafferty Padraig Ingoldsby Margaret O'Shea Caroline Caslin	1 August, 2003
President of the Human Rights Commission	Dr. Maurice Manning	1 August, 2002
Internet Advisory Board	Audrey Conlon (Chair) Philip Watt	15 September, 2003 3 February, 2004
Board of Directors of the Land Registry and Registry of Deeds	Kevin Condon	December, 2002

Name of Company/ Board/Agency	Name of Person Appointed	Date of Appointment
Equality Authority	Karen Erwin, Chairperson Leonard Hurley, Vice-Chairperson Tony Donohoe Marie Moynihan Joan Carmichael Paddy Keating Gráinne Healy Carol Fawsitt Mary Keogh Thomas McCann Cearbhall Ó Meadhra Bob Quinn	23 June, 2003
Legal Aid Board	Anne Colley (Chair) Clare Pilkington Noirin Slattery Frank Goodman David Barniville, BL	19 September, 2003 12 September, 2003 30 October, 2002 30 October, 2002 19 September, 2003
Independent Monitoring Commission	Joseph Brosnan Richard Kerr	7 January, 2004 7 January, 2004
Remembrance Commission	David Andrews Pat Hume Catriona Murphy Paddy Mullarkey Conor Brady	29 October, 2003
Film Censor's Office	John Kelleher, Official Film Censor	8 November, 2002 (effective from 7 April, 2003)
Censorship of Films Appeals Board	Blathnaid Quilligan Paul O'Higgins Ann Walsh Cathy Herbert Sarah Moorhead Kevin Myers Ann Mooney Fr. Damien Mc Niece Rev. Conor David Pierpoint Dave Tyndall David Connolly	December, 2003 5 December, 2002 5 December, 2002 5 December, 2002 5 December, 2002 5 December, 2002 5 December, 2002 5 December, 2002 5 December, 2002 5 December, 2002 18 August, 2003
Interim Parole Board	Sean Lowry Martin Tansey	1 July, 2002 1 July, 2002
Arbour Hill Prison Visiting Committee	John Murphy Eithne Killeen Seamus Quinn Rita Hayes Jim Hanrahan Ita Greene	20 September, 2002 20 September, 2002 1 October, 2002 1 October, 2002 17 February, 2003 17 February, 2003
Castlerea Prison Visiting Committee	Mary Devine O'Callaghan Nuala Carroll Ken Glynn Susan Meagher Christy Gorman Michael Nevin Paul Gogan Eddie Brady	20 September, 2003 17 February, 2003 17 February, 2003 17 February, 2003 17 February, 2003 17 February, 2003 17 February, 2003 26 March, 2003
Cloverhill Prison Visiting Committee	Peggy Downey Fintan Hudson Eddie Martin Dermot Flynn	7 December, 2003 7 December, 2003 7 December, 2003 7 December, 2003

Name of Company/ Board/Agency	Name of Person Appointed	Date of Appointment
Cork Prison Visiting Committee	Christine Ryan	7 December, 2003
	Michael Coyle	7 December, 2003
	Sadie Jordan	20 September, 2002
	Colette Carter	20 September, 2002
	Jack Roche	20 September, 2002
	Eddie Creighton	1 October, 2002
	Anne Butler	1 October, 2002
	Ray O'Mahony	1 October, 2002
	Donal O'Shea	16 October, 2002
	Terry Kelly	17 February, 2003
Curragh Place of Detention	Cáit Uí Fhaoláin	18 December, 2003
	Thomas J. Lynch	18 December, 2003
	Eileen Curran	18 December, 2003
	Gerry McMahon	17 February, 2003
	Paddy Cullotty	17 February, 2003
	Evelyn Varley	17 February, 2003
	Clare Murphy	17 February, 2003
	Mary Ryan	17 February, 2003
	Maureen Hyland	17 February, 2003
	Michael Hanrahan	17 February, 2003
Fort Mitchel Place of Detention Visiting Committee	Wilhelmena Daly	17 February, 2003
	Brian O'Reilly	26 March, 2003
	John Hodnett	20 September, 2002
	Angela O'Connor	20 September, 2002
	Elizabeth O'Beirne	20 September, 2002
	Eamon Rafter	20 September, 2002
	Kevin O'Neill	20 September, 2002
	Elizabeth Leahy	1 October, 2002
	Dan Collins	12 November, 2002
	Margaret Coady	17 February, 2003
Limerick Prison Visiting Committee	Michael Fahy	30 August, 2002
	Ger Connolly	20 September, 2002
	Colette Scanlon	20 September, 2002
	Tom O'Keeffe	20 September, 2002
	Robert Mulcahy	20 September, 2002
	Ann O'Keeffe	20 September, 2002
	Eileen O'Brien	2 October, 2002
	Noirin Mitchell	2 October, 2002
	Teresa Lynch	15 October, 2002
	Eddie Feeley	31 October, 2002
Loughan House Place of Detention Visiting Committee	Clifford Kelly	31 October, 2002
	Kathleen Richie	31 October, 2002
	Niall Mc Cole	31 October, 2002
	Alice Bonner	31 October, 2002
	Brendan Hughes	31 October, 2002
	Martin Doonan	31 October, 2002
	Mary Kathleen Johnston	12 November, 2002
	Pierce Wyse	2 October, 2002
	Desmond Gibney	2 October, 2002
	Betty Minihane	2 October, 2002
Portlaoise Prison Visiting Committee	Carmel Bolger	12 November, 2002
	Catherine Quinn	30 August, 2002
	HHJ Gray	20 September, 2002
	Mary Wheatley	20 September, 2002
	Catherine Rochford	2 October, 2002
	Tom Colgan	18 December, 2003
	Michael Hough	18 December, 2003
	Kevin Fitzgerald	13 August, 2002
Shelton Abbey Place of Detention		

Name of Company/ Board/Agency	Name of Person Appointed	Date of Appointment
Visiting Committee	Pat Doran	13 August, 2002
	Oonagh Doyle	13 August, 2002
	Pat Fitzgerald	13 August, 2002
	Colette Douglas	9 September, 2002
	Hugh O'Keeffe	31 October, 2002
	PJ Sheridan	31 October, 2002
	John Byrne	31 October, 2002
	Peadar Clohessy	31 October, 2002
	Kathleen Maher	31 October, 2002
	John Murphy	17 February, 2003
	Mary Murphy	20 September, 2002
St. Patrick's Institution Visiting Committee	Hugh Lynn	20 September, 2002
	Noel Cloak	20 September, 2002
	Michael Burns	20 September, 2002
	Tras Honan	20 September, 2002
Training Unit Place of Detention Visiting Committee	Kathleen Diamond	31 October, 2002
	Noel Coade	31 October, 2002
Censorship Of Publications Board Expert Group on Codification	Deirdre Kenneally	31 October, 2002
	Geraldine Foster	31 October, 2002
	Mary Kelly	31 October, 2002
	Patsy Geraghty	12 November, 2002
	Dóirbhile Flanagan SC, (Chair)	17 February, 2003
	Noreen Kennedy	17 January, 2003
	Professor Finbar McCauley, (Chair)	
	Jean Monnet	
	Paul Anthony Mc Dermott, BL	
	Professor Paul Mc Cutcheon	
Refugee Appeals Tribunal	Matthew Feely	
	Elizabeth Howlin	
	Geraldine Larkin	
	Mary Keane BL	
	Eamon Cahill	20 November, 2003
	Aidan Eames	20 November, 2003
	Eamonn Barnes	20 November, 2003
	Jim Nicholson	20 November, 2003
	Donal Egan	20 November, 2003
	Patrick Hurley	20 November, 2003
	Sunniva McDonagh	20 November, 2003
	Des Zaidan	20 November, 2003
	Bernadette Cronin	20 November, 2003
	Michael O' Kennedy	20 November, 2003
	John Ryan (Chair)	3 December, 2003
	Bernard Mc Cabe	12 January, 2004
	Mary E Laferty	12 January, 2004
	David Mc Hugh	12 January, 2004
	Ricardo Dourado	12 January, 2004
	Elizabeth O' Brien	12 January, 2004
Independent Monitoring Committee for the Refugee Legal Service	Oliive Brennan	23 January, 2004
	Doreen Shivnen	23 January, 2004
	Con Murphy	13 February, 2004
	Fr. Brian Moore	12 September, 2002
	Sadie Tierney	10 June, 2002
National Disability Authority Courts Service Board	Michael Mellett	November 2002
	Gerry McCaughey	November, 2002
	Olive Braiden	November, 2002
	Caoimhin Ó hUiginn	January, 2004

Ground Rents Abolition.

221. **Mr. Morgan** asked the Minister for Justice, Equality and Law Reform, further to Parliamentary Question No. 267 of 18 February 2004, the details regarding the steps which have been taken to date to resolve the possible constitutional and practical difficulties regarding the Bill to abolish ground rents which is listed in the Government legislative schedule published on 25 January 2004; and if he will make a statement on the matter. [6284/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have indicated previously in the House that, pending resolution of the issues, it would not be appropriate to go into the details of the possible constitutional and practical difficulties involved in the Bill providing for the abolition of ground rents, other than to say that the difficulties concern the respective rights of ground rent tenants and landlords and the registration of interests associated with the measure.

Stardust Tragedy.

222. **Mr. Broughan** asked the Minister for Justice, Equality and Law Reform if he has received a new forensic report on the Stardust tragedy of 1981, in which 48 persons people lost their lives; if his Department has assessed the new report; and if the matter will be referred to the Garda Bureau of Criminal Investigation for urgent re-examining and investigation. [6315/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that my Department has received a report on the fire at the Stardust in 1981, which has been compiled at the behest of the Stardust Victims Committee, and has forwarded this report to the Garda Commissioner and the Forensic Science Laboratory for examination of the material contained in the report, with particular reference to any matters or evidence contained in the report which would be considered as “new evidence” or matters not dealt with by the tribunal of inquiry.

Crime Prevention.

223. **Mr. O'Connor** asked the Minister for Justice, Equality and Law Reform if he has had the opportunity of considering the merits of the STAY project based in St. Aengus Parish, Tallaght, Dublin 24, which has the strong backing of the Garda Síochána; if his attention has been drawn to the fact that this is a worthwhile project which clearly deserves funding; and if he will make a statement on the matter. [6321/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply

to Parliamentary Question No. 139 of 26 November 2003. The position remains as set out in that reply.

224. **Mr. O'Connor** asked the Minister for Justice, Equality and Law Reform if he will liaise with the Garda Síochána regarding the crime and vandalism affecting the scout den at Tymon North, Tallaght, Dublin 24; his views on the need for action; and if he will make a statement on the matter. [6322/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the detective branch at Tallaght Garda station is currently investigating recent incidents of crime and vandalism at the scout den at Tymon North. I am further informed that regular Garda patrols give the area ongoing attention. In addition, the two local community gardaí have been requested to pay particular attention to the area and to liaise with scout leaders. Furthermore, the divisional crime prevention officer will make arrangements to meet with scout leaders with a view to advising on improving security at the den.

Closed Circuit Television Systems.

225. **Mr. O'Connor** asked the Minister for Justice, Equality and Law Reform the contacts he has had with regard to the need for closed circuit television in various locations throughout Tallaght, Dublin 24; if his attention has been drawn to the need for such provision; and if he will make a statement on the matter. [6323/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, Tallaght is one of 17 locations which is set to receive a new Garda town centre CCTV system, subject to the availability of funds. The other locations are, in alphabetical order, Athlone, Ballyfermot, Bray, Carlow, Castlebar, Clondalkin, Clonmel, Dundalk, Dún Laoghaire, Ennis, Finglas, Galway, Kilkenny, Limerick, Sligo, and Waterford.

Phase 1 of the scheme comprises Bray, Dundalk, Dún Laoghaire, Finglas, Galway and Limerick. The contract for the supply, installation and commissioning of Garda CCTV systems for these locations was awarded to SKS Communications Ltd and work on the implementation of these systems is ongoing at present.

Phase 2 of the scheme comprises Athlone, Clondalkin, Tallaght and Waterford. The pre-tender process for these systems is at an advanced stage. Request for tender and detailed technical specification documents are currently being drafted by the telecommunications section at Garda Headquarters, having regard to experience with other Garda CCTV systems and

technological developments in this field. It is intended that these systems will go out to tender during the first quarter of 2004.

Phase 3 of the scheme comprises Ballyfermot, Carlow, Castlebar, Clonmel, Ennis, Kilkenny and Sligo. The planning for the installation of these systems is scheduled to commence later this year.

With respect to the contacts which I have had with regard to the need for CCTV in various locations throughout Tallaght, I am informed that while the Garda authorities are aware of preliminary discussions regarding the extension of the proposed Tallaght town centre CCTV system to Jobstown, no formal proposal or application for such an extension has yet been received by the CCTV Advisory Committee.

The Deputy will recall that he asked in his parliamentary question of 19 November 2003, Ref. No. 27796/03, if Kiltalown would be included in the “closed circuit television scheme as required by the community” and was informed that the CCTV Advisory Committee had not received any application to consider a CCTV system for that area. I am informed that no such application in respect of Kiltalown, or, for that matter, any other location in Tallaght, Dublin 24, has since been brought to the attention of the CCTV Advisory Committee. If any such applications are received, they will be processed in the normal manner.

I am further informed that while expressions of interest in my Department’s community based CCTV scheme have been received from South Dublin County Council, it is unclear from departmental records what, if any, areas in Tallaght the council intends to cover in any application it may envisage making under the scheme.

Crime Prevention.

226. **Mr. O'Connor** asked the Minister for Justice, Equality and Law Reform if the Garda Síochána have the resources to deal effectively with the serious crime problems at the bridge across the Tallaght bypass linking The Square and Seán Walsh park; if his attention has been drawn to the importance of this bridge to the community and to the fact that the bridge should remain open and be safe; and if he will make a statement on the matter. [6325/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities who are responsible for the detailed allocation of resources, including personnel, that the gardaí in Tallaght are aware of the importance to the local community of the footbridge across the Tallaght bypass linking The Square shopping centre and Seán Walsh park.

In order to combat crime and ensure safety in the area, extra Garda foot patrols have been

allocated to the area. These patrols are augmented by the community gardaí and the mountain bike unit. In addition, plain clothes personnel conduct ongoing covert operations in the vicinity.

The gardaí in Tallaght will make every effort to ensure the bridge remains open and safe for pedestrians. Local Garda management are satisfied that they have adequate resources to deal with the problems associated with the footbridge.

Proposed Legislation.

227. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform the level of consultation between him and the Garda Commissioner in drafting the Garda Síochána Bill 2004. [6384/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There was detailed consultation between both myself and officials of my Department and Garda management during the drafting process for the Garda Síochána Bill.

Garda Retirement.

228. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform if he will consider allowing the changes in the retirement age for gardaí to be brought into effect immediately for all serving members, and not just for members who join the force after 1 April 2004, to ensure that the changes will have an immediate effect on the numbers in the force; and if he will make a statement on the matter. [6385/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda Síochána (Retirement) Regulations 1951 govern retirement from the Garda Síochána. These regulations state, *inter alia*, that every member of the Garda Síochána shall retire from the Garda Síochána on attaining the age which is applicable to the rank in the Garda Síochána at the time of retirement by each member, that is to say, in the case of a member holding the rank of chief superintendent or superintendent on attaining the age of 60 years; and in the case of a member below the rank of superintendent on attaining the age of 57 years.

There are currently no plans to alter these regulations for serving members. The changes in the retirement age for members of the Garda Síochána, outlined in the Public Service Superannuation (Miscellaneous Provisions) Bill 2004, will apply only to “new entrants” who are recruited to the Garda Síochána after 1 April 2004.

Garda Strength.

229. **Mr. Deasy** asked the Minister for Justice,

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Equality and Law Reform the number of gardaí in the force at 1 January 2003; the number who are expected to join the force during 2004 and the number who will be retiring; the estimated numbers in the force at 31 December 2004; and if he expects the force to reach its projected target of 12,200 by the end of 2004. [6386/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities who are responsible for the detailed allocation of resources, including personnel, that the personnel strength of the Garda Síochána, all ranks, as at 1 January 2003 was 11,895.

In April 2000 the Government agreed, *inter alia*, to a system of delegated authority under which recruitment is carried out to maintain the strength of the force at an agreed level. In April 2002 the Government agreed to increase the approved strength of the force by 200 to 12,200.

A total of 115 gardaí, all ranks, are due to retire from the force on compulsory age grounds in 2004. In addition, the Commissioner has projected that a total of 342 trainees are required to meet the demand created by compulsory retirements and projected voluntary retirements and other discharges for 2004. However, he cautions that all projections are based on variables and are therefore subject to change. The matter of voluntary retirements will be closely monitored, particularly in the early months of this year when historically a higher number of applications are received.

Some 690 Garda trainees were taken into the Garda college during 2003. The Commissioner has projected, based on the anticipated rate of retirement, that the maximum authorised force strength of 12,200 will be achieved during 2004.

Garda Operations.

230. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform the plans he has to introduce a special drugs unit into Mayo in view of the vast coastline and the presence of an airport; and if he will make a statement on the matter. [6387/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that there are no plans at present to introduce a special drugs unit into the Mayo division. However, as part of the commitment to the Garda Síochána Policing Plan and in order to achieve its objectives, a divisional drugs team has been established which consists of members of the Garda Síochána experienced in the area of drugs. A panel of such members has been formed from around the Mayo division for the purpose of conducting operations and for collection and

collating of intelligence in regard to the illicit use of drugs. Operations are organised on the basis of such intelligence. The Garda authorities consider this method of operation appropriate for the Mayo division.

In addition, the Coastal Watch scheme is in operation in the Mayo division in the three districts which have a coastline, that is, Westport, Belmullet and Ballina. The scheme is similar to the concept of the Community Alert and Neighbourhood Watch schemes and operates at each Garda sub-district along the coast. The gardaí also perform duty at Knock Airport in regard to arrival and departure of external flights.

The area of drug enforcement is monitored by the Garda authorities on a regular basis in order to ensure that adequate measures are in place to deal with offenders.

Garda Training.

231. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform the firearms training facilities available to gardaí in the Skerries area; if the facility at Gormanstown is no longer available; the alternative facilities he has sought; and if he will make a statement on the matter. [6388/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that gardaí in the Skerries area are usually trained in the use of firearms in the Gormanstown army range. If this facility is not available, training is provided at the Garda Headquarters in the Phoenix Park or in other locations in the Leinster area.

Penalty Points System.

232. **Mr. G. Mitchel** asked the Minister for Justice, Equality and Law Reform the reason penalty points for an alleged offence of speeding on 8 March 2003 will not be entered into the record of the licence of a person, details supplied, in Dublin 6W until 25 February 2004, nearly a year after the date of the offence and seven months after the payment of a fixed charge, effectively meaning they will have penalty points for a period of three years and 11 months; and if he will make a statement on the matter. [6395/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The matter referred to by the Deputy is an operational matter for the Garda Síochána and as such I have no role in regard to it. However, I have had inquiries made and I am informed by the Garda authorities that, while delays occurred at several stages during the processing of this speeding notice, a number of set periods are provided for in the Road Traffic Acts, for example, a vehicle owner has up to 28

days within which she or he may nominate the person driving the car followed by a further 56 days within which she or he may avail of the option to pay the fixed charge.

Contributory factors to the delay in the case referred to by the Deputy were that the recipient of the fixed charge notice did not respond to it for seven weeks, as is her statutory right. However, when the notice was returned it was not completed as required by law and consequently had to be returned to her leading to a further delay.

Neither I nor the Garda authorities have any involvement in the recording of penalty points on a driving licence but I understand it is not correct to say that the points are on this person's licence for a period exceeding three years. I am informed that when the issues mentioned were finalised and the cheque payment cleared, the Garda authorities then transmitted the information to the Department of the Environment, Heritage and Local Government which in turn notified the driver that the penalty points would be recorded against her licence for a three year period with effect from four weeks from that date, as required by sections 5 and 7 of the Road Traffic Act 2002.

The Deputy will appreciate that the penalty points system is currently operating on a semi-manual basis. It will be computerised later this year when the fixed charge processing system becomes operational.

EU Funding.

233. **Ms Enright** asked the Minister for the Environment, Heritage and Local Government when the new LIFE regulation will be adopted at EU level; and if he will make a statement on the matter. [6197/04]

234. **Ms Enright** asked the Minister for the Environment, Heritage and Local Government if he expects the LIFE budget for 2005 and 2006 to be increased; and if he will make a statement on the matter. [6198/04]

235. **Ms Enright** asked the Minister for the Environment, Heritage and Local Government if he will seek a general exemption for small NGOs from the requirement to provide a bank guarantee when applying for LIFE co-financing; and if he will make a statement on the matter. [6199/04]

Minister for the Environment, Heritage and Local Government (Mr. Cullen): I propose to take Questions Nos. 233 to 235, inclusive, together.

In November 2003, the European Commission published a proposal for a regulation of the European Parliament and the Council amending Regulation (EC) No. 1655/2000 concerning the financial instrument for the environment, LIFE.

The key aims of the proposal are to extend the third phase of LIFE until 31 December 2006; bridge the gap between the expiry of the current regime and the new post-2006 financial perspectives; make LIFE consistent with the 6th Environmental Action Programme and Regulation (EC) No. 1605/2002 on the financial regulation applicable to the general budget of the European Communities; and amend the comitology provisions to substitute the management committee procedure for the regulatory one in light of the European Court of Justice's judgement of 21 January 2003.

The Irish Presidency is consulting with EU member and acceding state representatives and with the European Parliament's rapporteur and chair of the Committee on the Environment, Public Health and Consumer Policy with a view to reaching a first reading agreement to avoid any significant delay in the funding of projects in 2005. I believe there are good prospects for reaching such an agreement. Consequently, I anticipate adoption of the new regulation before the dissolution of Parliament in May.

As the principal aim of the proposal is to extend the third phase of LIFE until 31 December 2006, pending the post-2006 financial perspectives, specific substantive changes to operational aspects of the regulation are not envisaged. The proposals include a limited increase in funding for accompanying measures to allow for improvement in dissemination and monitoring activities.

Environmental Policy.

236. **Ms Enright** asked the Minister for the Environment, Heritage and Local Government if he has read the BirdWatch Ireland proposal entitled Greening Europe; the priorities for the Irish Presidency of the European Union; his views on same; and if he will make a statement on the matter. [6200/04]

Minister for the Environment, Heritage and Local Government (Mr. Cullen): My Department has received the document entitled Greening Europe, which was prepared by Birdlife International, with input from its Irish partner, BirdWatch Ireland, in prospect of the Irish EU Environment Presidency.

My priorities for the Irish Presidency are focused around three key areas: advancement of the EU's internal environment policy and legislation agenda. The Environment Council has a wide-ranging policy and legislative agenda and I am giving priority to key proposals on air quality, waste management, climate change, chemicals and nature conservation. Negotiations on a number of issues including a proposal to extend the current LIFE regulation programme are ongoing with a view to maximising progress at the

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Council of Environment Ministers' meeting on 2 March; preparation of the environmental contribution to the annual review of the Lisbon Agenda by the European Council at its spring meeting. Informed by a number of inputs from the European Commission, such as the recently published Annual Environment Policy Review, 2003, and Spring Report, I will emphasise the need to decouple economic growth and social progress from environmental degradation. In particular, I will be promoting innovation and investment in clean technologies with a view to boosting competitiveness and growth, increasing employment and strengthening environmental protection. Finalisation of the environmental contribution to the annual review of the Lisbon Agenda will be a priority for the Environment Council meeting on 2 March; and effective participation by the EU in wider international fora. I am working to maintain the EU's leadership in promoting sustainable development at international level, including through pursuit of the plan of implementation arising from the World Summit on Sustainable Development held in Johannesburg in 2002. My main priority is to lead EU participation in a number of significant international meetings in the first half of 2004, including the 7th Conference of the Parties to the Convention on Biological Diversity, incorporating the first meeting of the parties to the Cartagena Protocol on Biosafety, which I attended last week in Malaysia, and the 12th Session of the UN Commission on Sustainable Development to be held in the United States in April 2004.

In addition to the above, my Department is organising or involved in a number of conferences and seminars which will be held in Ireland during the Presidency. An informal meeting of the Environment Council will be held in Waterford from 14 to 16 May 2004 and will focus on communications from the European Commission on the sustainable use of natural resources and the recovery and recycling of waste. I will also be hosting a major stakeholder conference in May on implementation of the EU biodiversity strategy of action.

Electronic Voting.

237. **Ms O'Sullivan** asked the Minister for the Environment, Heritage and Local Government if he will elaborate further on plans to accommodate blind persons in electronic voting; if voice activation, Braille or other methods to facilitate a secret ballot for blind voters will be made available; and if he will make a statement on the matter. [6201/04]

Minister for the Environment, Heritage and Local Government (Mr. Cullen): Since its first

use in 2002, a number of improvements have been made to the voting machine to improve its user friendliness for the visually impaired and other users. The new features include an increase in the size and legibility of candidate details, the use of larger preference numbers and brighter displays for better visibility and the use of a redesigned "Cast Vote" button. As with previous elections, a large copy of the ballot paper will be displayed in the polling station and a voter with a visual impairment may also avail of assisted voting facilities.

In addition, my Department is examining the development of a facility for the future whereby visually impaired voters, who would otherwise require assistance to vote, will be able to use the new voting system independently. My Department will be consulting with the National Disability Authority and the National Council for the Blind, who have already provided constructive input into the improvements made to the voting machine in regard to the development of this voting machine feature.

Control of Dogs.

238. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if he proposes to introduce mandatory State subsidised neutering and spaying of all non-licensed dogs. [6228/04]

Minister for the Environment, Heritage and Local Government (Mr. Cullen): I have no proposals for the introduction of such measures.

239. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if he proposes to introduce mandatory State sponsored micro-chipping of all dogs to reunite missing dogs with their owners. [6229/04]

Minister for the Environment, Heritage and Local Government (Mr. Cullen): The Control of Dogs Regulations 1998 require the owner or other person in charge of a dog to ensure that the dog shall at all times wear a collar bearing the name and address of the owner inscribed thereon, on a plate, badge or disc attached thereto. The regulations contain penalties for non-compliance with this requirement or for defacing or rendering illegible the particulars described above.

These arrangements followed consideration of all practicable options for ensuring identification of dogs, including that of micro-chipping. There is, accordingly, no proposal at present to alter them.

Animal Welfare.

240. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if he proposes to provide proper resources for the

ISPCA and rescue centres to implement dog welfare measures. [6230/04]

Minister for the Environment, Heritage and Local Government (Mr. Cullen): Animal welfare is a matter for the Department of Agriculture and Food in the first instance. My Department's responsibility lies with the Control of Dogs Acts 1986 and 1992 and regulations made thereunder which provide a regulatory framework for dog control. Some local authorities employ the ISPCA for dog control in their areas and revenues raised from dog licence fees are used for this purpose. In addition, my Department has in recent years paid an annual grant of €35,352 to the ISPCA for the operation and maintenance of a national guard dog register.

Control of Dogs.

241. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if he proposes to implement a licensing system for all dog breeders subject to minimum care standards. [6231/04]

Minister for the Environment, Heritage and Local Government (Mr. Cullen): My Department is currently engaged in discussions with relevant interests regarding the proper management of

kennels in respect of the powers vested in it under the Control of Dogs Acts 1986 and 1992. These discussions are currently ongoing.

Departmental Appointments.

242. **Ms Burton** asked the Minister for the Environment, Heritage and Local Government the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6279/04]

Minister for the Environment, Heritage and Local Government (Mr. Cullen): A number of different processes are involved in appointments made to bodies under the aegis of my Department. In some cases statutory selection procedures must be followed or nominations must be sought from independent nominating panels before appointments are made by the Government or by the Minister for the Environment, Heritage and Local Government. In other cases only particular public office holders may be appointed to certain boards. In a number of situations, only some appointments to the body concerned are made by the Minister.

Subject to the above, the details sought in the question are listed in the following table.

Name of Body	Name of Person Appointed since 6 June 2002	Date Appointment made
An Chomhairle Leabharlanna	Mr. Seán Ryan Cllr. Denis Bourke Cllr. Cora Long Cllr. Luie McEntire Cllr. Michael Abbey Cllr. Laurence O'Neill Ms. Deirdre Ellis-King Ms Ruth Flanagan Mr. Robert Adams Mr. Donall O'Luanaigh Mr. John Fitzgerald Ms. Beatrice Doran Mr. Richard Lennon	20 May 2003
Building Regulations Advisory Body	Mr. Gerard Grogan	19 February 2003
Dublin Docklands Development Authority Council	Mr. Liam Whelan	2 June 2003
Environmental Protection Agency	Ms Emer Costello Mr. Larry Stapleton* Mr. Gerry Carty*	10 September 2003 17 June 2003
Fire Services Council	Mr. Donal Connolly Mr. Tony Gleeson Cllr. Mary Bohan Mr. Stephen Brady Mr. Jim Byrne Ms Anne Costello Mr. Frank Dennison Mr. John L'Estrange Ms Attracta McKay	11 February 2003

Name of Body	Name of Person Appointed since 6 June 2002	Date Appointment made
Housing Finance Agency	Cllr. Enda Nolan	
Local Government Computer Services Board	Mr. Teddy O'Connor	
	Ms Theresa White	
Local Government Management Services Board	Ms. Maria Graham	5 February 2003
	Mr. John Fitzgerald	11 October 2003
	Mr. Fred Bradley	
	Mr. Kevin Cullen	18 July 2003
National Building Agency	Mr. Aidan Kinch	
	Mr. Jim Lillis	
	Cllr. Pat Leahy	7 November 2002
Rent Tribunal	Mr. Des Dowling	5 February 2003
	Ms. Moya Quinlan	31 July 2003
	Ms Mary Doyle	
	Ms. Louise Moloney	
	Mr. Joe McPeake	
	Mr. Kieran Buckley	
	Ms Morette Kinsella	
	Mr. John Leddin	
	Mr. William Stanbridge	
Irish Water Safety Association	Mr. Fred Devlin	
	Mr. Frank Nolan (Chair)	4 February 2003
	Ms Kathryn Byrne	
	Ms. Breda Collins	
	Mr. Michael Cuddihy	
	Mr. Brian Farrell	
	Ms Patricia Hutchinson	
	Mr. Jim Lawlor	
	Mr. Brendan McGrath	
	Ms Martina Maloney	
	Mr. Michael Murphy	
	Mr. Martin O'Sullivan	
Comhar	Mr. Martin Condon	24 September 2003
Private Residential Tenancies Board	Ms Christine Croton	12 November 2003
Heritage Council	Mr. Bernard McDonagh	4 November 2002
	Ms. Mary Moylan	14 November 2002
	Ms Deirdre Ellis-King	12 March 2003
	Mr. Éamonn McEneaney	12 March 2003
Radiological Protection Institute of Ireland	Prof. Kieran R. Byrne	24 February 2003
Nature Conservation Designation Appeals Advisory Board	Mr. Sean Duignan	1 May 2003

*Appointments made by the Government on foot of nomination by a statutory selection committee.

House Prices.

243. **Mr. R. Bruton** asked the Minister for the Environment, Heritage and Local Government his views on proposals that would restrict the right of persons selling houses to increase the price to prospective purchasers without cost justification; and if he will make a statement on the matter. [6288/04]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Regulatory control of house prices would not be an appropriate policy instrument in the current housing market. Such regulation was discontinued after some years in

the early 1980s and it is not proposed to reintroduce it.

This matter was also assessed in the consultancy report, *An Economic Assessment of Recent House Price Developments* (1999), published by my Department, which considered the question of administrative price control of new houses but concluded that this kind of intervention could be ineffective and would result in distortions to the market, to the detriment of house buyers.

The Government's preferred policy is to increase the supply of houses to meet increasing demand and to improve affordability, particularly for first-time buyers, and in this way seek to bring

moderation to house price increases. The measures introduced by this Government to boost supply, such as significant investment in infrastructure, removing planning constraints and promoting the increased residential densities are having effect, with house building in Ireland now advancing at the fastest rate in Europe. The year 2003 is the ninth successive year of record housing output with house completions up 19.3% on 2002 and a total 68,819 units built. House completions in 2003 are also up 14% in Dublin and 10.5% in the greater Dublin area on 2002 levels.

Local Authority Funding.

244. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government the reason the increase in the budget allocation to Tralee was below the average for the State. [6289/04]

Minister for the Environment, Heritage and Local Government (Mr. Cullen): I assume that the question refers to the 2004 general purpose grants from the local government fund notified to Tralee Town Council.

Tralee Town Council has been allocated €2.9 million in general purpose grants towards their day-to-day expenses in 2004. This represents an increase of 11.7% over the 2003 baseline allocation and is about four times the expected rate of inflation for the year. The increase of over €300,000 that Tralee Town Council has been allocated over its 2003 baseline is in fact the third largest increase in monetary terms of any town council.

Electronic Voting.

245. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if he will urgently change his proposals on electronic voting and reconsider the old system in order to ensure confidence in the democratic process. [6391/04]

Minister for the Environment, Heritage and Local Government (Mr. Cullen): I am committed to delivering the benefits of electronic voting and counting to the entire electorate at the European and local elections. The new system has a proven track record of use in the Netherlands and in a number of areas in Germany. More recently it has also been approved for use in France. It has been tested extensively by a range of independent test institutes and companies and has been successfully used in seven constituencies in Ireland. I am confident that the integrity and security of the democratic process will be enhanced by the system and I look forward to its successful implementation.

Security of the Elderly.

246. **Mr. S. Ryan** asked the Minister for Community, Rural and Gaeltacht Affairs if, in 2002 or other years, he approved grants under the community support for older people to a company (details supplied) for the replacement of equipment previously supplied by another company (details supplied) and grant aided by her Department; and, if so, the details of the scheme and the grant given. [6192/04]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The purpose of the scheme of community support for older people is to provide funding for initiatives to improve the security of vulnerable older people.

Grants are paid directly to the locally based organisations. No grants are paid to individuals or alarm companies under this scheme.

Under the terms of the 2003 scheme, grant aid was made available towards the once-off costs of purchase and/or installation of small-scale physical security equipment and socially monitored alarm systems. In 2003, for the first time since the scheme was introduced, funding was made available towards the cost of replacement, where socially monitored alarms previously installed under this scheme were broken.

The relevant local organisation has responsibility for the purchase and installation of the security equipment and my Department has no direct involvement in this aspect of the scheme.

Departmental Appointments.

247. **Ms Burton** asked the Minister for Community, Rural and Gaeltacht Affairs the appointments made by him to all companies, boards or agencies operating under the aegis of his Department since 6 June 2002; the persons appointed; and the dates on which the appointments were made. [6280/04]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): In response to the Deputy's query, I wish to confirm that the following appointments have been made to companies, boards or agencies operating within the ambit of my Department since 6 June 2002. The details are as set out in the attached appendix.

Appendix

Arramara Teo

Directors	Date of Appointment
Tom Hyland	6/10/2003
Risteard Mac Donnacha	6/10/2003
Marie Tinney	6/10/2003

National Drugs Strategy Team (NDST)

Member	Date of Appointment
Padraic White, Chairperson	February 2004

Western Development Commission (WDC)

Member	Date of Appointment
Billy Grimes	24/06/2003

Dormant Accounts Fund Disbursements Board

Member	Date of Appointment
David Brennan	10/10/2003

An Coimisiún Logainmneacha

Membership	Date of Appointment
Seosamh Ó Braonáin (Cathaoirleach)	03/06/2003
Dr. Nollaig Ó Muraile	03/06/2003
An tOllamh Pádraig Ó Riain	03/06/2003
Marcus Ó Floinn	03/06/2003
Dr. Ríonach UíÓgáin	03/06/2003
An tOllamh Máirín Ní Dhonnchadha	03/06/2003
Liam Mac Con Iomaire	03/06/2003
Dr. Edel Breathnach	03/06/2003
Tom Crowley	03/06/2003
Máire Ní Chiarba	03/06/2003
Dr. Úna Uí Bheirn	03/06/2003
Prionnsias de Priondargást	03/06/2003

An Foras Teanga/The Language Body

Nominations are made by the Irish Government and the Northern Ireland Executive. Appointments are made by the North/South Ministerial Council.

(1) Members with responsibility for exercise of functions through Foras na Gaeilge.

Membership	Date of Appointment
Liam Corey	13/12/2002
Anne Craig	13/12/2002
Gordon McCoy	13/12/2002
Aodhán Mac Poilín	13/12/2002
Gearóid Mac Siachais	13/12/2002
Patrick McGlone	13/12/2002
Treasa Ní Ailpín	13/12/2002
Caitríona Ní Cheallaigh	13/12/2002
Mairéad Nic Sheaghain	13/12/2002
Maolseachlainn Ó Caolaí	13/12/2002

Membership	Date of Appointment
Leachlainn Ó Catháin	13/12/2002
Pádraig Ó Duibhir	13/12/2002
Gearóid Ó hEara	13/12/2002
Diarmuid Ó Murchú	13/12/2002
Maighréad Úí Mhairtín (Chair)	13/12/2002
Bríd Uí Néill	13/12/2002

(2) Members with responsibility for exercise of functions through Ulster Scots Agency

Membership	Date of Appointment
Lord Laird of Antigarvan (Chairperson) (Joint Chairperson)	13/12/2002
Pádraig de Bhál	13/12/2002
James Devenney	13/12/2002
Linda Lunney	13/12/2002
Alastair Simpson	13/12/2002
Robert Stoker	13/12/2002
Dr. Éamonn Ó Domhnaill	13/12/2002
Dr. Ian Adamson	04/09/2003

Commissioners for Charitable Donations and Bequests

Appointments are made by Government.

Membership	Date of Appointment
Peter Mullock	1 July 2003

EU Enlargement.

248. **Mr. R. Bruton** asked the Minister for Social and Family Affairs the analysis which she has undertaken of the likely inflow of persons from the new members of the EU, the proportion of these women she estimates may take up employment in Ireland, the proportion who may become dependent on social welfare, and if she has put in place any response mechanisms to ensure that there is not an excessive inflow; and if she will make a statement on the matter. [6247/04]

Minister for Social and Family Affairs (Mary Coughlan): It is not possible at this stage to predict the level of in-flows from and out-flows to the ten acceding countries which may arise after May 2004.

Free movement of persons is one of the fundamental freedoms guaranteed by Community law and includes the right to live and work in another member state. The right of free movement applies not only to workers but also other categories of people such as students, pensioners and EU citizens in general.

The Employment Permits Act 2003 provided a legislative basis for the granting of full labour

market access to nationals of the EU accession states after accession takes place on 1 May 2004. From that date, nationals of these countries will no longer require employment permits to work in Ireland.

The Act also contains a safeguard mechanism whereby a requirement for employment permits may be reintroduced in respect of nationals of the relevant countries should the Irish labour market suffer an unexpected disturbance during the transitional period after EU enlargement takes place. Any question of reintroducing a requirement for such permits would be a matter for my colleague, the Tánaiste and Minister for Enterprise, Trade and Employment.

We have a strong economy and we will welcome people who want to come here to work. Last year Irish businesses depended on 47,000 work permits to be issued to non-nationals to help them meet their labour supply requirements. The Department of Enterprise, Trade and Employment estimates that after 1 May this year, as much as 70% to 80% of that requirement will be met by workers from the ten new accession countries.

In regard to access to social welfare payments, I have said previously that I will not allow our social welfare system to become overburdened in the context of EU enlargement and I will be taking steps to ensure the system is protected in the light of, *inter alia*, measures being introduced elsewhere and particularly in the UK in light of the common travel area.

In that regard the UK is putting in place a series of measures designed to address the issue of access to social security payments, including a new workers registration scheme and changes in the conditions for qualification for social security payments.

I am currently examining the provisions which are being introduced and I will be proposing changes to the social welfare code to similar effect. These measures will be sensible, considered and reasonable.

Ministerial Appointments.

249. **Ms Burton** asked the Minister for Social and Family Affairs the appointments made by her to all companies, boards or agencies operating under the aegis of her Department since 6 June 2002; the persons appointed; the dates on which the appointment were made. [6281/04]

Minister for Social and Family Affairs (Mary Coughlan): The five statutory agencies operating under the aegis of my Department are the Pensions Board, the Combat Poverty Agency, Comhairle, the Social Welfare Tribunal and the Family Support Agency.

The Pensions Board was established under the Pensions Act 1990 and has the general function

of monitoring and supervising the operation of the Pensions Act and pensions developments generally. The current membership of the board is 17. On 16 February 2004 I appointed Mr. Michael McNulty as chairperson of the board following the resignation of the previous chairperson. I also appointed a Pensions Ombudsman, Mr. Paul Kenny, from 28 April 2003. This appointment was made on foot of an open competition undertaken by the Civil Service and Local Appointments Commission.

On the Combat Poverty Agency, the current membership of the board of the agency is 16. Since 6 June 2002 I have appointed 12 members to the board. Appointments to the Combat Poverty Agency Board since 6 June 2002 are as follows:

Member	Date of Appointment
Joan O'Flynn	5th December 2002
Anthony Gavin	31st January 2003
Frank Curran	31st January 2003
Maria Gorman	31st January 2003
Alice Robertson	31st January 2003
Tony Lane	31st January 2003
Marie O'Neill	20th February 2003
Olive Sweetman	7th May 2003
Maria Corrigan	7th May 2003
Tony O'Callaghan	20th August 2003
Margaret Sweeney	20th August 2003
Pearse O'Hanrahan	6th December 2003

As regards Comhairle, the current membership of the board of Comhairle is 20. Since 6 June 2002 I have appointed 15 members to the board. Appointments to Comhairle since 6 June 2002 are as follows:

Member	Date of Appointment
Tom Daly (Chair)	12th September 2002
Hubert Kearns	4th November 2003
Mairin Byrne	12th September 2002
John Hogan	19th June 2003
Martin Naughton	19th June 2003
Joe Meagher	19th June 2003
Michael Walsh	19th June 2003
Patricia Walshe	19th June 2003
David Ormond	19th June 2003
Maria Mangan	8th July 2003
Inez Bailey	12th September 2002
John Bosco Conama	12th September 2002
Nigel Brander	12th September 2002
Caroline Casey	12th September 2002
Paul Hogan	12th September 2002

The current membership of the Social Welfare Tribunal is five. Since 6 June 2002 I have appointed five members to the tribunal.

[Mary Coughlan.]
Appointments to the Social Welfare Tribunal since 6 June 2002 are as follows:

Member	Date of Appointment
Colin Walker (Chair)	6th March 2003
Patrick Pierce	4th October 2003
Dympna Harpur	4th October 2003
Fergus Whelan	4th October 2003
Richard Keating	4th October 2003

The board of the Family Support Agency was formally established on 6 May 2003 and the members appointed from then were:

- Mr. Michael O’Kennedy SC (Chair)
Ms. Paddie Connellan
Ms. Sinead Hanly
Mr. Gerard Mangan
Ms. Clare Cashman
Mr. Dick Hickey
Mr. Brendan Murphy
Dr. Colm O’Connor
Ms. Muriel Walls
Ms. Dilly O’Brien
Ms Brid Rocks
- In addition, Ms Margaret Farrell was appointed on 31 July 2003.